



SPREP

South Pacific Regional Environment Programme



**Report of the
Thirteenth SPREP Meeting
of Officials
and
Report of the Environment
Ministers' Forum**

**Majuro, Marshall Islands
22–26 July 2002**

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*22—26 July, 2002
Majuro, Marshall Islands*

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Agenda Item 1: Official Opening

1. The Thirteenth SPREP Meeting of Officials (13SM) was convened in Majuro, Marshall Islands, from 22 to 25 July 2002. Representatives of the following SPREP countries and territories attended: American Samoa, Australia, Cook Islands, Federated States of Micronesia, Fiji, France, French Polynesia, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Tokelau, Tonga, Tuvalu, United States of America, Vanuatu and Wallis and Futuna. Council of Regional Organisations in the Pacific (CROP) partners, namely: Forum Secretariat, Secretariat of the Pacific Community (SPC), South Pacific Applied Geoscience Commission (SOPAC) and the University of the South Pacific (USP) were also represented. Observers from a range of regional, international and non governmental organisations were also present. A list of participants is attached as Annex I.

2. Delegates were welcomed with the traditional presentation of flower garlands and head-dresses by the Youth to Youth Group. The Master of Ceremony, Mrs Neijon Edwards then welcomed all those present and invited the Chair of the Twelfth SPREP Meeting (12SM), Federated States of Micronesia, the Honourable Patrick Mackenzie, to make his opening remarks.

3. The Honourable Mackenzie paid his respects to the traditional leaders of the Marshall Islands for allowing the 13SM to be held in their country. He also thanked the host government for the warm welcome with which delegates had been greeted.

4. He recalled the past 12 months during which he served as the SPREP Chair and he thanked Members for the opportunity. He added that he also had the privilege to serve as the Chair of the Selection Advisory Committee to recruit the new Director and he thanked those Members that had made up the Committee.

5. The Chair further noted that the past 12 months had been an important year for the Secretariat in terms of its commitment to preparations for the World Summit on Sustainable Development (WSSD); the approval of the new Corporate Plan; a new organisational structure; and changes in staff. He added that the appointment of the new Director would complete the transition of the Secretariat to better serve its Members.

6. In his final comments, the Honourable Mackenzie acknowledged special recognition of the Director and his staff for their support. He warmly reflected on the Director's friendship and hospitality and wished him well in his future endeavours. The Chair's opening remarks are attached as Annex II.

7. Father Richard McAuliff led the meeting in an inspirational prayer. Mrs Edwards then invited Mr Philip Kabua, Chief Secretary, Republic of the Marshall Islands to give the keynote address.

8. The Chief Secretary, Mr Philip Kabua, welcomed all delegates to Majuro on behalf of His Excellency, President Kessai H. Note, the Government and the people of the Marshall Islands. Mr Kabua made reference to the common challenge faced by Pacific Islands to develop ways to better manage their oceans, land, resources and the environment in general. He recalled the commitment made to Agenda 21 at the Earth Summit in Rio de Janeiro in 1992 and said that Pacific Leaders would gather again in September of this year with other world leaders to renew and reinvigorate their political commitment to sustainable development.

9. The Chief Secretary stressed to delegates the need to agree on a plan of action towards sustainable development and added that, through the spirit of cooperation and regional solidarity, the Pacific region had already secured significant recognition of its needs. He urged the Conference to remain firm and committed to addressing the region's special needs within both regional and international fora.

10. In closing, Mr Kabua wished the meeting success in its deliberations and thanked donor countries, the SPREP Secretariat, the organising committee in Majuro and the participants for making this Meeting possible through their various contributions. The Chief Secretary then declared the 13SM officially open. Mr Kabua's speech is attached as Annex III.

11. Mrs Edwards thanked the Chief Secretary for his remarks and invited the Director of SPREP to make his welcoming remarks.

12. In his welcoming remarks, the Director of SPREP, Mr Tamari'i Tutangata, greeted all delegates and thanked the Chief Secretary for his address. The Director extended his sincere appreciation to His Excellency, President Kessai H. Note and the Government and people of the Republic of the Marshall Islands for accepting the heavy responsibility of hosting the 13SM. He extended his gratitude too, to the Honourable Litokwa Tomeing, Speaker of the Nitijela (Parliament) for giving the Meeting the honour of being housed within his premises.

13. The Director stated that this was the last occasion on which he would have the honour of addressing an Opening Ceremony for a SPREP meeting in his current capacity and he made mention of the selection process to recruit a new Director for the organisation. He acknowledged the hard work of the Chair and members of the Selection Advisory Committee in conducting this exercise.

14. The Director further mentioned his visit to the islands of Tokelau some weeks earlier which, he said, had reminded him of the expectations that the people of the region had of the Secretariat. He explained to delegates that on country visits, time and government obligations had prevented him from spending much time listening to the wider community. Nevertheless, each of his visits had re-booted his enthusiasm for the responsibilities that he had been entrusted with almost six years ago.

15. The Director also spoke on the WSSD and advised that Ministers attending the Environment Ministers' Forum would be depending on the delegates to assist them in ensuring that the guidance they provided to Heads of Governments would contribute to achieving the Meeting's goals of achieving sustainable development.

16. In closing, the Director highlighted several issues of significance to the SPREP work programme and budget noting that these would be discussed during separate agenda items over the week. He added that delegates had much work ahead of them over the next three days and he wished them well in making decisions that would enable the region to develop harmony with the environment and its people. The Director's speech is attached as Annex IV.

17. Father Richard then blessed the Meeting through a closing prayer.

Agenda Item 2: Appointment of Chair and Vice-Chair

18. In accordance with the Rules of Procedure of the SPREP Meeting, where, when a Meeting was not hosted by the Secretariat, the Chair was to be provided by the host, the representative of the Marshall Islands assumed the Chair. The Rules also provided that the Vice-Chair rotate alphabetically whether or not the Meeting was hosted by the Secretariat and the representative of Kiribati was accordingly appointed Vice-Chair.

Agenda Item 3: Adoption of Agenda and Working Procedures

19. The representative of Australia requested an additional item for inclusion under Other Business – issues on small island states' experience in the hosting of SPREP Meetings. There were no other changes and the Agenda as amended was adopted and is attached as Annex V. The working hours of the Meeting were agreed as proposed by the Secretariat and an open-ended Report Drafting Sub-committee was appointed to assist with the report of the Meeting. This Sub-committee comprised a core group of representatives of American Samoa, Federated States of Micronesia, France, Kiribati, Niue, Marshall Islands, Tonga and Tuvalu. The Vice-Chair of the 13SM, Kiribati, was selected to Chair the Report Drafting Sub-committee.

Agenda Item 4: Action Taken on Matters Arising from Twelfth SPREP Meeting

20. The Secretariat reported on implementation of matters arising from the 12SM as outlined in the Secretariat's working paper and under ensuing agenda items.

21. The representatives of Palau, Papua New Guinea, Tonga, Tuvalu, Vanuatu and Wallis and Futuna expressed their gratitude to the Government of the Marshall Islands for hosting this Meeting. They further extended their thanks to the Director, staff and donors of SPREP for making the Meeting possible.

22. The representative of Tuvalu thanked the Secretariat for actions taken to date and referred to the item on outstanding member contributions and suggested that feedback on government responses to the reminder sent out by the Secretariat, may help the Meeting address the reasons why members were unable to make their payments. He further thanked the Director and his staff for the assistance that the Secretariat had provided to Tuvalu over the past year. He added that small island nations were greatly in need of such assistance due to their limited capacity to manage their environment. The representative requested the Secretariat to assist Members to build their capacity to become involved in negotiations at the global level. He then pledged the full cooperation of Tuvalu to the Meeting.

23. The Director of SPREP thanked the representative of Tuvalu for his comments. He highlighted the difficulty in terms of financing the recruitment of specialised staff within the Secretariat to provide advisory assistance at the global level. However, he agreed that this was a key need and that SPREP officers continued to provide their support in this area wherever possible.

24. With regard to the item on a proposed South Pacific Whale Sanctuary, the representative of Papua New Guinea informed the Meeting of his government's recent approval to make Papua New Guinea's EEZ a Whale Sanctuary and requested that other

Members also advise the Meeting of their status on this, under the appropriate agenda item. He also explained that the non-payment of Papua New Guinea's contribution was due to an administrative oversight and would be addressed and would be paid by the end of July 2002.

25. The representative of Wallis and Futuna thanked the Secretariat for the visit paid to Wallis and Futuna by SPREP's Environment Legal Officer which he said, had been very helpful. With regard to the item on Member Contributions, he explained that as a result of political issues, his country's contribution had been delayed. However, he advised that this would be paid by the end of August.

26. The representative of Tonga also noted that his country's contribution would soon be paid. On the matter of the whale sanctuary, the representative advised that Tonga had had a whale sanctuary for over 10 years. In response, the Secretariat said that this was indeed on record.

27. The representative of Vanuatu advised the meeting that his Minister had taken up the issue of contributions and this would be paid before the end of the year.

28. The representative of Palau, stated that his country believed in the sustainability and management of whales based on sound scientific information and that Palau maintained the position it had held at the last meeting of the International Whaling Commission (IWC).

29. The Meeting noted the status of action undertaken by the Secretariat on matters arising from the Twelfth SPREP Meeting.

Agenda Item 5: Presentation of Annual Report for 2001 and Director's Overview of Progress since Twelfth SPREP Meeting

30. The Director tabled the Annual Report of SPREP for the year 2001 and apologised for the delay in getting the report to Members.

31. The Director highlighted the Secretariat's efforts in trying to integrate environmental issues into the planning and budgetary processes of Member countries. He referred to the recent workshop on Climate Change Adaptation (funded by AusAID, the ADB and the World Bank) which was the first time senior government officials from national finance and planning ministries had come together with officials from environment departments to discuss environment issues. The Director stated that the drawback for this workshop had been the possibility of funding for adaptation measures from organisations such as AusAID.

32. The Director also mentioned the successful construction of the SPREP Training and Education Centre and the Information and Resource Centre. However, he noted that it was important that the Meeting consider the construction of a residence for the Director to avoid the need for the Director to spend time searching for appropriate housing.

33. With regard to climate change, the Director stated difficulties in recruiting a specialised Senior Climate Officer. He advised that the SPREP Legal Officers and the Meteorological Officer had been looking after this area. However, this had not been

adequate due to other commitments of these officers. He added that he hoped to have improved this situation by the end of the month.

34. With regard to the restructuring of the organisation, the Director advised on the recruitment of the Deputy Director, the Business Support Manager and the Programme Delivery Manager. He stressed that the Secretariat now needed to put in place the necessary processes in order to ensure the new structure was successful in delivering outputs to Members.

35. The Director also mentioned the evaluation of the work programme and advised that it had not been tabled as it had not been translated. However, the paper was available in English as an information paper.

36. Kiribati thanked the Secretariat for the Annual Report and requested that a detailed analysis of the performance evaluation and explanation be provided to the Meeting. She also added that in future documents that could not be reproduced on time should be made available on the internet prior to the Meeting. The representative also suggested that perhaps more consultations with Members were needed when conducting the work programme evaluation. She suggested a process similar to that used for the WSSD preparatory process where countries were asked to develop priorities. She further requested the inclusion of the word “social” within the four key areas to recognise the contribution of communities to environment management.

37. The Meeting endorsed the Year 2001 Annual Report.

Agenda Item 6: Performance Review

6.1 Work Programme Evaluation

6.1.1 Implementation of the 2001 Work Programme

38. The Secretariat briefly outlined activities which had been implemented in the 2001 calendar year to achieve the goal of the Action Plan 2000 – 2004. The Secretariat referred to the use of performance auditing as a valuable management tool that had enabled an accurate and critical evaluation of the organisation’s achievements while identifying a number of measures for better performance. Consequently, the Secretariat informed the meeting that a number of actions had already been undertaken to address the issues identified in the Performance Audit Report.

39. The representative of Fiji requested information regarding the similarities between this audit review and the previous one, noting that this would help identify whether there had been any improvement in performance. In response, the Secretariat informed the Meeting that performance had improved since 1999. However, the Secretariat recognised the limits of this audit due to its focus on the financial aspect and not on assessment of the impact of SPREP work in countries.

40. The representative of Australia observed that the document was a limited evaluation of the organisation’s performance. She encouraged the Secretariat to provide clear, analytical reporting of performance against objectives and approved work programmes. She strongly urged the Secretariat to make such an assessment a core focus of its work programme. The representative further noted that the success of the move by

Australia to increase programme funding relied heavily on clear reporting of programme progress.

41. With regard to the 2003 Work Programme and the 2004 – 2005 budget, the representative of Australia noted that it was difficult to adopt these without clear indications of the success of earlier activities. She stressed that effective evaluation of the work programme was critical to performance and results-based management.

42. Responding to these comments, the Secretariat advised that it had been unable to table the complete audit report as it had not been translated due to timing constraints. It advised, however that the document would be made available as an information paper in the English language for those who were interested. The Secretariat further noted that while it fully appreciated the need for such an assessment, there would be cost implications for such an exercise.

43. The representative of Australia noted that evaluation of work progress should be incorporated in regular management processes. She reiterated the importance of such an assessment for effective management and reporting.

44. The representative of New Zealand commended the Secretariat on this initiative and noted that the performance was an important management tool. He was however concerned that neither the Report nor the Executive Summary had been made available to Members prior to the Meeting. He also noted the apparent surplus of funds in certain areas. He acknowledged that the Secretariat did not have the flexibility to move funds which were not used to implement funded projects, within or between Key Result Areas (KRAs) of the work programme that did not have secured funding because of the nature of a project-based work programme. This clearly pointed to the need for a more programmatic approach. He stated that the inclusion of unsecured funding was very useful and encouraged the Secretariat to continue providing this information in future work programme and budget documentation. The representative further noted that the 40% success rate shown did not reflect well on the organisation and this indicated a need for improvement in development of the performance measure indicators.

45. The representative of Samoa agreed with the comments of Australia and New Zealand and that evaluation of the work programme should be an agenda item at each officials meeting. However, he recognised that Members also needed to collaborate with the Secretariat by providing country reports on SPREP progress.

46. The Secretariat took on board the guidance provided by the Meeting for more effective work programme implementation.

6.2 Financial Reports

6.2.1 Report on Members' Contributions

47. In accordance with Financial Regulation 13, the Secretariat reported to the Meeting on receipt of Members' contributions. The report addressed contributions received during 2001. It also provided an update on the status of Members' contributions received in the current year, up to the time of the Meeting.

48. The Secretariat advised that contributions of US\$600,267 were received from Members during 2001 compared to the total payable of US\$668,859. This left a balance of US\$68,583 which, when combined with previous years gave a total of US\$313,149 outstanding contributions to the end of 2001. A total of US\$326,417 had been received so

far from Members in 2002, out of the total payable of US\$717,850. The total of outstanding contributions for all years was now US\$700,424. The Secretariat noted that some of the outstanding contributions related to Pitcairn, which had withdrawn from SPREP. Since Pitcairn had never really benefited from the work of the Secretariat, the Meeting was invited to consider writing off that part of the debt.

49. The Secretariat noted the commitment shown by many Members in meeting their agreed contributions in full for 2001 and 2002. Nonetheless, the fact remained that the problem of unpaid contributions was by far the worst for any CROP agency, and a severe handicap to the work of the Secretariat.

50. The representative of the United States of America was pleased to report that the USA had been able to contribute \$200,000 to the Secretariat this year and hoped to be able to keep up this rate of contribution. He supported the proposal to write off the Pitcairn arrears and to absorb the 1.158% contribution across all other Members on a *pro rata* basis. He also reminded the Meeting that for various administrative reasons, the USA had difficulties in accepting mandatory increases in contributions. The representative also noted that there was reference in the paper to previous majority or consensus decisions on contribution increases and asked that these be deleted, and replaced with suitable wording to indicate that the increases were voluntary. The Secretariat acknowledged this matter and agreed to make the necessary changes.

51. The representative of Kiribati asked what information was available on the status of Member payments to other regional institutions and whether these indicated any across-the-board trends which might be helpful to the Secretariat in indicating reasons for non-payment. The Secretariat responded that this information would be covered under a subsequent agenda item. The representative of Kiribati also indicated that while Kiribati had not yet paid its 2002 contributions, she was pleased to advise that the payment had been initiated the previous week.

52. The representative of France reminded the Secretariat of recent correspondence between the two bodies which sought to clarify aspects of its contributions, in particular the fact that France had indicated its intention to increase contributions at the rate of 10% a year over 3 years. He noted that this was not reflected in the paper, and asked that it be changed accordingly. He also questioned the apparent minor shortfall in each of his country's contributions, which disagreed with their own payment records.

53. The representative of Fiji noted that in the past Fiji had been generally able to meet its contributions but had begun to slip behind since 2000. This was because their Finance department had not agreed to make adjustments for increased allocations, and was also a consequence of the effects of falling exchange rates. The representative added that he would continue to push for increases, but at the same time asked that it be noted that contributions were voluntary.

54. The representative of Tonga asked whether the information shown for 2001 reflected both of the payments made by Tonga in that year and this was confirmed by the Secretariat. The representative also noted Tonga was currently showing a small deficit because it had not been able to gain government support for increased funding. However, they would continue to push for these increases.

55. The representative of the Republic of the Marshall Islands indicated that their 2002 payment was being processed, while Niue indicated that it would also be paying shortly, and was also trying to get approval for payment of arrears.

56. The representative of Tuvalu noted that his delegation at the 12SM had raised concerns about the overall size of the outstanding arrears. He acknowledged the efforts of the Secretariat to collect these arrears, and stressed again the need for all members to pay their contributions on time. He advised that their shortfall of US\$31 would be settled at this meeting. Tuvalu also supported the USA proposal for the Pitcairn arrears. The representative also took the opportunity to refer back to the previous agenda item 6.1, and noted that while Tuvalu had wanted to contribute to the discussion this had not been possible because they did not have the papers. He reminded the Secretariat of the need to get important papers distributed on time, and noted that the Secretariat could not expect feedback from Members if it was not providing the appropriate information. In response the Secretariat noted that it was trying to improve document delivery through use of the SPREP web site and was considering the use of CD-ROM for the provision of Meeting documents in the future.

57. The representative of American Samoa apologised for her country's current arrears situation and indicated that she would follow this up with the appropriate agencies. She acknowledged the significant support that American Samoa had received from SPREP in recent years and noted that the value of this was far in excess of the country's assessed contributions.

58. The representative of American Samoa also suggested that it might be of assistance if the Secretariat was able to provide specific information on the value of assistance provided to each country. The representative of France indicated that while he agreed with this approach in principle, there was a danger that some countries might misuse the information by comparing their contributions and benefits against those of other countries. Responding to both of these interventions the USA suggested that the best approach might be to provide the information to each country on an individual basis, preferably by attachment to the letters requesting payments of contributions. This proposal was supported by the representative of Fiji who recalled that this approach was used by UNEP with regard to their voluntary contributions, and this was especially helpful to governments when trying to justify the payments. The approach was also supported by the representatives of France and Australia, with the latter asking whether this would also be a useful tool for improving the feedback on SPREP performance as well, as discussed under item 6.1.

59. In response to the above discussion, the Secretariat indicated that it had been using this approach in recent years and had been met with mixed success. The system was first started in 2000 in conjunction with country evaluations, and the Secretariat was continuing to work on improving the quality and content of the information being provided.

60. The representative of the Federated States of Micronesia questioned whether non-payment was an indicator of poor service delivery by SPREP or simply not enough effort being made to collect the money. He recalled that at 12SM the Director had been advised to take the matter up with Heads of Governments. In response the Director noted that he had tried this during his country visits but with no great success. However, he would continue to pursue the matter with Members, but would also appreciate any additional guidance on ways to improve the success rate. He also noted that he was encouraged by the various comments and constructive suggestions made by the Members.

61. The representative of Samoa expressed his concern over the total member arrears, and noted that these had increased by about \$0.5million over the last four years. He urged

the Members to take action to see that this did not continue. He further noted that of all the CROP agencies, SPREP had the lowest core budget but the highest deficit.

62. The representative of Palau indicated that he had hoped that the Director's visit to Palau last year would have encouraged his government to make their payments but this did not happen. He asked the Secretariat to provide him with a billing statement that he could take back to his government.

63. The representative of France asked whether there was a deadline for payment of the annual contributions, and noted that his finance authorities required a specific request for payment every year. He recommended that SPREP should send out the billing letters as soon as possible at the start of each year, and in that case, the payment by France could be expected by the end of March. He deplored the current shortfall of over \$700,000 and noted that these were due to two types of arrears; those caused by specific circumstances and those of a more structural nature. The structural arrears were of the greatest concern. He recommended that the Secretariat should check with other regional agencies on the approaches taken to address the problem of arrears, and how the matter was addressed in their relevant regulations.

64. The representative of Kiribati stated that she thought one of the main contributors to the problem was miscommunication between governments particularly with Focal Points. In Kiribati, all official SPREP correspondence was sent to Foreign Affairs and may not be forwarded on to her Department.

65. The representative of Samoa questioned whether some of the arrears going back to the early 1990s, should be written off, as done by some other organisations. He also asked whether the details of these arrears were shown in the request for payment letters. The Secretariat confirmed that payment letters were fully itemised and were sent out as soon as possible after 1 January each year.

66. The representative of New Zealand supported the call for urgency on payments of arrears and noted that the effect of these arrears on the core budget was a significant barrier to programme implementation. He suggested that there could be an opportunity with a new Director coming on board, to place priority on those countries in arrears in his/her country visits to promote the value of the organisation at the highest levels.

67. Discussion then focussed on the need for decisions over the Pitcairn arrears and the arrangements for absorbing their future contributions. It was generally agreed by Members that the future contributions should be absorbed across all Members on a *pro rata* basis. However, there were differences of opinion as to whether the arrears should be simply written off or met by other Members. The Secretariat provided Members with the relevant information following which the representative of New Zealand indicated that his country would be willing to meet the cost of all the Pitcairn arrears during 2003. He also indicated intention to increase New Zealand's future contributions to the Secretariat, but would return to this matter under the discussion on the work programme and budget.

68. The Meeting:

- **noted** with concern the status of unpaid contributions and urged Members to meet their commitments in a timely manner;
- **accepted** with gratitude the offer of New Zealand to meet Pitcairn's arrears; and

- **agreed** to redistribute Pitcairn's share of the contributions in accordance with the current formula. The approved chart is attached as Annex VI.

6.2.2 Cash Flow and Primary Functions

69. The Secretariat presented its report on cash flow during 2001 for the Primary and Project Management Functions. The Secretariat advised the Meeting that Project Implementation Function cash flows were not included in the report as these were donor funded, with expenditure only being incurred once funds had actually been received.

70. The Secretariat noted that throughout the year, an overall positive cash flow situation had been achieved and it had not been necessary to draw on the Reserve Fund. This had been achieved as a result of the steady flow of member contributions and the administration fees charged for project implementation. The cash surplus of US\$41,842 remaining at the end of the year had been transferred to this Fund.

71. The cash flow for the Primary Function also showed a positive balance throughout the year thanks to the timely payment by some Members of their contributions and to the receipt of outstanding contributions from previous years. On the other hand, the Project Management cash flow was consistently negative throughout the year, primarily due to a shortfall in project administration fees. This came about because some donors were reluctant to meet the full administration fees on donor-funded projects, and required the Secretariat to cover the shortfall as contributions in-kind.

72. The representative of New Zealand thanked the Secretariat for a very useful paper and noted that separation of the Core Functions into Primary and Project Management Functions helped to clarify the budget. He requested clarification on why some support staff were paid from the project management function. The Secretariat explained that although most support staff were core-funded, the project implementation fee did indeed provide the salaries for some key support officers.

73. The representative of New Zealand thanked the Secretariat for this clarification and urged that it consider moving all key personnel (i.e. support staff) into the primary function to ensure stability for the organisation.

74. The Meeting noted the report.

6.2.3 Audited Annual Accounts for 2001

75. The Secretariat tabled the Audited Annual Accounts for the year ended 31 December, 2001 in accordance with the SPREP Financial Regulations. The Management responses to the audit were included in the tabled copy of the Auditor's Report. The Secretariat drew the Meeting's attention to the notes relating to the reserve fund and to the exchange variation reserve as these would be discussed under a subsequent agenda item on work programme and budget.

76. The representative of the Marshall Islands requested clarification on the reference to "sundry creditors" in the report to management. The Secretariat explained that these were donor funds that had not been used and it was proposed that these be written back to the projects from which they had originally accrued.

77. The Meeting adopted the Financial Statements and Auditor's Report for the year ended 31 December, 2001.

Agenda Item 7: Work Programme and Budget

7.1 Proposed Work Programme and Budget for 2003 and Indicative Budgets for 2004 and 2005

78. The Director of SPREP made an introductory statement on the 2003 Work Programme and Budget and made some observations on experience in SPREP to date. He indicated that while the Secretariat had been successful in raising external funds, member countries had not been persuaded to take up a greater share of the resource base of the organisation. Member contributions continued to be voluntary and accounted for only 7.4% of the resource base of the organisation. He contrasted this figure with 32% in the SPC (2001 figures), 22.6% in the Forum Secretariat (2002 figures), 18.3% in SOPAC (2002 figures) and 17% in FFA (2002 figures).

79. The Director drew attention to the serious problem of arrears and commented that SPREP was far too dependent on donor project funding. He referred to the 10th, 11th and 12th SPREP Meeting Reports where the problem had been identified and discussed but for which no action had been taken. This reality made it difficult for the Secretariat to deliver the same quantity and quality of services Members had come to expect of SPREP. He stated that SPREP was not seeking an increase in Members' contributions or another draw down on SPREP's very inadequate reserves. Rather it sought to collect the substantial arrears owing from 2002 and previous years. He indicated that a new management team under a new organisational structure was in place and asked Members to commit themselves to the organisation by making their contributions mandatory. This, in his view, would enhance the effectiveness of SPREP and the ability of his successor and his team to have a reasonable chance of delivering Members' expectations and priority needs.

80. The Secretariat tabled the Proposed 2003 Work Programme and Budget along with the indicative budgets for 2004-2005. The Meeting was advised that the table referring to Member contributions in the 2003 budget would now be as agreed under agenda item 6.2.1 to proportionately readjust the scale of contribution percentages among the Members to absorb Pitcairn's allocated share.

81. Commenting on the observation that it would appear from the 2001 accounts that SPREP was not able to spend the funds allocated to it and the inference that funding was not a problem, the Secretariat clarified that this was not the case. Funds for primary function and project management had almost always been spent every year for the past few years. The unspent funds related to project implementation, almost all of which were provided by donors for specific projects and could not therefore be used for any other activity.

82. The representative of Australia referred to her Government's decision to change the way by which funding would be provided to SPREP over the next triennium 2003-2005. Australia would progressively increase the proportion of funding provided as programme funding, reducing project focused funding and increasing the ability for SPREP to use the funding more flexibly. Funding would be based on strategic programme plans developed by the Secretariat and agreed by Members. To assist SPREP Members on Australia's thinking on this matter, an information paper was circulated to Members. Australia also indicated that a key element in the development of programmatic plans was the need for Members to provide guidance to SPREP on strategic programme directions.

The representative advised that the proposed indicative work programme for 2003 may need to be amended slightly in light of Australia's funding policy change.

83. The representative of New Zealand supported Australia's direction on the programmatic approach. He indicated that as of 1 July, New Zealand Official Development Assistance (NZODA) became the New Zealand Agency for International Development (NZAID). He advised that the programmatic approach was one of the principal directions NZAID was moving toward. The representative of New Zealand indicated that such an approach was consistent with that of Australia's which New Zealand did not hesitate to support. There was a need however, for island members to be actively involved in programme setting and review process.

84. The representative of Samoa commented on the level of country visits detailed in the budget which he considered to be substantial. He also noted that a considerable sum of money was provided to consultancies and asked whether this development arose because the Secretariat was not adequately staffed or whether the Secretariat did not have the right technical people to carry out the work. The representative of Samoa also requested clarification on the US\$140,635 posted against Member contribution arrears for 2003 income and what this figure represented. The Secretariat advised that this figure represented the targeted amount the Secretariat was hoping to collect out of Member arrears of over US\$700,000. With regard to the country visits and consultancies the Secretariat informed the meeting that many of the country visits were specific to the execution of projects. In relation to the figure for consultancies, the Secretariat commented that this figure was related to specialised work that could not be carried out within the Secretariat and which needed to be outsourced. Specific examples referred to were the Global Environment Facility/United Nations Environment Programme (GEF/UNEP) International Waters Programme as well as the Canadian-South Pacific Ocean Development (C-SPOD) Marine Pollution initiative.

85. The Secretariat brought to the attention of the Meeting, the decision of Parties to the Apia Convention at their Sixth Meeting, approving the need to have a negotiating workshop to look at a successor convention to the Apia Convention. The Secretariat explained that the Parties had sought to refer this decision to the 13th SPREP Meeting to allow for the involvement of all SPREP Members. Funding for this workshop would cost approximately US\$130,000.

86. The representative of Samoa asked whether the Secretariat could provide an overview of the various Key Result Areas for a better understanding of the cost implications. The Meeting then proceeded to outline the focus of the 2003 Work Programme across Key Result Areas of the 2001-2004 Action Plan. Relevant agenda items were dealt with under each Key Result Area.

7.2 Programme Issues Requiring Members' Decision

7.2.1 Nature Conservation

KRA 1

87. The Secretariat directed the Meeting to KRA1 in the draft Work Programme and Budget and referred to the review of the process for developing the Action Strategy for Nature Conservation in the Pacific noting that it would be seeking endorsement of this process from the Meeting. The representative of Kiribati sought clarification on whether KRA1 reflected the result of the Conference held recently in Rarotonga. The Secretariat

advised that the same priorities and issues under this KRA were identified in the Rarotonga Conference.

88. The representative of Samoa questioned the inclusion of nine objective areas under KRA1 noting that only eight priority areas were identified in the relevant paper under Agenda Item 7.2.1.3. The Secretariat responded that the ninth objective in the KRA was to be found throughout all the KRAs and was included to take into account the Secretariat's work in integrating and coordinating the various KRA activities.

89. The representative of Australia referred to the Apia Convention and the decision of Parties to rewrite this Convention as advised by the Secretariat. He stated that rather than the five Parties funding this exercise, it would be better if the entire SPREP Membership were involved. The representative referred to the Secretariat's estimate of US\$130,000 to run a negotiating workshop and, noting that more than one workshop would be required to negotiate new text, he suggested that a more realistic figure was nearer US\$500,000. The representative noted that although the Secretariat had suggested placing this item under KRA5, it would perhaps be better placed under KRA1. He asked whether developing a new Convention was a good measure of achieving objectives under KRA1. He proposed that a new line that included this cost in the budgetary estimates be provided for in 2003 with identification of where the funding was coming from. The Secretariat responded that non-secured funding meant that the workshop was not assured and it needed firm direction on this issue to proceed or otherwise with a workshop in 2003.

90. The representative of Australia enquired whether there were any resolutions coming out of the Rarotonga Nature Conservation conference that might affect the current work programme. The Secretariat then introduced Agenda Items 7.2.1.1, 7.2.1.2 and 7.2.1.3.

7.2.1.1 Review Process – Action Strategy for Nature Conservation 2003 – 2007

91 The Secretariat sought the Meeting's endorsement of the process for formulating the 2003-2007 Action Strategy for Nature Conservation in the Pacific Islands. The Secretariat noted that the current Action Strategy had national and regional support and had become the main mechanism for coordinating nature conservation work in the region. The process for the development of the 2003-2007 Action Strategy as agreed at the 7th Pacific Islands Conference for Nature Conservation held in Rarotonga (July 2002) was presented.

92. The representative of Fiji supported the endorsement of the process as outlined by the Secretariat noting that the current Action Strategy had been quite successful in its achievements. He added that the local component of the Action Strategy had been very useful as it recognised the involvement of community groups in nature conservation. The representative encouraged smaller Pacific island countries to participate in implementing the strategy, noting that it appeared that the larger countries had been most involved to date.

93. The representative of New Zealand also supported the process noting that New Zealand had been very active in the roundtable process in the past and that it would continue to remain an active participant. He asked whether the Secretariat could advise the Meeting of any key outcomes of the 7th Pacific Islands Conference for Nature Conservation that may help to guide discussions relating to the process. The Secretariat

advised that the process outlined was as agreed at the Conference. It added that the timeline for completion of the exercise had been brought forward to the end of the year, with a 5-person drafting committee starting the writing process.

94. The representative of the Republic of the Marshall Islands (RMI) also endorsed the process and extended his thanks to the donors and the Secretariat for organising the Conference. He advised the Meeting that due to travel arrangements, two of the RMI delegates had not been able to participate in the Conference.

95. The Secretariat advised Members that the final draft of the Action Strategy would be presented to the 2003 SPREP Meeting.

96. The representative of the United States of America stated that his delegation was willing to concur with the process as long as this did not imply concurrence with the recommendations of the nature conservation conference which would be discussed under a subsequent agenda item.

97. The Meeting endorsed the review and formulation process for the 2003-2007 Action Strategy for Nature Conservation in the Pacific Islands; and encouraged Members to participate in, and contribute to this planning process at the appropriate levels.

7.2.1.2 Pacific Islands Roundtable for Nature Conservation

98. The Secretariat requested the Meeting to endorse the continuing involvement of the Pacific Islands' Roundtable for Nature Conservation to assist with the formulation of the 2003-2007 Action Strategy and to support and promote its implementation. The Secretariat described the background surrounding the Pacific Islands Roundtable for Nature Conservation including its role in the development of the 1999-2002 Action Strategy. The voluntary nature of the self-funded group was highlighted, as well as the broad composition of the group and its expertise.

99. The representative of Australia voiced his concern with the decision that called for promoting and supporting the implementation of the Action Strategy. He noted that Members had not had an opportunity yet to see the revised Strategy. At this time it was unclear what actions were proposed. He referred to a separate agenda item which contained the recommendations of the Conference at which the Action Strategy was reviewed and noted that Australia might have difficulty in supporting some of these. He proposed a change to the draft decision which would refer to promoting and supporting the development of the Action Strategy rather than supporting its objectives. The representatives of Tuvalu and the United States of America echoed Australia's intervention and the draft wording was accepted.

100. The Director of SPREP described the roundtable process arising out of the 6th Nature Conservation Conference held in Pohnpei in 1997. He noted that participation was voluntary and that SPREP did not own the process. Hosting for example, was distributed among members and the World Wildlife Fund for Nature (WWF), New Zealand and USP had hosted and organised meetings with SPREP support. The idea was to encourage people to participate in the roundtable at their own cost. The only costs to SPREP had been the costs of participating. The Director stressed that the implementation of the Strategy was a shared responsibility and as the Nature Conservation Conference had resolved to start implementing the Strategy from January 2003, he cautioned against

wording that would not allow implementation to begin because of the need to get SPREP Meeting endorsement.

101. The representative of New Zealand commented on how his country hosted one of these roundtable meetings and strongly supported this process. He asked for an additional recommendation "...to promote active involvement of all stakeholders in the development and use of the roundtable inventory database..." to be included in the decisions.

102. The representative of Tuvalu thanked the Director for his clarifications on the roundtable process. He raised the question of whether the roundtable process was confined to SPREP and a few agencies and not all CROP agencies. He also sought an example of the activities from which Members might benefit. In response, the Secretariat referred again to the voluntary nature of participation noting that although there was a need to encourage others to participate, the roundtable was open to all interested CROP agencies and others. A critical issue that had arisen was that of funding and it was suggested that Members should endeavour to fund national representatives. In terms of activities of benefit to countries, the Secretariat referred to the database which was being developed to capture all the activities, relating to nature conservation in any Pacific Island Country. The Director of SPREP stated that the roundtable was a way through which to monitor the outcomes of the nature conservation conference and he recognised the importance of the involvement of SPREP Members in the roundtable process.

103. The Meeting

- **recognised** the important contribution of the Pacific Islands Roundtable for Nature Conservation in the formulation, promotion and implementation of the 1999-2002 Action Strategy for Nature Conservation;
- **encouraged** the Pacific Islands Roundtable for Nature Conservation to continue to contribute to the Action Strategy formulation and implementation by:
 - reviewing and updating the regional and international actions of the 1999-2002 Strategy;
 - promoting and supporting the development of the 2003-2007 Action Strategy among regional conservation organisations and donors;
 - promoting active involvement of all stakeholders in the development and use of the roundtable inventory database; and
 - monitoring progress in the implementation of the Action Strategy's regional and international actions and evaluating their effectiveness.

7.2.1.3 Nature Conservation Programme Concept

104. The Secretariat sought the Meeting's endorsement of the priority areas of work for SPREP's work in nature conservation for 2003 and the immediate future. The Secretariat described how nature conservation was an integral part of the SPREP Action Plan 2001-2004 and stressed its continuing importance to the Pacific islands region. The areas of equal priority that the Secretariat identified were: coastal ecosystems management and conservation; forest ecosystems conservation; atolls ecosystems conservation; invasive species; biosafety; threatened terrestrial species conservation; marine species conservation; and conventions and regional coordinating mechanisms. The need for a programmatic approach and the importance of the Secretariat continuing to provide technical and legal support to its members at international meetings was also emphasised.

105. The representative of Fiji supported the recommendations in the Secretariat's paper. He stressed the importance of monitoring work on conservation given limited management abilities at the local level.

106. The representative of Australia stated that his delegation had been attracted by the paper's title as it promised an explanation of SPREP's vision in nature conservation. However, Australia was disappointed when viewing the contents of the paper and the listing of eight areas of equal priority. The representative advised that his delegation had wanted to see what SPREP would do in the next five to ten years. He stated that while a programmatic approach was referred to in the paper, it had not been elaborated upon. A much better conceptual framework was needed with a more focused approach. He recommended the approval of the Work Programme and Budget in this area but to otherwise pass on this recommendation. In response, the Secretariat indicated that the paper was a victim of the need to provide a succinct and short paper for the purposes of the meeting. It advised the Meeting that a more in-depth paper was the source of this working paper. The Secretariat acknowledged the need for a broader regional Action Strategy and the development of longer term (five-year) goals. Work on strategic planning was in progress but it was a long process and also needed proper input. The Director of SPREP commented that a decision had been made to request Members to identify the priorities and for the Secretariat to get endorsement of this before development of programmes.

107. The representative of Australia asked what areas of nature conservation SPREP had decided not to pursue. The Director of SPREP indicated that the Nature Conservation Roundtable inventory was an important tool in ensuring that there was no duplication of activities. The Secretariat also described its given mandate and overlaps in areas such as biosafety between the SPC and SPREP.

108. The representative of New Zealand made comments relating to all Key Result Areas. He emphasised the importance of the strategic approach to programme planning through effective priority setting processes and effective performance measures for reviewing and monitoring. He had difficulty seeing how there could be eight equal priorities for example, in his observation, forest ecosystems conservation was hardly a priority for the Marshall Islands. He also reiterated improving performance measures to adequately provide for monitoring of performance evaluation. The Secretariat agreed that there was a need to tighten up on performance measures but suggested that time frames longer than 12-months would be needed. The Secretariat also referred to the Action Plan developed by Members to provide guidance to the Secretariat. During the Action Plan exercise, all eight areas had been identified as being of equal priority by Members themselves. The Secretariat explained that the current work programme was based on projects with secured funding and said that isolating certain projects for priority was difficult given that project documents had already been negotiated and were on going. The Secretariat sought guidance from the Meeting on the issue of setting priorities.

109. The representative of New Zealand stated that the programmatic approach was a process and ideas that were still in development and he looked forward to working closely with the Secretariat, other donors and island members in moving towards such an approach.

110. The Secretariat proposed to include a new Output 1.8.4 in KRA1. It noted that on the basis that SPREP Members agreed to the Workshop on a new Apia Convention, this

would cost approximately US\$130,000 and would be listed as unsecured. This cost would mean a readjustment of total funding from US\$3,398,658 to US\$3,528,658 and total unsecured funding from US\$282,500 to US\$412,500.

111. The Meeting:

- **noted** that further work would be required in developing a programmatic approach to nature conservation; and
- **approved** the priority areas of work for the Secretariat on nature conservation for the 2003 Work Plan.

KRA 2

112. The Secretariat provided an overview of activities and priorities for KRA2 as laid out in the 2003 Work Programme. It was noted that a small proportion of the funds was unsecured and that support was sought from the meeting for specific proposals to address solid waste and marine pollution.

113. The delegate of Fiji highlighted the importance of pollution prevention to his country and many other countries in the region. He sought clarification on progress with the Waste Oil Recycling Project (2.1.3) and on the disposal of plastics. The Secretariat stated that a pilot project waste recycling facility was being established in Guam, and that as part of this project the Secretariat was attempting to facilitate the processing of waste oil from Federated States of Micronesia, Palau and the Republic of Marshall Islands. The project was currently in the data collection phase and details concerning the transboundary movement of waste were being clarified. With respect to the disposal of plastics the Secretariat stated that this would be a focus of the proposed Year of Waste.

114. The representative of the Republic of Marshall Islands sought clarification on where the pilot projects under 2.3.4 Solid Waste would be undertaken and whether Republic of Marshall Islands could be considered. The Secretariat clarified that these projects were being developed under the International Waters Programme and their location was still to be confirmed.

115. The Director of SOPAC highlighted the importance of the SPREP Meeting to promote integration and requested an opportunity be given for countries to identify key policy issues. He noted that joint activities were being undertaken in this area of the work programme between SOPAC and SPREP, noting in particular the Regional Waste Water Plan.

116. The representative of Tuvalu noted links between the implementation of the Waigani Convention and the proposed 2003 Work Programme and sought clarification from the Secretariat. He supported the activities being proposed and suggested the need for SPREP to look at all wrecks not just WWII Wrecks including compensation and liability regime requiring owners to clean up. This was supported by American Samoa, Kiribati and Tokelau who requested assistance from SPREP to build capacity to dispose of, and where possible, avoid ship-wrecks. In response, the Secretariat clarified that specific links existed between the Waigani Convention and activities in 2.2.1 and 2.2.2 of the Work Programme.

117. In relation to focus area 2.3 the representative of Tonga highlighted the need for support for national legislation and regulations.

118. The representative of Tokelau, emphasised that KRA 2 was a priority, in particular solid waste management. In associating himself with the interventions by American Samoa, Kiribati and Tuvalu and the need to prioritise work to address ship wrecks, he called for strong support from SPREP.

119. In recalling that much could be done at a national level in terms of licensing to address the issue of disposal of ship wrecks, the Secretariat highlighted a number of programmes in SPC and FFA that could assist countries in this area. It suggested that benefits to countries could be obtained through better coordination with these programmes and through the provision of advice on licensing conditions.

120. The Meeting then discussed specific issues under this Key Result Area.

7.2.2 Pollution Prevention

7.2.2.1 Regional Strategy to Address Marine Pollution from World War II Wrecks

121. The Secretariat provided an overview of the contents of the Regional Strategy to Address Marine Pollution from World War II Wrecks. The Strategy was called for by the 12SM in response to the Delegation of the Federated States of Micronesia concerns about an oil spill incident that occurred during July and August 2001 from a sunken World War II US Navy oil tanker at Ulithi Atoll, Yap State. The Secretariat noted that Parties to the Emergencies Protocol of the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (SPREP Convention) were obliged to address pollution emergencies such as oil spills either multilaterally as a region, or bilaterally but with the proviso that they keep other Parties informed. The Secretariat provided a database comprising preliminary work that had been carried out in identifying and locating WWII Wrecks and expressed its intention to continue to build this database.

122. The Regional Strategy outlined a two-tier risk-based approach for the assessment and prescription of remedial action of identified WWII Wrecks. The first tier is a generic model-based risk assessment to identify whether a wreck is classified as high, medium or low. The second tier is a detailed site-specific risk assessment to be applied to wrecks according to the level of priority, as established by the first tier risk assessment.

123. The representative of the USA felt that, although the approach could be useful, he was concerned about the expense. He outlined the steps that had been taken to mitigate the impacts of the Missisincwa, at Ulithi Atoll, at a cost that would eventually exceed US\$6 million. He stated that the USA would like to approach each wreck on a case-by-case basis, since the risks and accessibility would differ from wreck to wreck.

124. The representative of Australia noted the potential cultural heritage values of these wrecks and suggested that if the programme proceeded, then consideration be given to including heritage values in the survey and database.

125. The Deputy Director General of SPC outlined the Secretariat's work in marine sector. The focus of current work was on wrecks that already exist but guidance was

required on what should be done to prevent these from occurring. He noted that potential existed for assistance in the area from SPC.

126. In closing the representative of FSM asked the Meeting to support the Secretariat's proposal to work with CROP agencies on this issue as outlined in the Strategy. This would include site and hazard identification; general risk assessment; and identification of treatment options, noting the United States' desire to consider each site on a case by case basis and the support offered by SOPAC and SPC.

127. The Meeting:

- **endorsed** the Regional Strategy to Prevent Marine Pollution from World War II wrecks;
- **approved** that the Secretariat continue with the first three steps of the strategy:
 - site and hazard identification;
 - general risk assessment;
 - identification of treatment options; and
- **encouraged** the Secretariat to seek funding to enable the work to proceed.

7.2.2.2 Year of Waste and Regional Waste Clean-up (2004)

128. The Secretariat introduced the paper concerning the proposed Year of Waste and regional waste clean-up. This proposed programme aimed to identify, demonstrate and then set in place realistic and effective solutions to many of the key solid waste issues faced by Pacific island countries. It would do so through a regional waste awareness campaign (Year of Waste) coupled with a regional clean-up campaign, which would be directed at difficult wastes. The Secretariat noted that funding had not yet been secured for this work and that endorsement by the SPREP Meeting would assist in the presentation of funding proposals to donors and other possible sponsors. The Secretariat added that national coordinators would be essential elements of the proposal and highlighted the need to mainstream costs of these positions into national budgets. A Regional Forum would be used to seek the input of all potential partners and identify specific activities that met country needs.

129. The representative of Niue thanked the Secretariat for the initiative and encouraged the Secretariat to seek funding and to implement the proposal.

130. The representative of Tonga reiterated interest in legislative support for waste management. The Secretariat outlined current legislative support to Tonga and that the Year of Waste would identify a wide range of barriers to effective waste management.

131. The representative of Kiribati sought clarification on the benefits of a Regional Forum and highlighted interest in national fora being held. In response, the Secretariat noted the need for national meetings and suggested possible options for resourcing these meetings. The Secretariat highlighted the importance of private sector financing and the role of the Regional Forum in raising the profile of the issue and the Year of Waste and as a means of actively engaging new partners directly in this work.

132. The representative of New Zealand added support for the need to mainstream waste management into national planning. He had no hesitation in supporting the proposed programme. He highlighted the importance of the role of the private sector (foreign and

domestic) in Waste Management. He commented that donor funding was only one source of funding for development activities.

133. The representative of the Federated States of Micronesia supported the proposal in principle and requested a more detailed assessment of costs. He noted the high rates for consultants and the administrative costs.

134. The Secretariat asked Members to recognise that the budget was an estimate only. It explained that the figure for consultants was based on international commercial rates and that the amount available for clean up equipment would vary depending on countries, the problems to be addressed and the partners involved.

135. The representative of Fiji questioned whether the Year of Waste and Clean-up was addressing the symptoms and not the cause. In terms of budget, he also highlighted the high cost and questioned how the funds could be best spent to achieve a lasting reduction in solid waste. He emphasised the need to invest in addressing root causes of pollution and the range of activities to raise awareness at the community level in Fiji. The Secretariat said that waste awareness was a significant component of the Year of Waste at local and political levels and the importance of the Regional Forum in setting priorities for the programme.

136. The representative of Samoa also queried the high staff costs in the proposal and suggested the proposal be deferred until next year. The Secretariat explained that the staff costs were in line with agreed salary scales and the budget included the costs of two positions as well as a significant amount of travel and other operating costs.

137. The representative of Australia outlined his country's experience in developing options for waste management over the past 25 years. He said there was a need to stimulate change through the introduction of user/polluter pays and appropriate regulations or the threat of regulation. He suggested that these measures should accompany any waste awareness campaign in order to increase its effectiveness in changing behaviour.

138. The representative of Vanuatu supported Australia and highlighted the importance of island countries support for effective waste management practices through policies and regulations. He stated the need to better link Secretariat efforts to national policy and planning work in country.

139. The Director of SPREP highlighted the need for a programmatic approach for waste management and that the Year of Waste would facilitate this work. Regional strategies currently existed for biodiversity and climate change and these were very effective tools for catalysing government and donor action in these KRAs. The Year of Waste would not only assist the development of a programmatic approach in this KRA but would also assist mobilise donor resources and empower communities to manage wastes.

140. He highlighted the successes of the Year of the Sea Turtle and Coral Reef campaigns. These had guided the "campaign" approach that was being proposed in terms of waste management and he emphasised the fact the action did not stop once the campaigns had finished.

141. The representative of Fiji, supported by Australia, Samoa and the USA, thanked the Secretariat for its explanation and requested the paper be revisited and strengthened in

light of the suggestions made by countries. The Secretariat proposed that interested delegations meet during the Meeting to advance the proposal as suggested by Fiji.

142. The Meeting noted the Outline Paper and endorsed the proposed programme in principle and invited the Secretariat to further strengthen the proposal.

7.2.2.3 Review of Ships' Wastes Reception Facilities – Implication for MARPOL 73/78

143. The Secretariat informed the Meeting of the findings and recommendations of the Review of Ships' Wastes Reception Facilities. In presenting the paper the Secretariat highlighted the need for a paper to be submitted to the International Maritime Organization (IMO) requesting consideration of the practical difficulties that Pacific islands face in meeting their obligations under the *International Convention for the Prevention of Pollution From Ships (MARPOL 73/78)*, in particular the "provision of adequate ships' waste reception facilities". The proposed paper to IMO would include calling for IMO to recognise the difficulties of small island states in particular atoll states to provide such facilities for international shipping and recommend that in the Pacific islands region these facilities only be provided at designated regional ports.

144. The representative of France stated that in relation to MARPOL, the reception facilities should be provided at the regional level given the limited capacity of small island states. He used the example of the Mediterranean to demonstrate this point. The representative also noted that in relation to accidental pollution, regional agreements, such as the one recently signed between France, New Caledonia and Australia were useful tools. He suggested that SPREP consider over the next two years options for the development of a regional centre for marine pollution prevention.

145. The representative of the USA said the regional approach was an interesting idea and agreed that this may indeed be the best approach. He noted that normally the benefits accrued by Flag States also came with obligations under MARPOL.

146. The regional option in relation to MARPOL as proposed by the Secretariat was welcomed and supported by Fiji, Kiribati, the Republic of the Marshall Islands and Tuvalu.

147. The Meeting noted the paper and endorsed the proposal to make a submission, in line with the Review recommendations outlined by the Secretariat, to IMO in consultation with those members that were party to MARPOL and/or were members of the IMO.

KRA 3

148. The Chair invited comments from the Meeting following the Secretariat's presentation of Key Result Area 3, Climate Change and Variability.

149. The representative of Kiribati noted that in the proposed Work Programme, climate change, climate variability and sea level rise were lumped together. She observed that this would make planning difficult at the national level. She argued for the separation of these issues and suggested that a separate KRA for Climate Change and Climate Variability would be advantageous and should be considered in the structuring of the SPREP Work Programme. The Kiribati representative also expressed concerns that the focus on climate

variability and research as reflected in the current Work Programme would diminish the emphasis on proactive planning for adaptation measures in response to climate change and sea level rise, which was the emphasis at the United Nations Framework Convention on Climate Change (UNFCCC), as well as for Kiribati and other countries that were seriously threatened by these phenomena. She reiterated her view of the need for dedicated KRAs for climate change, climate variability and extremes and ozone depletion. She added her concerns that the region might be left behind whilst concentrating on climate variability and research, when the international community (UNFCCC and processes) was in the process of forward planning on response measures for climate change and sea level rise.

150. The representative of Kiribati pointed out some inaccuracies in the text; the omission of storm surges and droughts which were two issues of interest to her delegation and the lumping together of obligations for monitoring and reporting which in their view was not correct. She also expressed concern about the apparent shift of emphasis in the planning strategy to climate change, which in her view, was peripheral and or less important than the issues of sea-level rise and adaptation. She sought clarification from the Secretariat regarding the Pacific Climate Prediction Centres and on proposals in the pipeline.. The Secretariat advised that the concept of regional climate centres has been discussed over the last two years. The emphasis was on bringing together the skills and efforts of many organisations for the benefit of countries rather than the bricks and mortar. In relation to the projects in the pipeline, the Cook Islands, Fiji, Samoa and Vanuatu had been identified as recipients of CIDA funding for adaptation.

151. The representative of Kiribati also made specific suggestions for strengthening the KRA as follows:

- Second National Communication to UNFCCC;
- Mainstreaming Climate Change at sectoral and macro economic planning;
- GHG inventory data development;
- Education and Training: Construct and develop short- and long-term programmes for training on climate change multi-faceted issues;
- Endogenous Capacity for research to develop frameworks for cooperation in research between international scientists and national scientists; and
- Objectives of Pipeline proposals in Work Programme:
 - to disseminate information on Climate Change
 - to develop, adopt and facilitate implementation of a Technical Transfer Framework.

152. Regarding Impacts and Vulnerability suggestion on rewording objective to: “To develop for specific Pacific Island Countries (PICs) frameworks for analysing impacts and Vulnerability”. This should avoid suggestion or implications of the original objective that nothing had been done before in countries like Kiribati and others.

153. In responding further to the Kiribati representative’s comments, the Secretariat clarified the basis for the structure in the Work Programme including the integration of the areas proposed by Kiribati for separation. The Secretariat also noted the budget and implementation implications of Kiribati’s proposal for restructuring the work within this KRA. It also noted that it had taken on board the recommendations by Kiribati and would, to the extent possible, incorporate these into the current work programme.

154. The representative of Tuvalu echoed the seriousness of the climate change issue and the importance his country placed on it. He noted that they had no problems with the

proposed activities but expressed concern over the significant amount of unsecured funding in the budget. He urged the Secretariat to secure the necessary resources to implement the full work programme recognising the high priority of this issue to his and many other countries. Tuvalu also noted the limited personnel within the Secretariat in this KRA and expressed hope that the required staff would be recruited to ensure timely implementation of the work programme activities. The representative of Tuvalu also highlighted the reference to understanding climate change as proposed in 3.2 and noted that this was an area in need of considerable support.

155. The representative of Tuvalu also noted the importance of strengthening the linkages between the science and policies to assist policymakers and politicians and to give guidance to countries in identifying appropriate policy responses both nationally and in relevant international negotiations. Tuvalu sought clarification on what the Secretariat meant by ‘affordable responses’ noting the seriousness of the problem and the need for the Secretariat to be more committed to addressing it. In response, the Secretariat explained that the qualification reflected the need to be selective with adaptation measures as some involved significant recurrent costs that countries may not be able to maintain in the long term.

156. The representative of Fiji, referred to the 2002 Nadi high-level consultations on adaptation recalling the consensus of that meeting for further meetings wherein SPREP high-level Ministers could be brought together. He asked the Secretariat whether funding could be secured to organise similar workshops so that the momentum could be maintained and continue to engage other sectors that were represented, especially those from finance agencies. Fiji further recalled that the conclusions of that meeting were to have been put to a higher regional level and asked if this was done. He also referred to the Canadian International Development Agency (CIDA)-funded adaptation project involving four countries and requested that closer consultations with countries should be sought in the planning of this project noting that this matter had not been adequately addressed in the workshop.

157. In response to Fiji’s comments, the Secretariat informed that the World Bank had confirmed interest in supporting a follow-up meeting in Nadi in 2003. The representative of the Forum Secretariat advised that the Forum Secretariat would be taking the recommendations of the Nadi, Fiji Workshop to the Forum Economic Ministers’ Meeting. He also informed that the Forum Secretariat would be organising a high-level ministerial workshop on environment and economic issues and was also considering holding an officials workshop to precede the ministerial one. These would be linked to the outcomes of the WSSD and to preparation for the Barbados meeting.

158. The representative of Australia endorsed both Kiribati and Tuvalu’s comments, in particular Tuvalu’s concern about the links between science and policies. She also indicated that she would follow up with AusAID to consider supporting further meetings as suggested by the representative of Fiji.

159. The representative of SOPAC observed the trend in planning towards a programmatic approach, and noted that while SPREP had been the leading agency in the climate change area, there would be value in a closer look at how the various activities emanating from the climate change issue may be best addressed and apportioned amongst the regional organisations. He emphasised the need for effective coordination of activities which were varied and involve the mandates of all regional organisations. The representative also referred to the Forum Secretariat’s interest in climate vulnerability and

pointed to the need for this issue to be considered together with the others as noted previously.

160. The Meeting then discussed specific issues under this Key Result Area.

7.2.3 Climate Change and Variability

7.2.3.1 Implementation of the Montreal Protocol in the Pacific Islands Region

161. The Secretariat advised the Meeting of the status of the Regional Project for the Implementation of the Montreal Protocol on Substances that deplete the Ozone Layer and sought the Meeting's support for the second phase of this project, that is the Regional Strategy for the Implementation for the Montreal Protocol for Pacific Island Countries (PICs).

162. The Secretariat's paper noted that of the 12 PICs that were constitutionally able to ratify the Protocol, only two countries – Cook Islands and Niue – remained as non-parties. The representative of Tokelau informed the Meeting that Tokelau had formally associated itself with New Zealand's ratification of the Montreal Protocol and as a consequence should be able to access technical advice and other activities including funding. Tokelau asked whether this was the understanding of the Secretariat. In response, the Secretariat advised that it would provide a complete and thorough answer after internal consultations. The first phase of the Project started in January 2001 and had undertaken activities to raise awareness on alternative technologies and in the design of policy instruments for controlling use and importation of ozone depleting substances (ODS). Support was also given to regional level training and national skills-building activities.

163. The Secretariat paper also noted the completion of the Regional Strategy and its approval by the Executive Committee of the Multilateral Fund at its 36th Meeting from 20-22 March 2002. The Regional Strategy would cover the three-year period from July 2002 to July 2005 and would concentrate on activities that would ensure the current phase-out was sustainable and all countries were able to remain in compliance. The Strategy aimed to assist with the phase-out of chlorofluorocarbon (CFCs) in the region in the most effective and economically sound manner.

164. The representative of New Zealand commented that to his understanding there was no automatic right of participation on the Executive Committee. He asked if the Secretariat was supporting or encouraging participation of Pacific Islands at the Open Ended Working Group (OEWG) late in the month in Montreal to lobby for the proposed position. The Secretariat advised that Fiji would be attending that Meeting.

165. The representatives of Australia, New Zealand, Republic of the Marshall Islands, Samoa and Tonga expressed their support of the Regional Strategy and endorsed its implementation. Australia also proposed an amendment to the recommendation being put to the Meeting relating to collaboration with Australia and UNEP/SPREP.

166. The Meeting:

- **noted** the outcomes of the regional meetings in Apia and Colombo and elements of the Regional Strategy;

- **agreed** to work in collaboration with Australia and UNEP/SPREP in the implementation of the Regional Strategy; and
- **endorsed** Fiji to represent the Pacific at the Executive Committee of the Multilateral Funds, and to advise the Secretariat accordingly.

7.2.3.2 Improving Operational Meteorological Services

167. The Secretariat reported on initiatives and progress in the region related to the improvement of regional meteorological services. The Meeting was advised of the outcomes of the Eighth Regional Meteorological Services Directors Meeting (8RMSD) held in Nadi, Fiji in March 2002. The 8RMSD endorsed a Declaration calling on Pacific Islands leaders to give full support to the implementation of the project proposals contained in the AusAID-funded Pacific Meteorological Services Needs Analysis Project Report (entitled “Pacific Meteorological Services: Meeting the Challenges (PMS:MC)”).

168. The “Meeting the Challenges” report noted that most National Meteorological Hydrological Services (NMHSs) were struggling and often failing to provide basic services for their countries and there was a need for any development project to be sustainable within approved in-country NMHS budgets. It further identified two priority areas of need namely, improved severe weather warning services and seasonal and climate prediction services. It was noted that improvement of these services would require strengthening of weather and climate observational networks, telecommunications networks and physical infrastructure and institutional strengthening.

169. The Meeting was also advised of progress with the United States Department of Energy (US DOE) Atmospheric Radiation Measurement (ARM) Project and in particular, activities in Nauru and Papua New Guinea. The Secretariat also noted that the establishment of the WMO Sub-Regional Office for the South West Pacific (SWP) within the SPREP Headquarters had consolidated the work of SPREP and WMO in further strengthening the capacity of NMHSs in the Pacific Region.

170. The representatives of Australia, New Zealand, Niue and Tonga expressed strong support for the recommendations. The representative of NZ noted further the importance of future projects being undertaken in conjunction with other meteorological development work in the Pacific such as the Global Climate Observation System (GCOS) to facilitate effective implementation. The representative of the US expressed support for the declaration and acknowledged the support of UN-NOAA, and the US-Department of Energy (US-DOE) Atmospheric Radiation Measurement (ARM).

171. The Meeting

- **noted** progress made so far in the development of meteorology in the Pacific Region;
- **approved** the transmittal of the Declaration calling on Pacific Island Leaders to support the proposed development projects in the Needs Analysis for the Strengthening of Pacific Islands Meteorological Services: Meeting the Challenges’; and
- **decided** to approve the transmission of the Declaration and PMS:MC report to the Environment Ministers’ Forum in Majuro for endorsement.

KRA 4

7.2.4 Economic Development

7.2.4.1 Trade and Environment

172. The Secretariat introduced the Work Programme and Budget for KRA 4 – Economic Development. It advised that this was a new KRA designed to link environment management to economic development.

173. The representative of Tonga raised his concern that while in his view, this was the most important KRA, it had the greatest proportion of unsecured funds. This reflected badly on the commitment of the Members to sustainable development.

174. In response, the Secretariat stated that recent funding developments had improved the funding situation and outlined these developments to the meeting. An update on the funding situation will be reflected in the approved Work Programme and Budget for KRA 4.

175. NZ supported the paper which is broadly consistent with New Zealand's own approach to the 'Trade and Environment' issue. He referred to New Zealand's framework for integrated environment and trade agreements. He mentioned New Zealand's aim to harmonise its objectives for trade and environment with serving the overarching objective of promoting sustainable development.

176. The representative of Australia and New Zealand generally endorsed the paper but outlined the need to integrate with other initiatives in the area bringing a number of these initiatives to the Secretariat's attention.

177. The Meeting endorsed the Trade, Investment and Environment Programme, with amendments provided by Australia.

7.2.4.2 EIA and Integrated Environmental Planning

178. The Secretariat presented a paper outlining its proposed approach to capacity building in Environmental Impact Assessment (EIA) and integrated environmental planning. The Secretariat's proposed approach sought to establish environmental assessment and management as part of Members' development decision-making process.

179. The Secretariat advised that the programme had reviewed environmental assessment capacity building carried out in the region and the difficulties experienced by members in utilising the EIA as an effective planning tool were recognised. The initial three years of the 10-year programme proposed to raise awareness on the use of EIA and Strategic Environmental Assessments (SEAs) through toolkits to facilitate integrated planning methods.

180. The representative of Niue noted with appreciation, the intention for national based delivery and assistance and informed the Meeting of the Joint Government of Niue and AusAID Resource Use Planning Project. The programme had a community development focus with involvement of community members and NGO from the outset.

181. The representative of Australia mentioned a current project that Environment Australia had with Papua New Guinea which had now reached the stage of being able to use the integrated analytical process. He noted the value of such analytical tools in enabling environmental predictions (such as new occurrences of endangered species or of new locations of invasive species) based on incomplete datasets.

182. The representatives of New Zealand, Niue and Samoa supported the approach but stated their concern that lessons learnt from past and current initiatives needed to be considered. It was also important to be sensitive to the local Pacific context and in particular, to the respective national implementation considerations in order to ensure sustainability of processes beyond the life of the project.

183. The Meeting endorsed the proposed Environmental Assessment and Reporting Programme and urged the Secretariat to consider and integrate country comments.

KRA 5

184. The Secretariat introduced activities under KRA 5 – General Implementation, noting that this KRA encompassed the core and project management functions of the Secretariat.

185. The representative of Australia noted that it had been agreed in an earlier item, to move the activity relating to negotiation of new text for the Apia Convention to KRA1. He suggested that the secured funds currently shown against the Apia Convention under KRA5 be moved to KRA1 to help towards funding the US\$130,000 that would be required to run the initial workshop as discussed in a previous agenda item. The Secretariat advised that the funds shown were actually for the salaries of the Legal Officers and for operating costs of the legal advisory services to the conventions, which were unsecured.

186. The Meeting endorsed the programme of work under KRA5.

KRA 6

187. The Secretariat introduced KRA6 which comprised the corporate and secretariat functions of the organisation. There were no other comments and this KRA was endorsed by the Meeting.

188. With regard to the Indicative Work Programme and Budget for 2004 and 2005, the representative of New Zealand noted that there appeared to be some inconsistency between the trend of projections for the next two years and from that presented in the 2002 Work Programme and Budget. He observed that the projected figures were similar actual expenditures for 2000 and 2001 and asked whether the figures were realistic. The Secretariat advised that the figures were indicative only at this stage and would be updated by the time of the next SPREP Meeting on the basis of actual experience and the expenditure trends of this year. It asked that the Meeting treat the indicative budgets as such.

189. The representative of New Zealand recalled his country's earlier proposal relating to the payment by New Zealand of the Pitcairn arrears. The representative advised that New Zealand further proposed to increase its annual membership contribution to similar

levels as that provided by France which, he noted would help move the organisation towards a programmatic approach. He added that, in endorsing the Work Programme and Budget for 2003, it should be noted that the distribution of New Zealand funds was not finalised as New Zealand was yet to have its annual programme talks with SPREP when the programmatic approach would be discussed and elaborated on.

190. The Secretariat greeted this offer with pleasure and stressed to other Members that this would have no impact on the amount of any other Members' contributions. The Secretariat then indicated to the meeting revised figures in the proposed 2003 Work Programme and Budget to include funding of US\$130,000 for convening the working group on a successor agreement on the Apia Convention under KRA1.

7.3 Financial Issues Requiring Members' Decision

7.3.1 Approval of Work Programme and Budget

191. The Meeting endorsed the 2003 Work Programme and Budget as amended and Indicative Work Programme and Budget for 2004 and 2005.

Agenda Item 8: Institutional Matters

8.1 Report on SPREP Centre (Training and Education Centre and Information Resource Centre)

192. The Secretariat advised that following the completion of SPREP's main office buildings in August 2000, the SPREP Centre facilities were further developed through the construction of an Information Resource Centre (IRC) with European Union funding and a Training and Education Centre (TEC) with funding from the Japanese Government's Grant Aid Cooperation to Samoa. The Secretariat expressed its gratitude for the financial assistance received from the Government of Japan through the Japanese International Cooperation Agency (JICA). The Secretariat also recognised the contribution of other organisations involved in the construction process, namely: Yamashita Sekkei Inc which carried out the basic design study and supervision of the construction of the TEC facility; Fujita Cooperation which was responsible for construction of the facility; and Collin McCarthy Construction, Apia which was the main local sub-contractor for construction of the facility.

193. The Secretariat advised the meeting that the modern equipment and facilities in the TEC would greatly enhance SPREP's efforts to strengthen national environmental management skills through training activities at the facility. The Secretariat also noted that the inaugural event for the TEC was a 4-week regional training course on Municipal Solid Waste Management, which was held in March 2002 and jointly run by JICA/SPREP/WHO.

194. The Secretariat then advised the meeting of the successful completion of the IRC and acknowledged the financial assistance received from the European Union. Mention was also made of the other organisations involved in the construction process, namely: Tinai Gordon & Associates for design and documentation, preparation of tender documents and supervision of construction and Apia Construction which was responsible for the construction of the facility. The Secretariat noted that this project would significantly enhance SPREP's ability to assist Members with their information handling.

195. The representative of Samoa acknowledged the contribution made by the task force to securing the necessary financial resources to complete the construction of the SPREP Centre facilities and urged the Secretariat to ensure the TEC was utilised to its fullest capacity for regional and national workshops and training so that they were not left idle.

196. The representative of Tuvalu agreed with Samoa and noted with satisfaction, the completion of the TEC which he recalled, had been identified as a priority by Members some years earlier. He expressed his gratitude to the donors who had made this a reality.

197. In response to a query from the representative of Palau, the Secretariat advised that there was a 12 months maintenance and monitoring process in place as part of the construction contract requirement before final handing over of the Training and Education Centre to SPREP would not take place until February 2003.

198. The delegate of the Marshall Islands added his country's support and expressed his thanks for the good work carried out by the Secretariat.

199. The Director, in responding to Samoa – noted that the training centre could accommodate up to 50 persons and that since the opening of the Centre, there had been almost full use of the Centre to date. He added that in the event that there were free periods, the Centre would be hired to other institutions. He noted that the IRC was also showing its worth at the regional level through the Pacific Environment Information Network (PEIN) project.

200. The representative of Australia encouraged use of the TEC as a regional training centre under the Basel and in conjunction with the Waigani Convention.

201. In response to a query from the representative of Kiribati, the Secretariat advised that SPREP's previous training officer had conducted a comprehensive training needs analysis in eight countries and the new training officer would complete this series of studies in the future.

202. The representative of Tokelau supported the previous comments and added that he looked forward to the TEC facilities being regularly used for SPREP meetings/trainings/workshops which would greatly reduce costs.

203. The representative of Palau asked whether the Secretariat expected any cost savings for maintenance with the advent of the new facilities. The Secretariat advised that the annual budget included a provision for normal operational and maintenance costs for 2003. Thereafter, the Secretariat would include in the budget a maintenance cost relative to structural matters when it was more likely to be required.

204. The Meeting:

- **noted** development of additional facilities at the SPREP Centre;
- **acknowledged** the generous support and cooperation of both the Government of Japan and the Government of Samoa in providing and securing respectively, financial assistance for the construction and equipping of the *Training and Education Centre*; and

- **further acknowledged** the generous support and cooperation of the European Union in the construction of the *Information Resource Centre* and in facilitating the work of the Pacific Environment Information Network (PEIN).

8.2 Staff Appointments – Matters for Noting

205. The Director advised that there were no issues to be reported on staff appointments given that staff regulations only required comments where appointments exceeded the 6 year limit.

206. The representative of New Zealand noted that there were matters to be discussed in light of the recent appointments to the management team and extended her delegation's continued support to the new team. She raised concern however, with the process by which key management positions had been appointed. She explained that a Selection Advisory Committee had been established to assist the Director with the recruitment of these personnel, however this committee was not reconvened by the Director for the recruitment of the position of BSM (Business Support Manager). She added that the Director had advised that this was due to the lack of resources. However she stressed the need for "due process" to be followed to ensure transparency of all recruitments in accordance with the Staff Regulations. She further urged that a Selection Advisory Committee should be considered for all future senior management recruitments. The representative concluded by clarifying that her delegation was raising concern regarding the lack of "due process" and not on the actual individuals recruited.

207. The representatives of Fiji and PNG added their full support to the comments made by the representative of New Zealand.

208. The Meeting noted the comments made by New Zealand and the Secretariat agreed to take these recommendations on board.

8.3 Staff Regulations

209. The Secretariat advised that the changes to the Staff Regulations stemmed from the decisions of the 12SM on the CROP harmonisation process. The Secretariat reassured Members that the changes only incorporated those decisions taken by the 12SM.

210. The representative of the Marshall Islands observed that the Staff Regulations were split into 14 parts and suggested the Meeting go through each section individually and discuss before approval. He noted several areas that were cross-referenced and suggested that it would be useful to group these into common areas. Responding to these comments, the Secretariat advised that this was beyond the mandate it had been given.

211. After interventions by the representatives of the Cook Islands, Palau and Tuvalu, it was agreed that the Meeting would focus on the changes only in the interests of time and noting that the paper had been available for some time. The concerns voiced by the representative of the Marshall Islands were taken on board and it was agreed that these would need to be addressed at a later stage.

212. The representative of the SPC suggested in respect of Regulation 11 replacing the subtitle 'power of appointment' with 'staff' as this subsection deals with appointment of staff and the 'power of appointment' is already explicit in paragraph d. This change

would also reconcile the two categories of staff under this section – Appointment of ‘Director and Staff’. This was accepted by the Secretariat.

213. The representative of the Marshall Islands then made a comment on staff regulation 13 regarding the resignation of staff before 12 months of their term had been served. On the assumption that the Secretariat would have spent a significant amount of money recruiting the staff, he suggested that the Secretariat consider making these early terminations repay to the organisation these costs.

214. The representative of the SPC made comments regarding regulation 20(f) on training and its linkages to remuneration in the interest of harmonisation. The Secretariat in its response supported the regulation as it stood saying that while 20(f)(i) require increments for all staff to be performance based, 20(f)(ii) also provided the opportunity to support staff to be considered for an increment for extra skills and knowledge gained by way of tertiary education or other training. It further advised that this was an existing provision and changes would be discussed at the next meeting if required.

215. The representative of the SPC then commented on regulation 20(g) which related to performance bonuses. He advised that in the SPC, a performance bonus was equal to one increment which was consistent with other regional organisations as opposed to the SPREP system, that is, either a fixed sum or percentage no more than 5%. He further requested that this be reviewed.

216. The representative of the Marshall Islands made another suggestion with respect to the procedure for discipline. He suggest that rather than the Director taking on the role of disciplining, he would like to see the Director taking a backseat and appointing a person to steer this event should it happen. This employee would then select another and so forth until there were three people on the panel. These people would then carry out the review and disciplining role. Furthermore, he suggested that the word “offence” be replaced with “misconduct”.

217. The representative of the USA expressed concern that the Meeting may lose focus of its objective - that is, to approve changes as required by the CROP harmonisation process. He cautioned against trying to change the structure of the document at this stage. This was supported by the representatives of Fiji and Samoa.

218. The representative of Fiji stated that he saw no problem with the changes presented in the paper. His only concern was with the regulation in respect of appointments which he believed needed revisiting. He added that although the Director had sole call, in the interests of transparency, he suggested a staff board be formed to look at issues such as promotion, recruitment and related subjects. This board would then make the recommendation for the Director to review. He stated that this was simply a suggestion that he hoped the Secretariat would take on board.

219. Responding to the various comments, the Secretariat advised that it would take these on board and that appropriate action would be taken as necessary.

220. The Meeting approved the amended Staff Regulations as proposed by the Secretariat. This is attached as Annex VII.

8.4 Proposed Name Change for the Organisation [Guam]

221. The Secretariat introduced a paper from Guam (which was unable to attend the Meeting) seeking the Meeting's consideration and direction with regard to a proposed name change which should more accurately reflect the breadth of the organisation's Pacific Region membership, given the fact that one third of SPREP's current membership was comprised of countries and territories which were located in the northern hemisphere. The paper highlighted the fact that the SPC had recognised the issue of a broader membership in 1998 and changed its name to this end. It noted that the SPREP membership would have to decide on a name for the membership or "SPREP Meeting" component of the organisation. The paper recommended a range of suggested names for discussion and added that any significant financial and operational considerations associated with a change of name should be noted by the SPREP Meeting and resolved.

222. The Director advised the Meeting that there has been no objections since this issue was first raised. He proposed that, if there was no objection to a change of name in principle, the Meeting may wish the Secretariat to submit a paper recommending options for consideration and approval at the next Meeting. He also invited the SPC to outline the process SPC went through when it changed its name.

223. The representative of Samoa observed that when the Forum Secretariat changed its name, it took three years to formalise it. Given the time it would take to formalise the change, he asked that the Meeting address the issue now and not defer it. He indicated his country's preference for maintaining the acronym noting that the name was already well recognised and established internationally.

224. The representative of New Zealand expressed support for Samoa's views, both on the issue to reflect the broader membership of the organisation and the importance of retaining the acronym. She asked that the Secretariat prepare a paper on the financial and other implications of a name change to be presented at the next SPREP Meeting.

225. The representative of the United States expressed sympathy with the need to change the name given the geographical spread of the members but expressed difficulty in the word 'Secretariat' which, in his view wrongly conveyed the Secretariat as being the organisation whereas the organisation itself comprised the Members.

226. In response to the Director's invitation, the SPC representative outlined the process SPC went through with its name change. He concurred with earlier comments regarding maintaining the profile by keeping the acronym of the organisation and the need to avoid the Secretariat being seen as the organisation. He advised that SPC got around this by distinguishing between the Pacific Community as the name of the organisation, and the Secretariat of the Pacific Community as the name of the secretariat. In terms of costs, the representative noted the main costs were the printing costs for stationery to reflect the new letterhead and the reprinting of their corporate plan. He concluded by saying that in SPC's experience, the overall cost implications had been negligible.

227. The representatives of Palau, Tokelau and Tuvalu associated their delegations with the comments of Samoa and New Zealand. The representative of Tokelau further noted the need for a name that was inclusive of territories. He called on SPREP to be proactive and to encourage a culture that was inclusive and fostered the full involvement of all members, including territories. He referred to the ineligibility of territories to have access

to GEF funded projects such as the International Waters Programme, as an example of the lack of inclusiveness in the way the organisation was currently working.

228. The Meeting agreed with the principle of a name change for the organisation and asked the Secretariat to provide the next SPREP Meeting with a paper proposing a suitable new name for the organisation together with its implications and bearing in mind the retention of the SPREP acronym.

8.5 Proposed New Title to Post of Director

229. The Secretariat sought the Meeting's approval to changing the title of the post of Director to Director-General. The Secretariat referred the Meeting to the change in title of the Head of the Secretariat for the Pacific Community in 1997, noting that the rationale given and accepted was that SPC was a technical organisation and it was practice for heads of such organisations to be called Director-General. The Secretariat noted that while it was involved in some policy coordination, it was mainly a technical organisation. The Secretariat reminded the Meeting that this issue had been mentioned in a brief comment by the Director during the 11SM, and should now be given reconsideration with the imminent appointment of a new Head of the Organisation. The Secretariat also drew the Meeting's attention to recent experiences wherein advertisement for the Director's position received many applications from relatively inexperienced and junior officials, who applied on the misunderstanding that the term Director referred to a Divisional position. The Secretariat clarified that the new title would not alter the level of remuneration.

230. The representative of the FSM asked if changing the Director's title would also affect the other posts below it. The Secretariat advised that the Deputy Director position would then be termed Deputy Director General.

231. In response to Palau's request for information on the costs and benefits to Members of such a move, the Director advised that he could not see any cost implications to the countries. He proposed that the Meeting consider first the need for a name change and, if agreed to in principle, then ask the Secretariat to develop a paper with some options for the next Meeting. The Secretariat referred the Meeting to the salary-scale for the post, and pointed out that the salary scale would not change with a change of title.

232. The representative of the United States had no opposition to the proposed change but referred the Meeting to implications on the SPREP Agreement and possibly other similar agreements wherein the current title of the position was reflected and which would need to be changed.

233. The representative of Samoa noted that his delegation did not agree with the argument presented by the Secretariat that potential candidates had misunderstood the position of Director as being that of a Division. He suggested that further thought be given to this.

234. The representative of Tuvalu associated his delegation with Samoa's comments reflecting also on the new structure in the Corporate Plan and the possible cost implications. He endorsed the Secretariat's suggestion for it to come up with a paper for the next Meeting.

235. The representative of NZ associated itself with Samoa and Tuvalu's position. She stated that New Zealand viewed SPREP as a technical agency more in line with SOPAC than with the Forum Secretariat and SPC, and therefore could not endorse the proposal for a name change.

236. The representative of Fiji expressed agreement with NZ, Tuvalu and Samoa. He emphasised the need for a thorough paper reviewing the prevailing situation in other regional organisations, and taking into account current efforts to be harmonised with other organisations of the region.

237. In summing up the general discussion, the Director noted the general reluctance amongst the Meeting to support the idea of a change of title and recognised that the timing for the proposal was not right.

238. The Meeting agreed to defer the matter at this stage with the Secretariat to revisit this issue in conjunction with the review of the Corporate Plan.

8.6 Appointment of Auditors

239. The Secretariat presented the paper on the Appointment of the Auditors and sought Membership endorsement and approval of a company to audit the work of SPREP for the years 2002 and 2003. The Secretariat provided a summary of the tender process as well as an overview of the tenders received. The Secretariat also advised that it was common practice for organisations to change auditors on a periodic basis. It further noted the comments and decisions of the 10th and 11th SPREP Meetings requiring the regular turnover of auditors. The Secretariat further highlighted the variance in the prices tendered. The Secretariat then made the recommendation for "Lesa ma Penn" to be SPREP's new auditors given the points raised above. It advised the meeting that Betham and Co., had been the auditors for nine years and recommended a new auditor to enable a change in perspective in financial management, as well as new ideas in accounting and internal control systems. Finally, the Secretariat sought approval from Members to negotiate a price from Lesa ma Penn that would match or approximate that offered by Betham and Co.

240. The representative of Fiji lent his country's support to the recommendation and agreed there was a need for change noting the nine years Betham and Co., had done the audit for SPREP.

241. The representative of Samoa advised that his delegation had no difficulties with the recommendations. In view of the fact that the same auditor had served the organisation for nine years, the representative asked whether there may be a need to set a limit on the number of times the same auditor could be re-elected. The Secretariat advised that current practice required appointment of an auditor every nine years and that it would be the Meeting's prerogative to decide whether auditors should be reappointed.

242. The representative of Niue supported the recommendation but wanted to acknowledge the good performance of Betham and Co., over the past nine years.

243. The Meeting agreed with the need for regular turnover of auditors and approved the appointment of Lesa ma Penn as SPREP's auditor for the 2002 and 2003 financial years and asked the Secretariat to negotiate with the appointed auditors lowering their quote to match or approximate that offered by Betham and Co.

8.7 Instructions to the Director

244. The Secretariat presented for approval of the Meeting, the Revised Instructions to the Director. The Secretariat advised that the changes to the “Instructions” were updates only and that nothing substantive had been changed. It explained the need for an update as the current “Instructions” dated back prior to the entry into force of the Agreement Establishing SPREP. Additionally, with the selection of the new Director by the 13th SPREP Meeting, it was deemed appropriate to revise these “Instructions” at this stage.

245. The representative of Niue suggested the use of “shall” in place of “will” to make the Instructions more definite.

246. The representative of New Zealand proposed a change to paragraph 3(c) where the phrase “and sustainable use” would be replaced by “and sustainable management”.

247. The Meeting agreed to approve the Revised Instructions to the Director together with New Zealand’s suggestion. The Revised Instructions is attached as Annex VIII.

8.8 Appointment of SPREP Director [Closed Session]

248. At the invitation of the Chairman, the Hon. Patrick Mackenzie, Chair of the Selection Advisory Committee (SAC) presented the report of the Committee as contained in Working Paper 8.8 and 8.8/Att.2 to the meeting.

249. Following discussions on the report of the Committee, the meeting:

- **commended** the Committee Chairman and members for the comprehensive manner in which they had accomplished their responsibilities.
- **endorsed** the recommendation of the SAC that Mr Asterio Takesy is the most suitable candidate for the position of SPREP Director.
- **decided** to recommend to the Ministerial Forum to approve the appointment of Mr Asterio Takesy as SPREP Director effective as from January 2003.

Agenda Item 9: Policy and Regional Coordination

9.1 Council of Regional Organisations in the Pacific (CROP)

250. The Secretariat introduced for the information and consideration of the Meeting, actions taken by the Council of Regional Organisations in the Pacific of relevance to the environment and to the work of SPREP. The Secretariat highlighted decisions of the Heads of CROP Meeting, May 2002, in relation to the environment. These included: WSSD Implications for CROP; EU – ACP Regional Programme; Pacific Islands Regional Ocean Policy; Regional Energy Policy; Forum Paper on Population Issues; Succession to C-SPOD II; AusAID Funding of Regional Organisations; Harmonisation of Remuneration; CROP Handbook and Brochure; and CROP Membership.

251. The representative of Tuvalu commended the Secretariat and encouraged it to further pursue integration and harmonisation with regional organisations. He expressed great appreciation to the Secretariat and other CROP agencies for support in preparations

for the WSSD and encouraged CROP organisations to further pursue opportunities to maximise the benefits from WSSD for PICs.

252. The representative of Samoa referred to the CROP Handbook and Brochure referred to in the Working paper questioning the source of funding to support this initiative. The representative of the Pacific Islands Forum Secretariat responded that the CROP Handbook was intended to be web-based with the result it would incur minimal costs. It further advised that it would absorb the costs of production.

253. SPC had volunteered to produce and distribute the Brochure. The Brochure was intended to serve as a regional marketing tool to be used initially at the next Forum and WSSD.

254. The Meeting noted the report.

9.2 World Summit on Sustainable Development (WSSD)

255. The Secretariat introduced the report on preparations for the World Summit on Sustainable Development and implications for the SPREP Secretariat. It was noted that following their role in the Earth Summit 10 years ago, Pacific Island States had played a significant and increasing role in the international sustainable development debate. The preparations for the Summit supported by SPREP and other regional organisations had been very successful at the international level. The challenge remained to ensure that the final agreements reached in Johannesburg translated into meaningful action at the national and regional levels.

256. Responding to a comment from the USA, the Secretariat confirmed that the recommendations of the update paper superseded those of the original paper.

257. In response to a question from Tonga, the Secretariat advised that the process for developing the National Assessment Reports (NARs) had involved development of the sub-regional submission before the national preparations. However it advised that the NARs were a valuable tool particularly for delegations at the WSSD to convey their own positions and to assist with discussions with potential partners on matters of implementation and resources. The Secretariat advised that the NARs would also be a useful baseline tool for developing future programmes.

258. The representative of Palau asked whether the outcomes of the 7th Nature Conservation Conference in the Cook Islands had been reflected in the update paper and was advised by the Secretariat that this had been done and that additional elements and issues could be taken to the Ministerial Meeting. Palau advised that working groups at the Nature Conservation Conference had been unaware of the Apia Statement for the WSSD.

259. The representative of Papua New Guinea noted the complexity of the United Nations process of negotiation and said that the G77 was not always cooperative with regard to PIC issues. He suggested that in view of the fact that PICs may still not get their desired outcomes onto the Draft Plan of Implementation, the region may wish to focus on regional efforts instead of international coordination. The representative went on to express his gratitude to the New York based missions, in particular, Ambassador Slade of Samoa, for their assistance throughout the process.

260. The representative of Samoa supported the comments by Tonga and Papua New Guinea and suggested that focus be directed towards the review of the Barbados Programme of Action (BPOA).

261 The representative of Australia noted the very positive cooperation among SPREP members which had led to the successful outcomes of negotiations for small island developing states (SIDS). She noted that further efforts would be required to address the bracketed text in the Draft Plan of Implementation. In noting matters raised by Tonga and PNG, Australia recognised the benefits of the Type II Initiatives for the region. The representative expressed appreciation to Nauru as Chair of the Pacific Islands Forum (PIF) and the CROP agencies for the coordination and collaboration so far achieved.

262. The representative of Tuvalu also expressed his gratitude to those who had supported the negotiation process. In noting the comments made by earlier speakers, he suggested that continued effort would be needed to ensure that work done at the national level would feed into the regional processes and be used to negotiate effective partnerships.

263. The representatives of Fiji and Kiribati commented that issues for the Pacific had been covered and there was a need to be definite about concrete initiatives for Johannesburg. Fiji recommended that the Ministerial Meeting be asked to confirm the need for increased financial resources and assistance in institutional and capacity strengthening for implementing WSSD outcomes.

264. The representative of New Zealand noted that its ongoing efforts were guided by regional priorities for the Summit, as agreed in Apia and Phnom Penh last year and that it would be further guided by the outcomes of the Ministerial Meeting. New Zealand's focus for the Type II Initiatives was also guided by PICs priorities. New Zealand suggested a variation to the third recommendation which is reflected in the Meeting's decisions.

265. The Meeting:

- **noted** the report on preparations for the World Summit on Sustainable Development and endorsed the general spirit of the recommendations of the paper;
- **reaffirmed** the Apia Statement;
- **agreed** that the challenge will be to ensure that the final agreements reached in Johannesburg translated into meaningful action at the national and regional levels;
- **agreed** that the regional efforts now be directed to securing appropriate sources of finance for initiatives in the Pacific including UNDP Capacity 2015 and GEF Small Grants;
- **supported** a portfolio of type II and other initiatives, including National Assessment Reports, for the Summit as a basis for further consultation and the development of partnerships post-Summit; and
- **welcomed** the development of the Regional Framework for Environmental Management to assist with the coordination and development of environmental initiatives in support of sustainable development across all regional organisations.

9.3 International Waters Programme (IWP)

266. The Secretariat tabled a status report on the implementation of the Strategic Action Programme for the International Waters of the Pacific Small Island Developing States (the IWP) which commenced in mid-2000. The report noted that, through the execution of a Memorandum of Understanding, ten of the 14 participating countries were now formally associated with the Programme. The key activities and achievements during 2001 included:

- acceptance of the Inception Report by the GEF Implementing Agency (UNDP);
- the convening of the first Regional Task Force meeting for the Programme;
- orientation visits to all countries, except Nauru, by the Programme Coordination Unit;
- the preparation of guidelines, including a communications strategy, to support in-country implementation of the programme,
- comprehensive reviews of available information for each of the four principal areas of interest to the IWP (waste management, coastal fisheries, marine protected areas and freshwater);
- preparation of two synopses of information on economic considerations for community-based projects and lessons learned from similar initiatives from the region and elsewhere.
- formal agreement by ten of the 14 countries to participate in the programme, and appointment of National Coordinators in six of these (as at April 2002).

267. The representative of Tonga thanked the Secretariat and commented that the programme was already making some useful contributions to his government's moves towards sustainable development. A National Coordinator had been appointed and the National Task Force was operational. As guidance to the Secretariat, he noted that there had been problems with the transfer of funds from SPREP to Tonga. There was also some uncertainty about the composition of the Regional Task Force and its activities. In response, the Secretariat indicated that funds transfer had been an issue with several countries and they were trying to address it through improvements to the processing system. It also advised that there was provision for all 14 participating countries to be represented on the Regional Task Force. The first meeting had been held in March 2001. However, after discussion with a broad range of stakeholders it had been decided to defer the next meeting until all countries had selected their projects.

268. The representatives of Tuvalu and Cook Islands noted that the details given in paragraph 8 of the paper were out of date as the programme was now well under way in both of their countries with the appointments of their National Coordinators. Fiji noted that work on their part of the programme had been slow to start but was now proceeding smoothly. He also suggested that regular meetings of the National Coordinators would be beneficial to the ultimate success of the programme. The representative of Niue emphasised the need for all participants to continue working together as partners. The representative of Australia asked whether there was any relationship between the programme and the work on a regional oceans policy, and also suggested that the recent evaluation of the South Pacific Biodiversity Conservation Programme (SPBCP) could

provide some useful pointers on implementation aspects of this sort of regional programme.

269. In responding to the above, the Secretariat noted that a first meeting of National Coordinators had been held in May 2002 and another would be held over the next few months. A significant amount of work had been put into reviewing the lessons to be learned from other regional programmes, such as SPBCP, and that this and other relevant information would shortly be available in a series of case study reports. It also advised that there were strong links with the Regional Ocean Policy through participation by some of the personnel funded under the programme, in the Marine Sector Working Group. Finally it was noted that a Multipartite review meeting was to be held immediately after the current SPREP Meeting.

270. The Meeting noted the report and the guidance provided by Tonga, Fiji and Australia.

9.4 Pacific Islands Regional Ocean Policy

271. The draft Pacific Islands Regional Ocean Policy was presented to the Meeting by the Secretariat for consideration and comment. This policy had been developed by the Marine Sector Working Group of CROP in consultation with Member countries, and was to be submitted to the next Pacific Islands Forum in August 2002, for endorsement by Heads of Government. The Policy was intended to encapsulate the attitudes of Pacific Island communities towards their Ocean, and provide a basis for the harmonisation and strengthening of national and regional actions in relation to oceanic and coastal resources. Further work would be required to define how the policy could be translated into effective assistance at a national level.

272. The representative of the USA indicated his country's support for this type of regional policy development, but indicated that they had some reservations about two aspects of the current document. The first of these was the reference in paragraph 30 to the precautionary principle, which was not officially recognised by his government. He would prefer to see this replaced by a term such as precautionary management approach. He also noted his government's concern that the wording in paragraph 33 appeared to preclude the peaceful transit of naval vessels and also the use of nuclear powered vessels and transport of nuclear material. The USA believed that the Policy would be better received if introductory language was added to the effect that the policy must be interpreted and applied as consistent with international law as set forth in the Law of the Sea Convention.

273. The representative of France echoed the comment of the USA regarding paragraph 33 and quoted the example of the assistance provided by the French navy for emergency response situations, such as cyclone relief. He raised concern regarding the fact that legal military activities were discussed in the same context as criminal acts which, he noted were, by their very nature, illegal.

274. The representative of SOPAC provided a description of the term "high seas enclave", in response to a question from France. This refers to high seas areas surrounded by overlapping areas of Exclusive Economic Zones.

275. The representative of New Zealand supported the policy document for its provision of a high level strategic view of the actions required to manage and protect ocean resources. However, she had concerns about the definition of the region given in paragraph 12, because it included areas outside the jurisdiction of CROP member countries. This could possibly be addressed by making the document more inclusive of other regional partners. In the case of paragraph 32, she suggested that the wording on sustainable management of marine resources should be changed to refer to managing the harmful impacts of human activities on marine ecosystems.

276. The representative of Australia noted that some of the preceding comments had been raised in the last SPREP Meeting and asked what the mechanism was for having these reflected in the paper. He also asked how people could access the most up to date version of the policy. A representative of the Forum Secretariat indicated that the version in the agenda paper was the version being presented to the Pacific Islands Forum in August. He advised that the policy was available through the Forum web site, and members of the CROP Working group were responsible for seeing that the views of their Members were incorporated into the document.

277. The Meeting noted the paper and the matters raised by the USA, France and New Zealand.

9.5 Pacific Islands Information and Communication Technologies, Policy and Strategic Plan

278. The Secretariat presented to the Meeting, for its information, a report on actions taken by the CROP Information and Communication Technology Working Group with regard to the development of an Information and Communications Technologies (ICT) regional policy and strategy, and to seek input with regard to associated SPREP activities. The Secretariat recalled past events that laid the foundation for ICT regional policy and strategy, including the 1999 Meeting of Communications Officials and the 2001 (13th) CROP Meeting – the latter meeting approved the merging of the CROP Information Technology Working Group and the IT-PACNET group under the title of CROP Information and Communication Technology (ICT) Working Group. The Secretariat also elaborated on its role in the development of the ICT Policy and Strategic Plan, explained the process by which the policy was developed with refinements and inputs from national representatives in a regional workshop in Noumea August 2001, and discussed the implications of ICT to the effective and quicker accessing of information.

279. The Forum Secretariat advised the Meeting that the Pacific Islands Information Communication Technologies (ICT) Policy was adopted by Pacific Islands Ministers of ICT in April 2002 and will be presented to Pacific Islands Leaders Forum in August 2002.

280. The representative of Australia cautioned against SPREP becoming involved in ICT infrastructure, notwithstanding ICT Policy 3.5 which stated that a range of organisations including regional organisations would collaborate actively to acquire and maintain ICT resources.

281. The Meeting:

- **noted** the participation of the SPREP Secretariat in this regional initiative with regard to the increasing impact of ICT in the region, and the role of ICT as an

enabler for the sustainable development of the region and for better delivery of SPREP programmes;

- **noted** developments within CROP to improve collaboration between regional organisations;
- **noted** the adoption of the ICT Policy by the Pacific Island Ministers of ICT; and
- **recognised** Australia's caution that SPREP not become involved in the ICT Policy implementation in areas outside its own mandate.

9.6 Outcomes of the 7th Pacific Islands Conference on Nature Conservation and Protected Areas, 8-12 July 2002, Rarotonga, Cook Islands

282. The Secretariat introduced the paper containing the outcomes of the Conference noting that it was now regarded as the pre-eminent conference on conservation for the Pacific region. It brought together over 300 participants from a broad range of stakeholders. This year's theme was Mainstreaming Conservation. The Secretariat noted that the Conference was a success and had developed a new vision for conservation as well as key objectives and targets that would help guide conservation efforts across the region. These will form part of the revised Action Strategy for Nature Conservation.

283. In drawing attention to the attached resolutions of the Conference, the Secretariat asked the meeting to note the work that has gone into the revision of the Action Strategy, note the resolutions of the Conference, consider and endorse the resolution concerning WSSD and to thank the Cook Islands Government as the host of the Conference.

284. The representative of the USA highlighted a range of issues contained in the resolutions that his country could not support, including the Declaration's call for immediate ratification of the Kyoto Protocol and more stringent greenhouse gas emission controls; its call for strict liability regimes for hazardous waste transfer and a ban on nuclear waste shipment; and for its call for an investigation into liability issues relating to climate change, including corporate and state liability. The USA asked for the deletion of the recommendation encouraging the Secretariat to consider such resolution addressed to it for implementation.

285. The representative of Australia supported the USA and noted it had problems in supporting outcomes from another meeting that it had not had sufficient time to consider. He suggested that the meeting could welcome progress made to revise the Action Strategy and could note the resolutions but not endorse those relating to the World Summit or call on the Secretariat to consider other resolutions addressed to it for implementation. He noted that the resolutions of the Conference were on the public record and that he expected the Secretariat to take these into account in its work. In closing he supported the recommendation to thank the Government of the Cook Islands and looked forward to the 8th Conference.

286. The representative of France supported the views expressed by Australia and the USA. He stated that time would be required for his government to consider the conference outcomes in detail before it could respond favourably to the resolutions.

287. The representative of Fiji queried the funding arrangements for the Conference and what would become of the resolutions.

288. The Secretariat stated that there were 17 donors to the Conference and that SPREP's contribution had been the significant staff time that went into the planning and execution of the Conference. He went on to note that the Conference resolutions had been used to revise the Action Strategy that would be developed further and considered at the 14th SPREP Meeting next year. In addition to being noted by this meeting the resolutions would be considered by the broad range of stakeholder actively engaged in conservation efforts in the region.

289. The Meeting:

- **welcomed** the significant progress made in the development of the 2003 – 2007 Action Strategy for Nature Conservation and endorsed efforts by the Secretariat and the Action Strategy Review Committee to expedite its completion by the end of 2002;
- **noted** the resolutions of the 7th Conference as appended, recognising that some of the actions addressed to SPREP for implementation were already reflected in the 2003 Work Programme and Budget;
- **endorsed** the Conference resolution addressing the World Summit on Sustainable Development. (Refer to Resolution 6 in Appendix 1); and
- **commended** the Government of the Cook Islands for the efficient support extended to the Secretariat and for hosting of the 7th Pacific Islands Conference on Nature Conservation and Protected Areas.

Agenda Item 10: Conventions – Regional

10.1 Report of Meetings of the Parties to Apia, SPREP and Waigani Conventions

290. The representative of Samoa presented a summary of the Report on the Sixth Joint Ordinary Meeting of the Contracting Parties to the Apia and SPREP Conventions in his capacity as Chair of that Meeting.

291. He highlighted the agreement of the Meeting to develop a successor Convention to the Apia Convention and noted the need for all SPREP Members to be involved in this exercise as well as the budgetary implications. He also noted with disappointment the fact that not many countries had submitted their national reports for monitoring purposes. In relation to the SPREP Convention, the Chairman briefly described the outcomes, such as the need for amendments to the Dumping and Emergency Protocols to be examined.

292. The representative of New Zealand presented a summary of the Report of the First Conference of the Parties to the Waigani Convention in her capacity as Chair of that Meeting and noted that that all Parties were present at this Meeting with the exception of the Solomon Islands.

293. The Chair commented on the decisions reached in the Meeting and the agreement to establish a Scientific and Technical Advisory Committee (STAC) and New Zealand's proposal to assist with financing a meeting of this body in 2003 to ensure continuity of momentum. She stated that revision and amendments to papers relating to illegal traffic,

the Basel Convention form for use by Parties and its applicability to the Waigani Convention would also be discussed by the STAC.

294. The Chair reported on the Waigani Convention work programme and scale of contributions also for discussion at the STAC. She highlighted the decision to accept the principle of a joint centre of the Basel and Waigani Conventions to be integrated with SPREP. She further requested the Secretariat to meet all deadlines relating to the conduct of an assessment of the full implication toward the establishment of such a centre. She stressed the need for the Ministerial segment to endorse the decision made by COP1 to establish the joint centre and to put forward a proposal for endorsement by the Sixth Meeting of the Conference of the Parties to the Basel Convention in December 2002.

295. The Chair also reported on the decisions relating to financial arrangements and the adoption of the Work Programme. The Meeting was informed of the core budget for 2003-2004 for convening the STAC as well as the second Conference of the Parties to the Waigani Convention. The Chair noted that a decision had not been reached at this stage on the scale of contributions. She advised that the next Meeting would be held in conjunction with the 15th SPREP Meeting and urged non-parties to become Parties to the Convention.

296. The representative of Niue asked the meeting to note that Niue was an observer during this Meeting. The representative of Palau stated that Palau was in the process of ratifying the SPREP and Waigani Conventions and that this was now at the Congressional level. He also noted that while Palau was an observer to the Apia, SPREP and Waigani Conventions, he was dismayed that no courtesy had been shown in soliciting comments from Observers. The Secretariat responded by indicating that in the future every effort would be made to ensure active participation by observer SPREP Members.

297. The Meeting:

- **noted** the reports of the Conference of the Parties to the Waigani and the SPREP and Apia Conventions; and
- **agreed** to draw the attention of the Ministers to the specific points raised by the two Chairpersons.

Agenda Item 11: Items Proposed by Members

11.1 Domestic Whale Sanctuaries [Australia]

298. The representative of Australia encouraged Member States to report to the Meeting on progress in the establishment of whale sanctuaries within their respective domestic waters. Australia also proposed for the Meeting's consideration a Declaration calling on Pacific Island Leaders to reaffirm their commitment to the South Pacific Whale Sanctuary and encouraging Members to declare their respective domestic waters as whale sanctuaries. He noted that the 12th SPREP Meeting in Apia, September 2001 agreed to the activities listed under the 'Apia Statement' Framework including the pursuing of objectives of the proposed South Pacific Whale Sanctuary through national, regional and international actions. The representative of Australia also reviewed progress to date in advancing the objective of establishing a South Pacific Whale Sanctuary which included, a number of SPREP Member States declaring or having announced their intention to declare their waters as whale sanctuaries, and Australia and New Zealand's efforts, up to the time

of writing, of co-sponsoring a resolution to create a South Pacific Whale Sanctuary at the International Whaling Commission meeting in May 2002. The proposed sanctuary would encompass an area roughly from the equator to 40 degrees South and 130 degrees East to 120 degrees West from Australia in the west to the Pitcairn Islands in the East.

299. Following Australia's presentation, the representative of New Zealand expressed full support for Australia's proposal and its recommendations. The representative of French Polynesia similarly expressed her country's support stating that her country had declared its EEZ a whale sanctuary. Others that expressed general support included the Cook Islands, France, Niue, Tokelau, Tuvalu and United States. For Tokelau it was a matter of priorities. Cook Islands also encouraged Member states to declare their domestic waters as whale sanctuaries.

300. The representative of Papua New Guinea informed the Meeting that Papua New Guinea had declared its EEZ a whale sanctuary. He asked if Australia and New Zealand had declared their EEZs similarly. He also noted that Japan was an important regional partner which was opposed to the whale sanctuary proposal and in view of this, this issue needed to be handled with sensitivity. The representatives of both Australia and New Zealand confirmed that they had in place legislation effectively making their EEZs whale sanctuaries. The representative of New Zealand also offered to assist other countries with advice on the development of national legislation on this issue.

301. The representative of Kiribati informed the Meeting that her country continued to maintain its current position on this issue until it was provided with relevant information.

302. The representative of Fiji noted that his government had been working closely with WWF on this issue, and was actively considering declaring its EEZ a whale sanctuary. Fiji also expressed its full support for the proposal for a South Pacific Whale Sanctuary and the recommendations being considered.

303. The representative of Samoa asked if the Secretariat had on board an expert on whales to advise the region. In response, the Director said that the Secretariat had no such expert but it did have a general marines species expert who had been working closely with other experts on whales.

304. The representative of Palau noted that if there was no consensus on this issue then it should not be adopted. He reiterated his country's position on the sustainable development and management of whales based on scientific facts.

305. The representative of France noted that SPREP was a high profile organisation and was closely monitored by many donors because of the good work in the environment it was doing. Given this, it was likely that the image of SPREP would be damaged if this Meeting did not have a consensus on this important issue.

306. The representative of Samoa asked whether the protection of whales reflected a priority of this region, and whether there were other priorities that were of higher standing that should be made into declarations from this Meeting. Samoa proposed that instead of a declaration, a resolution was perhaps the more appropriate modality for conveying a decision on this issue.

307. The representative of Tuvalu expressed support for Samoa's view and the need to have the appropriate modality for transmitting this to Forum Leaders noting that there

were other issues more deserving of being communicated through use of a declaration. He suggested that the report of the Meeting should reflect that the issue was discussed and was considered important instead of the option of a declaration or resolution. He also asked for more information on the potential benefits of declaring EEZs as whale sanctuaries.

308. The representative of Tonga referred to his country's experience with whale watching which earned the local economy more than US\$1.0M a year. He also noted that his country's support of the South Pacific Whale Sanctuary proposal remained unchanged.

309. The representative of Kiribati noted the concern of some Members that the level of scientific knowledge concerning the benefits of a whale sanctuary was still unclear.

310. The Meeting:

- **recalled** the decision made at the 32nd Pacific Islands Forum Leaders Meeting, held at the Republic of Nauru 16 – 18 August 2001 to pursue the objectives of the proposed South Pacific Whale Sanctuary through national, regional and international action;
- **noted** the support of SPREP Meetings and Pacific Islands Forum Leaders Meetings to Australia and New Zealand to establish the South Pacific Whale Sanctuary under the auspices of the International Whaling Commission;
- **reaffirmed** SPREP's support for the establishment of a South Pacific Whale Sanctuary;
- **reaffirmed** the Pacific Islands Forum States' commitment to marine conservation measures;
- **noted** the significant economic benefit generated by marine-based tourism and, in particular, whale watching;
- **recognised** that some Pacific Island Forum States have declared or announced an intention to declare their waters as whale sanctuaries; and
- further **noted** the need for increased scientific knowledge concerning the benefits of a whale sanctuary.

11.2 Coral Reefs [France]

311. The representative of France presented the Paper on Coral Reefs mainly for the Meeting's information. He stated that he would be happy to reply to any issue any Members may raise on the paper.

312. The Meeting noted the paper.

Agenda Item 12: Statements by Observers

313. Statements were made by the following Observers whose statements are attached as Annex IX.

Agenda Item 13: Other Business

314. The Chair invited delegates to raise any other issues not examined but of relevance to this meeting.

315. The representative of Australia associated Australia with the concerns raised by New Zealand at agenda item 8.2 about transparency in recent appointments to two senior management positions in the organisation. She recalled a suggestion earlier in the Meeting to revise Staff Regulation 11(d) which currently gave the Director prerogative in the recruitment of staff. The representative said that this was an important issue for Australia and asked that the Regulation be revised at the next SPREP Meeting to ensure that issues of transparency, equity and merit were adequately considered in recruitment of all staff.

316. With reference to a question raised by Fiji under Agenda Item 7.2.3, relating to the High Level Consultations on Adaptation held in Nadi, May 2002, the representative of Australia advised that her country would support further such meetings.

317. The representative of Australia raised her Government's concern regarding issues experienced by small island countries when hosting SPREP Meetings. She acknowledged the Republic of the Marshall Islands for having generously offered to host the 13SM but stated that it was unfortunate that donors had been approached at the last minute for financial assistance. She noted that it was important that before countries offered to host a meeting, the budgetary and other implications should be taken into account. The representative added that Australia was not against meetings being held in small island nations, given the benefits to small island nations in hosting large meetings however, she stressed that there was a need for more forward planning in terms of finances.

318. Australia's statement was supported by New Zealand and the United States of America. The representative of the USA further thanked the Government of the Marshall Islands for hosting this Meeting.

319. The representative of Tokelau informed the Meeting of his Government's appreciation of the recent visit of the Director of SPREP and staff to Tokelau. He further extended his country's invitation to the next Director of SPREP to make Tokelau his first country to visit.

Agenda Item 14: Date and Venue of Fourteenth SPREP Meeting

320. Under the Rules of Procedure of SPREP, the venue for alternate meeting is SPREP's Headquarters. Accordingly, the Meeting agreed that the Fourteenth SPREP Meeting be held in Samoa in 2003 at a date to be advised.

Agenda Item 15: Adoption of Report

321. The draft report of the Meeting was presented by the Secretariat and was reviewed and adopted by the Meeting with amendments and corrections as reflected in this Report. The Meeting further considered the draft Letter of Transmittal to the Environment Ministers' Forum and endorsed this with amendments to include a reference to whales and a note of thanks to the outgoing Director of the Secretariat.

Agenda Item 16: Close

322. The representative of Cook Islands, Kiribati and Tuvalu expressed their appreciation to the Director, Mr Tamari'i Tutangata and the staff of the Secretariat for their

commitment and hard work over the period that Mr Tutangata had served as Director. They welcomed and congratulated the new members of the SPREP Management team and wished them well in their new roles.

323. In closing the Director thanked the host country, the Government of the Republic of Marshall Islands for organising and hosting the Meeting. He further expressed his appreciation to the Chair of the Meeting for his patience and guidance. The Director noted that his term of service had been challenging but rewarding and added that he was heartened by the regional cooperation that was obvious among the Members. He thanked the staff of the Secretariat and highlighted their commitment and dedication to the work of the Secretariat. The Director further thanked all those who had been involved in the various logistical arrangements for the Meeting, in particular the team of translators and interpreters.



South Pacific Regional Environment Programme (SPREP)

Report of the Environment Ministers' Forum

26 July, 2002
Majuro, Marshall Islands

Introduction

1. The Thirteenth SPREP Meeting at the Ministerial Level was convened in the Republic of Marshall Islands, on 26 July 2002. Ministers, Ambassadors and Ministerial representatives from the following SPREP Member countries attended: American Samoa, Australia, Cook Islands, Federated States of Micronesia, Fiji, France, French Polynesia, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Tokelau, Tonga, Tuvalu, United States of America, Vanuatu and Wallis and Futuna. Observers from the Pacific Islands Forum Secretariat (PFIS), Secretariat of the Pacific Community (SPC); South Pacific Applied Geoscience Commission (SOPAC), University of the South Pacific (USP), World Meteorological Organisation (WMO), AusAID funded South Pacific Sea Level & Climate Monitoring Project Phase III, Department of Economic and Social Affairs (UNDESA), the United Nations Development Programme (UNDP) and the United Nations Secretariat also attended. A combined list of participants for the Officials and Ministerial Forum is attached as Annex I to this Meeting Report.

Agenda Item 1: Official Opening

2. The official opening of the Environment Ministers' Forum – Thirteenth SPREP Meeting was held on the evening of 25 July 2002, at the Nitijela (Parliament) Building, Majuro, Marshall Islands. The Honourable Tadashi Lometo, Minister in Assistance to the President, Government of Marshall Islands welcomed Ministers and Delegates to the Marshall Islands.

3. The Honourable Lometo in his Key Note address extended a warm welcome to all Ministers and delegates to the 13th SPREP Meeting and the Environment Ministers' Forum. He mentioned that the 13th SPREP Meeting has presented a good opportunity for people and the Government of Marshall Islands to express their sincere appreciation for the enormous contribution that this organisation had given to his country's efforts in protecting its environment. The ongoing technical support and assistance from SPREP to his country and other member countries in the region had been beneficial to the further improvement of the Pacific people's standard of living through better understanding of the sustainable utilisation and management of natural resources. The Pacific Islands greater understanding of the critical issues, that Pacific people face today such as hazardous, radioactive and toxic wastes, climate change, sea level rise, and chemical substances that deplete the ozone layer further prepare them to meet such challenges. Improving the standard of living is a common issue currently being addressed throughout the Pacific Islands and is one of the major issues that was considered in preparing our Pacific Regional Submission to the World Summit on Sustainable Development that will be held in Johannesburg later this year. A copy of his Key Note address is attached as Annex II (a).

4. He acknowledged Mr Tutangata's leadership, hard work and dedication consistently exemplified during his tenure as SPREP Director.

5. The Minister for Lands and Environment of Samoa, Honourable Tagaloa Tuala Sale Tagaloa on behalf of the participants thanked the Government and people of the Republic of Marshall Islands, the members of the Task Force and the staff of Ministry of Foreign Affairs and EPA for the excellent preparations for the Meeting and hospitality extended to all Members and visiting delegations.

Agenda Item 2: Appointment of Chair and Vice-Chair

6. The Director expressed apologies from Guam for their inability to attend the Meeting and brought the meeting to order. The Director advised that the “*Rules of Procedure of the SPREP Meeting*”, which require that when a Meeting is not hosted by the Secretariat, the Chair shall be provided by the host country. Accordingly, Samoa nominated the **Republic of Marshall Islands**, seconded by Tonga as the **Chair**. The Honourable Lometo accepted. The Rules also provide that the Vice-Chair shall rotate alphabetically whether or not the Meeting is hosted by the Secretariat. The Vice-Chair of the Twelve SPREP Meeting was **Guam**. The next in line, **Kiribati** would therefore provide the **Vice-Chair**. FSM nominated Kiribati to provide the Vice Chair of the Ministerial Meeting.

Agenda Item 3: Adoption of Agenda and Working Procedures

7. The Meeting considered and:

- **adopted** the Provisional Agenda with amendment for inclusion of Opening Statements by Ministers and Heads of Delegations;
- **adopted** the hours of work outlined in WP.3/Att.1; and
- **appointed** the same Report Drafting committee that served the 13th SPREP Meeting of Officials.

The Secretariat assisted the Report Drafting committee by taking notes during the Plenary sessions.

The Provisional Agenda is attached as Annex III (a)

Agenda Item 4: Opening Statements by Ministers and Heads of Delegation

Opening Statements

8. The Ministers and Representatives of Cook Islands, France, Kiribati, New Zealand, Samoa, Vanuatu, Tokelau, Tonga and the United States of America in their opening statements paid tribute to the SPREP Director, Mr Tamari’i Tutangata for his outstanding leadership during his term and wished him well in his future endeavours, and recognised his commitment to the region as a “son of the Pacific”. Members further recognised the dedication and commitment of the SPREP Secretariat staff for their efforts in the preparations of the Officials Meeting, and Environment Ministers’ Forum. Ministers also thanked and acknowledged with deep gratitude, the warm hospitality of the government and people of the Republic of the Marshall Islands, and the arrangements made for hosting the 13th SPREP Meeting.

9. As the host of the SPREP Secretariat, the Minister for Samoa acknowledged the support of both the Government of Japan, and the European Union and congratulated the Director and staff on the recent opening of both the Education and the Information and Resource Centres.

10. The Ministers of Cook Islands, Kiribati and Tokelau stressed the importance of the Members' contributions and encouraged Members to fulfill their obligations calling on the Secretariat to continue to follow-up on outstanding arrears.

11. The Representative of USA, on the issue of SPREP membership advised that the United States Senate had recently completed their hearings and was optimistic that her country would soon be able to ratify the SPREP Agreement. She also promised to follow up on the matter of outstanding membership contributions which should be settled in the very near future.

12. The Ministers of the Cook Islands and Australia reinforced the importance of climate change and the impact on Small Island Developing States.

13. The Minister of Cook Islands also reinforced the importance of institutional strengthening and advised that his government would be increasing the capacity of his Environment Service to address important environmental issues in his country. He expressed his government's deep concern about the transportation of nuclear wastes through the Pacific region.

14. The Minister of Australia expressed her government's appreciation to the Pacific Islands for their outstanding contributions to the development of the Pacific as a whole. She expressed in particular that this was an important time for the Pacific, with preparations for the WSSD. These meetings would continue with the Pacific Islands Forum meeting in a few weeks' time, the Johannesburg WSSD, and the Barbados plus 10 (2004, UN SIDs summit). She also acknowledged SPREP's crucial role in the protection of the environment in the Pacific, and was a key body established to support Pacific countries to sustain their vulnerable environments through providing policy advice and coordination of environmental activities in the Pacific. She highlighted that SPREP was a very important organisation for Australia. With the appointment at this meeting of a new Director, it was a good time for Environment Ministers to reflect on the future directions of the organisation.

15. She informed that AusAID was embarking on a new direction in funding regional organisations in the Pacific – programme funding. The programme approach offered SPREP greater flexibility on how it implements activities and achieves its objectives, but at the same time comes with higher levels of responsibility and relies on a strategic approach.

16. The Minister said that her government was both pleased and appreciative with the Pacific's contribution to the WSSD process in producing very successful outcomes and the high profile which had been given to Small Island Developing states in the WSSD documents going in to Johannesburg. Australia had particularly appreciated the work of the CROP agencies, and the leadership role of Nauru and Samoa's Ambassadors to the United Nations. She highlighted the opportunities for the Pacific from the Type II Initiatives and was in the process of developing these and looked forward to working closely with Pacific colleagues on these in the lead-up to WSSD.

17. An issue which had been identified as a priority for many Pacific island countries was the very important one of adaptation to climate change and climate variability. This was very important to Australia and was also echoed by the Minister for Cook Islands. The Minister for Australia mentioned that her government was working on projects in this area with other Pacific countries. She advised that new funding of AUD\$4 million

especially dedicated to adaptation and vulnerability in the Pacific was announced by Minister for Foreign Affairs, Hon. Downer, earlier this year. Australia was very pleased to participate in the High Level meeting on Financing Adaptation in May and was working on concrete projects emerging from that meeting. Australia was happy to be able to support financially and technically further adaptation meetings to follow up the very important Nadi meeting.

18. The Minister of Australia further congratulated the many countries of the Pacific which had already declared or were in the process of declaring or were planning to declare whale sanctuaries or otherwise protect whales in their EEZs. However she expressed her government's disappointment that its efforts so far have been unsuccessful in persuading the International Whaling Commission (IWC) to declare a South Pacific Whale Sanctuary.

19. In her concluding remarks, she expressed her appreciation for the very positive collaboration of the Pacific countries in the WSSD process, and the successful outcomes for the Pacific region. She saw the WSSD Type II partnerships as presenting opportunities for some concrete projects in the Pacific region, and her government was doing further work on some specific projects. She further added that her government would like to build on this very fruitful and important Pacific cooperation both within and outside SPREP and other regional organisations in the coming years.

20. The representative for American Samoa urged countries to support measures to address population impacts as one of the underlying causes of emerging environmental challenges as the Pacific region implement issues of integration for Pacific island countries.

Agenda Item 5: Director's Overview

21. The Director expressed his appreciation to Ministers for their generous comments which would reinvigorate the commitment of the SPREP Secretariat staff to delivering its work programme and servicing the needs and expectations of Members.

22. The Director highlighted the decision made by Ministers in 2000 to meet biennially rather than every four years which was an encouraging development. This would allow Ministers to focus on the needs of the Pacific people and islands on a regular basis.

23. The Director extended a warm welcome to the Honourable Sela Molisa, Chair of the 2002 Forum Economic Ministers Meeting (FEMM) and Minister of Finance of Vanuatu. The Director noted that as a result of willing cooperation between Finance and Economic Ministers, the political and policy-level commitment to the cause of sustainable development at the regional level would have a flow-on effect to the national level.

24. The Director highlighted other developments in pursuance of decisions from the last Ministerial Forum in Guam.

25. The Director impressed upon Ministers that in light of progress over the last 12 months, there were two matters requiring on-going attention. The first was to further encourage Members to resolve the issue of outstanding member contributions and secondly the importance of country consultations and visits carried out by the Secretariat rather than relying on countries to respond to questionnaires.

Agenda Item 6: Matters for Decision

26. The Chair of the 13th SPREP Meeting of Officials submitted to the Ministers' Forum a letter outlining items that the Officials' Meeting wished to bring to the attention of the Ministers for their endorsement. The letter is attached as Annex IV (a).

27 The Meeting acknowledged and expressed appreciation to the SPREP Director for his leadership and guidance in the last five and half years and also to his staff for the hard work and dedication to addressing environmental issues in the Pacific region. They acknowledged the Secretariat's financial difficulties on payment of members' outstanding contributions and called on all Members with outstanding contribution to pay these in a timely fashion to facilitate the effective implementation of the SPREP Secretariat's work.

1. Unpaid Contributions

28. The representative of Papua New Guinea reiterated that he was making arrangements to pay his outstanding contributions. He called and requested all SPREP Members to change the nature of members' contributions from "voluntary" to "assessed" and that, in future, sanctions should be imposed on members with outstanding contributions to ensure timely payment.

29. The Ministers and representatives of Cook Islands, Tonga, France, Tuvalu and Samoa commented that environmental issues have picked up momentum and evolving quickly in the Pacific region but the low level of members' contributions to SPREP's core budget had not changed. They supported the suggestion by Papua New Guinea to reflect members' seriousness in providing sufficient resources to SPREP for the effective addressing of environmental issues in the Pacific region.

30. The Minister from Tonga acknowledged the Secretariat's assistance in sending two lawyers to assist with the drafting of Tonga's national legislation despite SPREP's financial difficulties with Members' core contributions.

31. The representative of USA advised that its position was well known on the issue. It could not agree to make contributions mandatory, but it would be glad to work with other SPREP members to find a way forward on the issue. The USA had always paid its contributions and sometimes made additional funds available to support the work of SPREP.

32. The representative of Tuvalu acknowledged the importance of the work of SPREP and regrettably was unable to be represented at the Ministerial Level as it had just completed national elections the night before.

33. The Secretariat advised the Meeting that a payment had been received during the Meeting from Vanuatu of US\$14,631 as part payment against their outstanding contributions and final payment by Tuvalu of US\$31.00 of its 2002 contributions.

2. Name Change of Organisation

34. The Ministers of Tonga and Cook Islands commented that when SPREP was formed in the early 1990s, the membership was mainly from the South Pacific but now the

membership had expanded and suggested the use of 'PREP' to reflect the expansion of membership and extent of SPREP work.

3. Position of Director

35. The Ministerial Forum endorsed the recommendation of the officials to appoint Mr Asterio Takesy to succeed Mr Tamari'i Tutangata as Director of SPREP. It offered its congratulations to Mr Takesy and its gratitude to Mr Tutangata for his service to SPREP and the region.

36. The Meeting further discussed the issue and noted the Minister of Cook Islands suggestion for the use of "PREP" for the organ and "PREPS" for the Secretariat and encouraged the Secretariat to complete the financial and legal review for tabling at the next Meeting.

4. Apia Convention

37. The Minister of Kiribati welcomed the process being proposed for a successor Convention to the Apia Convention. He encouraged members and non-members to take the opportunity to renew members' efforts to protect the environment and looked forward to participating in the negotiation of a new Convention.

38. The Minister of the Republic of the Marshall Islands and representative of Palau advised that they were in the process of ratifying the Convention.

39. The Meeting noted the report and encouraged the Secretariat to undertake the proposed work for review and facilitate negotiations for a successor convention to the Apia Convention. The Meeting encouraged all SPREP Members to become parties.

5. Waigani Convention

40. The Minister of Tonga advised that his government had signed and approved ratification of the Waigani Convention. The Minister of Kiribati congratulated the SPREP Secretariat in advancing the work on this Convention and regarded the Training and Education Centre (TEC) as a great resource in advancing further work on this Convention using the TEC for workshops and training.

41. The representative of FSM registered its support for the Waigani Convention and encouraged members to participate and sign on to the Convention. The Meeting adopted the report.

6. World Summit on Sustainable Development

42. The Minister of Kiribati and representative of Tuvalu commended the progress made and excellent work by the Pacific members in the preparation for the Summit. They acknowledged the great support and assistance provided by SPREP and other CROP agencies in this work. They also acknowledged collaboration with Australia, New Zealand and noted with appreciation leadership provided by Nauru and Samoa and Pacific missions in New York. They encouraged all members to work to complete negotiations on the Plan of Implementation and in particular the section on the Sustainable Development of SIDS.

43. Members encouraged the Secretariat to continue with this work and also to assist countries with national assessments and reporting and in raising the Pacific profile internationally. Concerns were raised on the status of replenishment of the GEF as it was an important financing mechanism for sustainable development in the Pacific region and called for goodwill of donor partners.

44. The representatives of USA, Australia and Tuvalu expressed interest in Type II Initiatives in preparation for WSSD and to moving forward with Type II Initiatives in the Pacific region. The USA welcomed development of a Pacific Islands Regional Ocean Policy and made suggestions for improvements in the current text.

45. The Meeting adopted the report.

7. Whale Sanctuary

46. The Ministers of Kiribati and Samoa welcomed the initiative by some Members to declare whale sanctuaries. They urged the Meeting to move with caution and should allow countries time to address the issue at their own pace. The representative of Kiribati recalled that the Environment Ministers' Forum in Guam in 2000, asked for technical information to assist countries with decision making. The representative of Palau advised that his country's position on the issue remained unchanged.

47. The Minister of Tonga advised that his country's position is clear on the issue and welcomed comments on the need for availability of scientific information on whales to assist with decision making to ensure species were not depleted.

48. The Minister of Samoa advised that his country had gone further by including other marine species, such as dolphins and sharks in its sanctuary.

49. The Minister of Australia and representative of New Zealand encouraged and supported the decisions of the Officials Meeting and further noted the increased scientific knowledge concerning the benefits of a whale sanctuary and suggested an amendment to improving the wording of the Official Meeting decisions.

50. The Minister of Cook Islands confirmed that its EEZ had already been declared a Whale Sanctuary and would not tolerate commercial harvest of the resource.

51. The representative of USA associated itself with the comments made by the representatives of Australia and New Zealand.

52. The Meeting agreed to adopt the decisions of the Officials Meeting with amendments as follows:

Warmly welcomed the increasing numbers of Pacific Islands Forum States that have declared or announced an intention to declare their waters as whale sanctuaries.

Agenda Item 8 Focus Issue - Integrating Environment and Economic Development

53. The Chairman welcomed the presence of the Honourable Sela Molisa, Chairman of the 2002 Forum Economic Ministers Meeting (FEMM) and invited him to address the Meeting.

54. The Chair of FEMM expressed his pleasure in attending the Environment Ministers' Forum (EMF), highlighting that this was the first time the Chair of FEMM has been in attendance at such meetings. He was honoured to represent (FEMM) at this Meeting and further extended his appreciation to the SPREP Secretariat for making his attendance possible.

55. He noted that the Chairman of FEMM's attendance at EMF was in the same year in which the WSSD would take place, and he reinforced the support of Economic Ministers of the process and preparations undertaken by Pacific Island governments and CROP agencies for this important global event. He emphasised the importance of a holistic approach for SIDS to development which was given special emphasis in the 1994 Barbados Plan of Action and welcomed the review of this plan in 2004 and hoped that the SPREP EMF and the FEMM will work together in promoting the interests of the region at this event.

56. As a step towards bridging the gap between finance, planning and environment ministries, officials and ministers attended the High Level Consultation on Investing in Adaptation to Climate Change Workshop in Nadi this year. The Consultation considered how best climate change adaptation could be mainstreamed into national planning and how the Pacific region could best position itself to attract and manage adaptation funding. Forum Economic Ministers endorsed the declaration of this Consultation.

57. He further stated that it was therefore vital that through ministerial meetings, Pacific Island governments address more keenly the impact of economic development on the environment.

58. Furthermore, the Forum Secretariat would organise a workshop for Economic Ministers on "Economic and Social Development and the Environment" to be held immediately prior to FEMM 2003. This would ensure a more thorough understanding of issues.

59. The Chairman of FEMM stressed the importance of Minister's gaining a better understanding of each others' perspectives and to apply these to the common good of the region.

60. In closing, the Chairman acknowledged that this was an important first step toward the collaboration essential for a sustainable, prosperous, secure and alluring Pacific for the future.

61. The Ministers of Australia, Cook Islands, Samoa, and representative of American Samoa expressed their appreciation for the excellent presentation made by the Chairman of FEMM and commended him for his report. In addition, the Minister for Cook Islands acknowledged the great efforts of the Forum Economic Minister's Meeting in recognising the importance of shared ideals with Environment Ministers. The Minister for Samoa shared these views and added that economic development and environment go hand-in-hand with cultural and social goals.

62. The Minister of Australia thanked the Chairman of FEMM for his presentation, and brought to the attention of the Meeting that draft Terms of Reference for the Regional Financing Facility would be circulated shortly for comment.

63. The meeting accepted the invitation from the Chair of FEMM to attend its next meeting in the Republic of the Marshall Islands.

Agenda Item 9: Other Business

64. The Majuro Environment Ministers' Forum Statement is attached as Annex V(a) and will be transmitted to the Forum Leaders Meeting in Nadi in August.

65. The Ministers of Cook Islands and Tonga and the representative of Papua New Guinea registered their wish to hold the Ministers' Forum annually rather than two yearly given the importance of environment and integration with economic development and social issues.

66. The Meeting agreed to hold the Ministers' Forum annually together with the Officials Meeting.

Agenda Item 10: Timing of Next Ministerial Meeting

67. The Secretariat advised that as the Meeting had now agreed to hold the Ministers' Forum annually, the timing therefore of the next Forum would be confirmed once the timing of the Officials Meeting in Apia in 2003 was finalized. The dates would be communicated to Members accordingly.

Annex I: Combined Participants List for the 13th SPREP Meeting of Officials and Environment Ministers' Forum

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Annex II: Opening Remarks by Chair of 12th SPREP Meeting, Honourable Patrick Mackenzie to the 13th SPREP Meeting of Officials. Majuro, 21 July 2002

Briefly, I would like to pay my respects to the traditional leaders of this island and its people for allowing us to be here today.

Honourable Ministers, Heads of Delegations, officials and observers to the 13th SPREP Meeting, ladies and gentlemen. I wish to express special thanks to our host the Government of the Republic of Marshall Islands, for the reception, organising and hospitality that has been offered thus far. I give a special recognition to the Honourable Gerald Zackios, the Minister of Foreign Affairs for the Republic of Marshall Islands who will deliver the keynote address, and thank you sir for the effort of your Government to bring this meeting to reality.

Almost a year ago, when my government asked me to chair the 12th SPREP Meeting I accepted the offer without hesitation. Little did I know what lies ahead. Soon after arrival into Apia two days before the SPREP Meeting I was met at the airport around 3:30 in the morning. On the way to the hotel during the one-hour drive the briefing began. Later that same day after a few hours of sleep I was called to come in and continue with the briefing session. You can imagine what kind of shape I was in. But that is only the beginning of what has turned out to be a memorable experience. It has been an honour to serve as the SPREP chair over the last 12 months and I would like to express gratitude to Members for this opportunity.

As part of my role over the last 12 months I also had the privilege to serve as the Chair of the Selection Advisory Committee to recruit the new Director. The deliberations and outcomes will be presented to Members for decision as part of the SPREP Meeting. I would like to take this opportunity to thank those Members that made up the Panel, namely:

Australia, New Zealand, USA, Samoa, Tokelau, Solomon Islands, French Polynesia and Federated States of Micronesia.

It has been an important year for the Secretariat and Members especially in terms of the lead up to this year's World Summit for Sustainable Development. The Secretariat has taken the lead role in preparations for the Summit and has worked with the CROP WSSD Working Group to ensure the widest scope of consideration and negotiations to suit the Pacific region in the push for actions for Sustainable Development.

2001 has seen the approval of the 2001-2004 Corporate Plan and a new organizational structure targeting SPREP Members' needs for increased technical advisory services; integration of the work programme; and increases in staff levels was approved as part of the Corporate Plan. The appointment of the new Director will complete the transition of the Secretariat to better serve the delivery of capacity required by Members.

Lastly I would like to acknowledge special recognition to the Director, Mr. Tamari'i Tutangata and his entire staff for the support and assistance they have given me over the last year. On a personal note, Tam, I want to thank you for your friendship and generosity. I appreciate the one on one discussion, including the many lunches and dinners. I came away with a warmth feeling each time I visited Apia. Since this is your last meeting as Director I would like to wish you the best in your future endeavours.

Having said those few words, I now declare the 13th SPREP Meeting open.

Thank you very much.

Annex II (a): Statement By Hon. Tadashi Lometo Minister in Assistance to the President, to Environment Ministers' Forum. Majuro, 26 July 2002

National Representatives of SPREP Family and members of your Delegation;
Director of SPREP Secretariat and members;
Representatives of CROP Agencies;
Representatives of Donor Countries;
Heads of Members of Diplomatic Corps;
Distinguished guests and friends;
Ladies and Gentlemen;

On behalf of the Government and the People of the Republic of the Marshall Islands, it is an honor and a pleasure to welcome you to the Capitol of the Marshall Islands. It is indeed a privilege to be the host of the 13th Annual Session of South Pacific Regional Environment Programme (SPREP) as it is the very first time that an important SPREP meeting is held in our country.

This 13th Annual SPREP Session presents an opportunity for our people to express our sincere appreciation to the SPREP Secretariat and fellow member countries for the enormous contribution that this organization had done to our country's efforts to protect her fragile environment. The ongoing technical support and assistance from SPREP to our country and member countries in the region has been beneficial to the further improvement of our people's standard of living through better understanding of sustainable utilization and management of the natural resources. Our greater understanding of critical issues that our people face today such as hazardous and toxic wastes, climate change and sea level rise, chemical substances that deplete the ozone layer that protect our lives further prepare us to meet such challenges. Improving the standard of living is a common issue currently being addressed throughout the Pacific Islands and is one of the major issues that is considered in preparing our Pacific Regional Submission to the World Summit on Sustainable Development in Johannesburg later this year.

As I speak of Sustainable Development, I am reminded of the Principles from the Rio Declaration on Environment and Development, in particular the following:

1. That human beings are the center of sustainable development. They are entitled to a healthy and productive life in harmony with nature.
2. That the special situation and needs of developing countries, particularly the least developed and the most environmentally vulnerable, shall be given special priority.

I especially highlight these principles to remind ourselves that as we work towards progress that actions we agree on serve to promote the rights of our people to live in countries of lineage and choice. My country is at average, 7 feet above the sea level, thus, extremely vulnerable to global threats such as Climate Change, Ozone depletion, loss of biodiversity, etc....

I wish I could dwell further on these challenging global issues but I will leave it up to you, experts, to guide us as I know these are some of the issues you will tackle during this conference. Furthermore, looking at your work program during this week's meeting, I notice that you have a hectic schedule ahead of you.

However, I am just overwhelmed at the challenges that face us with the many environmental issues that need attention and resolutions. Therefore, it is increasingly clear that addressing these issues are beyond the reach of any states acting on its own. To this end, we need stronger regional and international cooperation.

I strongly believe that it would be inappropriate if I were to conclude my speech without acknowledging our deep appreciation to Mr. Tamari'i Tutangata for the hard work and genuine dedication he had consistently exemplified during his tenure at SPREP as Director. We have

witnessed a lot of improved environmental changes unfolding in our own backyard as a result of our mutual relationship with SPREP. In fact, I cannot help but think of what our regional environment would be like today without the great works done by the SPREP leadership under Mr. Tutangata.

Ladies and Gentlemen, I would like to urge every leader here to follow Mr. Tutangata's glaring example to rededicate themselves to the protection of our small islands developing states and to strengthen the political will to work towards harmonizing development with the environment.

With these few words, I hope that despite the heavy work schedule ahead that you will find the time to enjoy our island and the friendliness of our kind people. May I wish all of you a successful meeting.

Thanks.

Annex III: Statement by Mr Phillip Kabua, Chief Secretary of the Republic of the Marshall Islands to the 13th SPREP Meeting of Officials. Majuro, 21 July 2002

Traditional Leaders, The Honorable Tamari'i Tutangata, Director of the South Pacific Regional Environment Program, Honorable Members of the Nitijela, Distinguish Delegates, Members of the Diplomatic Corps, Church Leaders, Community Leaders, Ladies and gentlemen:

At the outset, on behalf of HE President Kessai H. Note, the Government, and the people of the Marshall Islands, please allow me to warmly welcome you all to Majuro to participate in this SPREP 13th Meeting of Officials. It is indeed an honor to address this prestigious assembly this morning, and to be able to briefly share something of the issues that confront us as developing nations in the Pacific as we strive to foster the relationship between economic development policies and those for protection of our environment and management of natural resources, particularly as we attempt to concentrate more on the sustainable development processes in our respective nations.

We in the Pacific generally live on tiny islands spread over huge areas of ocean spaced and provided a unique setting in the global scene. The ocean and its resources, our land and its natural resources, have for generations directly impacted our lives and well-being, and thus are deeply enshrined in our traditional land cultural values and practices. Over the past years, the increased access to the "outside world" has had a huge influence on our aspirations for a "better quality of life". The challenge for us now is to develop ways to better manage our oceans, our lands, our resources, and most importantly, our environment.

In 1992, at the Earth Summit in Rio de Janeiro, the international community committed itself to *Agenda 21, a comprehensive blueprint for action in every area in which human activity impacts on the environment*. In September of this year, Pacific leaders will gather again with other world leaders to renew and reinvigorate the political commitment needed to ensure a successful plan of action towards sustainable development for the next 10 years. In saying this, the inability to agree on a plan of action towards sustainable development is not an option that we can take. As you all are aware, the Pacific region has done exceptionally well throughout the negotiations leading up to the Summit on Sustainable Development, as they have secured significant recognition of the sustainable development needs of Small Island Developing States. It is with this spirit of cooperation and regional solidarity, that I urge this conference to remain firm and committed to addressing the special needs of our Island states within our own forum, and importantly as well as within the international arena.

With that said, colleagues, I wish you every success on your deliberations over the next few days and I look forward to a positive outcome of this meeting. May I on behalf of the Government of the Republic of the Marshall Islands close by acknowledging the donor countries who have supported this very important conference, the SPREP Secretariat, the organizing committee here in Majuro, and of course you, the participants, for freely giving your time to be here.

For our overseas friends, I hope you will find time to enjoy the environment of Majuro as well as the Marshallese hospitality while you are here. Without further ado, it is my pleasure to declare this meeting open.

Annex III (a): Provisional Agenda for the Environment Ministers' Forum

1. Official Opening
2. Appointment of Chair and Vice-Chair
3. Adoption of Agenda and Working Procedures
4. Opening Statements
5. Director's Overview
6. Matters for Decision
 - Financial Matters;
 - Appointment of SPREP Director;
 - Waigani, Apia and SPREP Conventions; and
 - World Summit on Sustainable Development (WSSD)
7. Matters for Noting
8. Focus Issue: "Integrating Environment and Economic Development"
9. Other Business
10. Timing of Next Ministerial Meeting
11. Adoption of Report and Ministerial Statement
12. Close

Annex IV: Opening Statement by Tamari'i Tutangata, Director of SPREP to the 13th SPREP Meeting of Officials. Majuro, 21 July 2002

Honourable Patrick MacKenzie, Chairperson of the 12th SPREP Meeting and Deputy Secretary of Economic Affairs, Federated States of Micronesia
Honourable Tadashi Lomoto, Minister in Assistance to the President & Honourable Ministers of Marshall Islands
Mr. Phillip Kabua, Chief Secretary
Traditional Leaders
Father Richard McAuliff
Honourable Members of the Nitijela
Distinguished Delegates
Representatives of Agencies within the Council of Regional Organisations of the Pacific
Representatives of other Partner Agencies
Members of the Diplomatic Corps, Church Leaders and Community Leaders of the Republic of Marshall Islands
The Youth to Youth Group
Ladies and Gentlemen

It is a singular honour for me to join our Chairperson and the Honourable Zackios in extending a welcoming hand to you all to the 13th SPREP Meeting of Officials on behalf of the SPREP Secretariat. It is a real pleasure to see so many familiar faces and I look forward to including amongst the familiar faces in the next day or two those of you who are attending your first SPREP Meeting.

Chief Secretary Phillip Kabua, I thank you for your inspirational Opening Address. I am certain that Distinguished Delegates will take heart from your reference to our region's "spirit of cooperation and regional solidarity" and that they will "remain firm and committed to addressing the special needs of island states".

Through you Chief Secretary, I should like to extend our sincere appreciation to His Excellency President Kessai Note, your Cabinet colleagues, the Organising Committee, Government and people of the Republic of Marshall Islands for accepting the heavy responsibility of hosting this 13th SPREP Meeting. I also extend special thanks to the Honourable Litokwa Tomeing, Speaker of the Nitijela (Parliament) for giving us the honour of being housed within his premises. It is a rare privilege for many of us to be in Majuro and I, for one, have welcomed this opportunity to return and hopefully learn more about living in these emerald isles.

You have probably heard other speakers on other occasions use the term "singular honour" in a way that makes you feel that it is nothing more than verbose rhetoric. However, I have used this term on this occasion with every sense of sincerity that I can muster for this is, as you know, the last occasion that I will have the honour of addressing an Opening Ceremony for a SPREP Meeting in my current capacity.

As already mentioned by our Chair, it is, in fact, one of the more significant tasks of this 13th SM to review the findings of the Selection Advisory Committee and to recommend to the Ministerial Forum to be held on Friday as to the most suitable applicant to succeed me. In finalising your recommendation, I trust that all SPREP members will recognise the hard work of the Chair and members of the Committee as well as the high calibre of the short-listed applicants. I very much look forward towards doing my part in ensuring a smooth transition to my successor in January next. Let me also take this opportunity to extend my appreciation to the Chairperson of the 12th SPREP Meeting, Honourable Patrick Mackenzie for the efficient and unfailingly cheerful manner in which you have carried out your Chairpersonship responsibilities. It has been a pleasure for us

in the Secretariat to work with you and we look forward to the successful completion of your responsibilities as Chairperson of the Selection Advisory Committee.

Four weeks ago, I had the good fortune to finally visit the three islands that make up the group of islands known as Tokelau. I was deeply moved by that visit for it left me with feelings that I find difficult to put in words but perhaps feeling 'honoured and humbled' is a reasonable compromise.

I felt 'honoured' in that in all three islands, the elected and traditional leaders as well as representatives of the community as a whole received our small delegation. Yet, I also felt 'humbled' not only because we were initially welcomed by the eldest of the elders on each island but also because I was reminded of the generally realistic expectations by the people of our islands of those of us who work in 'their' regional organisation. Clearly, the people of Tokelau expected us to be more readily adaptable to their needs and to be more forthcoming in providing the support they consider necessary for themselves and their limited natural resources.

Distinguished delegates, through all my visits to SPREP members, I have been very well received at all levels but time and government obligations meant that in most visits I have not spent as much time as I would have liked to listen to the wider community. Nevertheless, each one of those visits – whether it was to French Polynesia or Papua New Guinea, Palau or France, Australia or Tuvalu - re-booted my enthusiasm for the responsibilities that you entrusted to me almost six years ago. I thank you all for the honour that you accorded me during those visits and for the insights that you provided me.

There is a chant from my home island, Rarotonga in the Cook Islands that goes like this:

"Tanumia ra te 'au ngangare

Tupuranga 'au to te tangata ki te ao natura"

"Plant perfect harmony

Harmony that will grow between man and his environment"

Today, perfection is considered to be almost impossible. It is with this in mind that I considered it appropriate to recite this chant for it reminds me that our ancestors did not consider the growing of perfect harmony between them and their environment to be impossible. And if our ancestors could exhort themselves to strive for perfection, how can we, with all the modern technology available to us, strive for less?

Over the last two days, country and other representatives sacrificed their weekend in the interests of striving to perfect the direction of our joint efforts in implementing the provisions of the Apia, Noumea and Waigani Conventions. Such efforts included a call for all the members of this 13th SPREP Meeting to work together in order to render the provisions of the twenty-six year old Apia Convention into ones that are more in perfect harmony with the needs of our region today and the foreseeable future.

Talking about the future, the Chief Secretary appropriately focused on the World Summit for Sustainable Development to be held in August/September. It was in fact the timing of that Summit coupled with the timing for the Pacific Islands Forum Leaders annual session earlier in August, which led to this 13th SPREP Meeting being held this week. SPREP Meetings have usually been held later in the year. However, since it was the SPREP Meeting and Ministerial Forum in 2000 which began the process for our region's inputs in preparation for the World Summit, it was considered appropriate for this Meeting and the attendant Ministerial Forum to have a final opportunity to provide further guidance to our Leaders when they meet next month. It is for this reason that the WSSD is a major focus for both this Meeting and the Ministerial Forum. Distinguished Delegates, our ministers will be depending on you to assist them in ensuring that the guidance that they provide to our Leaders will contribute towards achieving the harmony that our individual countries require in striving to achieve the goal of sustainable development.

Another major focus for this Meeting is the Secretariat's proposed Work Programme and Budget for 2003 and the indicative budget for 2004 and 2005. While we have drawn on the guidance and direction that you and others from your respective islands have provided to us through past SPREP Meetings and other processes, this meeting provides you with your last opportunity to ensure that the work programme that you will decide upon is in perfect harmony with your own requirements. Unlike the last two years in which we sought increases in contributions by members to our budget, we are not seeking any further increases in contributions next year. Rather we seek your support in ensuring that the outstanding contributions to the budget by many of you for this year and previous years are paid as soon as possible. You will see from the documentation we have provided that if only we receive all of the outstanding member contributions over the next few months, our financial resources will enable our activities to be more in harmony with your own requirements of us.

Obviously, there are other significant issues for you to address over the next three days that are directly related to the Secretariat's proposed Work Programme. These include nature conservation and the outcomes of the 7th Conference on Nature Conservation held just over a week ago, the Action Strategy for Nature Conservation for the five-year period 2003- 2005, a Regional Strategy to Address Marine Pollution from World War II Wrecks, a proposal to declare 2004 as a Pacific Year of Waste and Regional Waste Clean-up, EIA and Integrated Environmental Planning, Trade and Environment, International Waters Programme, and a proposal for a Pacific Islands Regional Ocean Policy.

Given these and other issues that you must consider Distinguished Delegates, it is obvious that you have much work ahead of you over the next three days.

I trust that the decisions that you make will, as in the chant of old, help you and us in the SPREP Secretariat, together with our partner agencies to plant the seeds of harmony that will grow into perfect harmony between us and our environment.

Kia manuia.

Annex IV (a): Letter from the Chair of the 13th SPREP Meeting of Officials to the Chair of the Environment Ministers' Forum

The Chairperson
Environment Ministers' Forum
Majuro,
Republic of Marshall Islands

Dear Sir,

Issues for the Ministers' Forum Endorsement

I have the honour, as Chair of the SPREP Officials Meeting, to report to you and provide below a short summary of the key matters we addressed and agreed upon for your consideration and endorsement. The full report of the 13th SPREP Officials Meeting is attached for your information and any necessary consideration.

1. Unpaid Contributions

Officials noted with concern the high level of unpaid contributions for 2002 and previous years which currently amount to USD700,424 which is equivalent to (98% of current annual contributions) and urged members to meet their commitments in a timely manner. The meeting also noted the concern of the Director that both the voluntary nature of contributions and the relatively low proportion of members contributions to total SPREP income is causing the organisation difficulties. The Ministers might wish to address this and provide guidance on how this might be improved or resolved. Officials suggested that setting a due date for contributions might improve the orderliness of contributions, but saw no solution to long term arrears. New Zealand kindly offered to pay for Pitcairns arrears, which had left the organization.

2. Position of Director

The incumbent Director, Mr. Tamari'i Tutangata, will complete two terms on 16 January 2003. The officials agreed to recommend Mr. Asterio Takesy to your meeting for appointment to the post of Director of SPREP for a term of three years from January 2003.

3. Name Change for the Organisation

The SPREP Officials meeting agreed to the principle of a name change to the organization as proposed by Guam. In requesting the Secretariat to report back to the next SPREP Meeting with a suggested suitable alternative together with the implications of a change, the Secretariat bear in mind the retention of the SPREP acronym as it is widely known internationally.

4. Apia Convention

The Parties to the Apia Convention agreed to initiate negotiations for a successor convention to the current Convention on Conservation of Nature in the South Pacific (Apia Convention) to be attended by all SPREP members. The SPREP Meeting agreed to include the convening

of initial negotiations in 2003 on its work programme and budget as an unfounded item, and called on members and donors to provide funding support to implement this important meeting. Your endorsement and support would boost the Secretariat's efforts towards this end.

5. Waigani Convention

The inaugural meeting of the Conference of the Parties to the Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (the Waigani Convention), which met on 20 July in Majuro subsequent to the Convention's entry into force on December 2001, adopted its Rules of Procedures as well as Financial Rules to govern the financial operations of the convention and its secretariat but agreed to defer consideration of a scale of contributions to a further meeting of the Parties.

The conference agreed to establish a Scientific and Technical Advisory Committee (STAC) as its subsidiary body and approved a core budget to fund the second Conference of the Parties in 2004 and the convening of the STAC to be financed by voluntary contributions by Parties and other donors.

It also asked that the Waigani Convention Secretariat conduct jointly with the Basel Secretariat and SPREP, the feasibility of the SPREP Training Centre also performing the role of a regional center for training and technology transfer for the management of hazardous wastes under both the Waigani and Basel Conventions. We seek your endorsement of this study.

6. World Summit on Sustainable Development (WSSD)

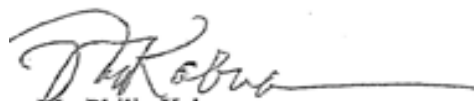
The SPREP Meeting has been brought forward to July this year primarily to accommodate the preparations for the World Summit on Sustainable Development. In the lead up to the Pacific Islands Forum and World Summit a clear statement by Environment Ministers will be extremely valuable to "set the scene" for the region's leaders as they prepare for the Summit. Senior Officials noted the report presented by the Secretariat on preparations for WSSD and its implications for SPREP, reaffirmed the Apia Statement to WSSD, agreed to focus translating the Summit outcomes into meaningful national and regional action and securing appropriate sources of financing. The Meeting supported a number of initiatives for the Summit and welcomed efforts by the Secretariat to improve coordination and the development of environmental initiatives across all regional organisations. We seek your views on the critical issues to be transmitted to the Pacific Islands Forum and related meetings in preparation for the Summit.

7. Whales

The meeting also reviewed the progress on the establishment of whale sanctuaries within the region.

The officials also paid tribute to the dedicated commitment and service of the Director, Mr. Tamari'i Tutangata, to SPREP and the environment concerns of the region over the past five and a half years and wished him continued success in his future endeavours. The officials also expressed deep appreciation and gratitude to the Chair and his Government for chairing and hosting the Meeting.

Sincerely



Mr. Philip Kabua

Chairman of the Thirteenth SPREP Meeting of Officials

Annex V: Provisional Agenda for the 13th SPREP Meeting of Officials

Agenda Item 1: Official Opening

Agenda Item 2: Appointment of Chair and Vice-Chair

Agenda Item 3: Adoption of Agenda and Working Procedures

Agenda Item 4: Action Taken on Matters Arising from Twelfth SPREP Meeting

Agenda Item 5: Presentation of Annual Report for 2001 and Director's Overview of Progress since Twelfth SPREP Meeting

Agenda Item 6: Performance Review

6.1 Work Programme Evaluation

6.1.1 Implementation of the 2001 Work Programme

6.2 Financial Reports

6.2.1 Report on Members' Contributions

6.2.2 Cash Flow and Primary Functions

6.2.3 Audited Annual Accounts for 2001

Agenda Item 7: Work Programme and Budget

7.1 Proposed Work Programme and Budget for 2003 and Indicative Budgets for 2004 and 2005

7.2 Programme Issues Requiring Members' Decision

7.2.1 Nature Conservation Review Process - Action Strategy for Nature Conservation 2003 - 2007

7.2.1.1 Pacific Islands Roundtable for Nature Conservation

7.2.1.2 Nature Conservation Programme Concept

7.2.2 Pollution Prevention

7.2.2.1 Regional Strategy to Address Marine Pollution from World War II Wrecks

7.2.2.2 Year of Waste and Regional Waste Clean-up (2004)

7.2.2.3 Review of Ships' Wastes Reception Facilities – Implication for MARPOL 73/78

7.2.3 Climate Change and Variability

7.2.3.1 Implementation of the Montreal Protocol in the Pacific Islands Region.

7.2.3.2 Improving Operational Meteorological Services

7.2.4 Economic Development

- 7.2.4.1 Trade and Environment
- 7.2.4.2 EIA and Integrated Environmental Planning

7.3 Financial Issues Requiring Members' Decision

7.3.1 Approval of Work Programme and Budget

Agenda Item 8: Institutional Matters

- 8.1 Report on SPREP Centre (Training and Education Centre and Information Resource Centre)
- 8.2 Staff Appointments – Matters for Noting
- 8.3 Staff Regulations
- 8.4 Proposed Name Change for the Organisation [Guam]
- 8.5 Proposed New Title to Post of Director
- 8.6 Appointment of Auditors
- 8.7 Instructions to the Director
- 8.8 Appointment of SPREP Director [Closed Session]

Agenda Item 9: Policy and Regional Coordination

- 9.1 Council of Regional Organisations in the Pacific (CROP)
- 9.2 World Summit on Sustainable Development (WSSD)
- 9.3 International Waters Programme (IWP)
- 9.4 Pacific Islands Regional Ocean Policy
- 9.5 Pacific Islands Information and Communication Technologies, Policy and Strategic Plan
- 9.6 Outcomes of the Seventh Pacific Islands Conference on Nature Conservations and Protocol Areas, 8 – 12 July 2002, Rarotonga, Cook Islands

Agenda Item 10: Conventions – Regional

- 10.1 Report of Meetings of the Parties to Apia, SPREP and Waigani Conventions

Agenda Item 11: Items Proposed by Members

- 11.1 Domestic Whale Sanctuaries [Australia]
- 11.2 Coral Reefs [France]

Agenda Item 12: Statements by Observers

Agenda Item 13: Other Business

Small Island States in hosting SPREP Meetings

Agenda Item 14: Date and Venue of Fourteenth SPREP Meeting

Agenda Item 15: Adoption of Report

Agenda Item 16: Close

Ministers of Australia, Cook Islands, the Federated States of Micronesia, Kiribati, the Republic of Marshall Islands, Samoa, Tokelau, Tonga, and Vanuatu along with representatives of American Samoa, Fiji, France, French Polynesia, New Zealand, Niue, Palau, Papua New Guinea, Tuvalu, the United States of America and Wallis and Futuna, meeting in Majuro, 26 July 2002, on the occasion of the 13th SPREP Meeting, in:

Expressing their appreciation to the Government of the Republic of Marshall Islands and people of Majuro for their generous hospitality in hosting the 13th SPREP Meeting and Ministerial Forum;

Welcoming the opportunity to exchange views with the Chair of the Forum Economic Ministers' Meeting (FEMM);

Recalling the Guam Environment Ministers' Statement (2000) calling on a "collaborative framework for mainstreaming environmental protection within the region's development agenda"

Reaffirming the outcomes of the Apia Pacific Multi-stakeholder Consultative meeting for the World Summit for Sustainable Development, of September 2001;

Welcoming progress made to address environmental issues in the Pacific and welcomed the proposal to review the implementation of the Action Plan for Managing the Environment of the Pacific Islands Region 2001-2004, in time for the next Ministerial (2003);

Reaffirming their commitment to environmental protection and the sustainable development of natural resources for present and future generations, noting the importance of institutional strengthening and the importance of integrating environment and development for sustainable development;

Appreciating the excellent progress made to reflect Pacific priorities within the Draft Plan of Implementation for the WSSD;

Highlighting the cooperation among Pacific countries throughout the WSSD preparatory process, which has resulted in the successful inclusion of a section on Sustainable Development of Small Island Developing States;

Commending the roles played by the Chair of the Pacific Islands Forum Group, New York, and the Chair of the Alliance of Small Island States and the valuable support from the SPREP Secretariat and CROP organisations throughout the preparations for the WSSD;

Call on countries to successfully complete negotiations on the Draft Plan of Implementation for the WSSD, in particular the resolution of those issues relating to the means of implementation;

Emphasise the need to focus on implementation of sustainable development and the Summit outcomes at national and local levels in the region as reflected in national assessments and, in particular to focus on preparations for the review of the Barbados Programme of Action in 2004;

Recognise the importance of Type II Initiatives/Partnerships in the WSSD process and support a portfolio of Type II and other Pacific Initiatives as a basis for further consultation and development of partnerships;

Request continued support from SPREP and CROP organisations in the completion of preparations for the Summit as well as national efforts to implement the Summit outcomes and sustainable development;

Welcoming entry into force of the Waigani Convention, recommitting to its effective implementation and called on those countries that were not yet Parties to do so as soon as possible;

Recognising the work done on the review of the Apia Convention, and the call for the development of and financial assistance for a successor arrangement to the Apia Convention on Conservation of Nature in the South Pacific;

Urged countries to also become party to the Basel Convention.

Endorse in principle the establishment of a joint regional centre for training and technical transfer for the management of hazardous wastes under the Basel and Waigani Conventions and agree to undertake a study to determine the feasibility of the SPREP Training and Education Centre performing the role as the regional training centre.

Agree to put forward a proposal for a joint regional training centre for training for endorsement by the Sixth Meeting of the COP of the Basel Convention.

Supporting the mainstreaming of adaptation through risk management, environmental assessment and planning, looking forward to the outcomes of follow up activities to the Nadi High Level Consultation on Investing in Adaptation, including the study into a regional financing facility for adaptation;

Welcoming the invitation of the Chair of FEMM to the Chair of the Environment Ministers' Forum (EMF) to participate in their next meeting;

Agree to work with Economic Ministries to mobilise resources necessary for sustainable development in the Pacific;

Call on the international community to support efforts by Pacific island countries towards sustainable development through the provision of financial resources, including early replenishment of the GEF;

Highlight the importance of the national assessment reports for the WSSD and their ongoing role in the implementation of sustainable development, including being the catalyst for identifying suitable indicators for environmental monitoring and planning, and guiding preparations for the review of the Barbados Programme of Action;

Urge countries to support measures to address population impacts as one of the underlying causes of environmental challenges ahead as we implement issues of integration for our island countries;

Highlight the importance of effective management and conservation of terrestrial, coastal and oceanic resources to the environment and livelihoods of Pacific Islands people, and in this regard, welcome the development of a Pacific Islands Regional Ocean Policy;

Recalled the decision made at the 32nd Pacific Islands Forum Leader Meeting, held at the Republic of Nauru 16 – 18 August 2001 to pursue the objectives of the proposed South Pacific Whale Sanctuary through national, regional and international action;

Noted the support of SPREP Meetings and Pacific Islands Forum Leaders Meetings to Australia and New Zealand to establish the South Pacific Whale Sanctuary under the auspices of the International Whaling Commission;

Reaffirmed SPREP's support for the establishment of a South Pacific Whale Sanctuary;

Reaffirmed the Pacific Islands Forum States' commitment to marine conservation measures;

Noted the significant economic benefit generated by marine-based tourism and, in particular, whale watching;

Warmly welcomed the increasing numbers of Pacific Islands Forum States that have declared or announced an intention to declare their waters as whale sanctuaries;

Further noted the need for increased scientific knowledge concerning the benefits of a whale sanctuary;

Reiterate their deep concerns about the adverse impacts of climate change, variability and sea level rise on all Pacific Island countries.

Call for mobilisation of resources for adaptation and the consideration of all the implications of all adaptation needs, options and requirements.

Endorsed the Declaration of the Eighth Regional Meteorological Services Directors' Meeting, supporting the proposed projects contained in the "Needs analysis for the strengthening of Pacific Islands Meteorological Services: Meeting the Challenges" and its transmission to the Pacific Leaders Forum.

Agree to transmit this Statement through the Government of the Republic of Marshall Islands to the Pacific Islands Forum, Fiji.

Annex VI: Revised Scale of Members Contributions

REVISED STATEMENT OF MEMBERS CONTRIBUTIONS SHARE

<i>Member Country</i>	<i>Existing Contributions</i>		<i>Revised Contributions</i>		<i>Existing Contributions Share</i>	<i>Agreed Revised Contributions Share</i>
	<i>Share (incl Pitcairns)</i>		<i>Share (excl Pitcairns)</i>			
American Samoa	5,725	2,590	8,315	8,412	1.158%	1.172%
Australia	104,055	47,066	151,121	152,892	21.052%	21.299%
Cook Islands	5,725	2,590	8,315	8,412	1.158%	1.172%
Federated States of Micronesia	5,725	2,590	8,315	8,412	1.158%	1.172%
Fiji	11,445	5,177	16,622	16,817	2.315%	2.343%
France	75,440	34,123	109,563	110,847	15.263%	15.441%
French Polynesia	11,445	5,177	16,622	16,817	2.315%	2.343%
Guam	11,445	5,177	16,622	16,817	2.315%	2.343%
Kiribati	5,725	2,590	8,315	8,412	1.158%	1.172%
Marshall Islands	5,725	2,590	8,315	8,412	1.158%	1.172%
Nauru	5,725	2,590	8,315	8,412	1.158%	1.172%
New Caledonia	11,445	5,177	16,622	16,817	2.315%	2.343%
New Zealand	38,075	17,222	55,297	55,945	7.703%	7.793%
Niue	5,725	2,590	8,315	8,412	1.158%	1.172%
Northern Mariana Islands	5,725	2,590	8,315	8,412	1.158%	1.172%
Palau	5,725	2,590	8,315	8,412	1.158%	1.172%
Papua New Guinea	11,445	5,177	16,622	16,817	2.315%	2.343%
Pitcairn Islands	5,725	2,590	8,315		1.158%	0.000%
Samoa	11,445	5,177	16,622	16,817	2.315%	2.343%
Solomon Islands	11,445	5,177	16,622	16,817	2.315%	2.343%
Tokelau	5,725	2,590	8,315	8,412	1.158%	1.172%
Tonga	5,725	2,590	8,315	8,412	1.158%	1.172%
Tuvalu	5,725	2,590	8,315	8,412	1.158%	1.172%
United States of America	105,000	47,493	152,493	154,280	21.243%	21.492%
Vanuatu	11,445	5,177	16,622	16,817	2.315%	2.343%
Wallis and Futuna	5,725	2,590	8,315	8,412	1.158%	1.172%
Total	494,280	223,570	#####	#####	100%	100%

Annex VII: SPREP Staff Regulations

With effect from 1 January 2002, the 2002 Edition of SPREP's Staff Regulations was adopted by the 13th SPREP Meeting in Majuro, Republic of Marshall Islands 22-25 July 2002.

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PART I : SCOPE AND APPLICATION

Regulation 1

- (a) These Regulations set out the mutual obligations and rights of SPREP and its employees. They have been approved by the SPREP Meeting and are administered by the Director whose decision on the interpretation of the Regulations is final. Where the interpretation affects the Director, the decision will rest with the SPREP Meeting. They apply to all staff appointed to SPREP by the Director and where appropriate to the Director as well. They do not apply to temporary or short term professional staff, casual workers or consultants unless the contrary is specifically indicated, nor where other conditions have been agreed to in writing.
- (b) If any part of these Regulations becomes contrary to the laws of Samoa, or where they are silent, the laws of Samoa will apply.
- (c) These Regulations may be supplemented or amended by the SPREP Meeting without prejudice to the existing contracts of staff members.
- (d) The Director may supplement these Regulations with Staff Instructions not inconsistent with these Regulations or with any decisions made by the SPREP Meeting and further, may issue such Staff Instructions as may appear to be necessary to render these Regulations effective.

PART II : DEFINITIONS

Regulation 2

In these Regulations, unless the context otherwise requires:

"allowances" means remuneration other than salary but does not include money received to meet expenses incurred by an employee in the course of duty.

"CROP" means the Council of Regional Organisations in the Pacific.

"dependent" means the financially dependent spouse or dependent child of an employee.

"dependent child" means an employee's unmarried, legally and financially dependent, natural or legally adopted child who is:

- (i) under the age of 16 years; or
- (ii) under the age of 19 years if undertaking full-time study at a secondary school; or
- (iii) under the age of 22 years if enrolled and undertaking full-time study at a university or other tertiary institution; or
- (iv) mentally or physically incapacitated.

"**employee**" is a general term which according to the context may mean support staff, professional staff, temporary staff or all three.

"**establishment**" means staff positions approved by the SPREP Meeting.

"**expatriate**" means a professional staff member, not a citizen or permanent resident of Samoa, who resides in Samoa only by virtue of employment with SPREP.

"**greater Apia area**" includes Letogo, Afiamalu, Ululoloa and Faleula.

"**international school**" means a school that a child of an expatriate staff member may attend to receive an education of sufficient standard that will allow the child to fit back into his/her home country's school curriculum, when the staff member completes his/her contract. The bench mark school is the International School in Suva, Fiji.

"**local**" means a staff member who is not an expatriate.

"**support staff**" are staff engaged under a fixed term contract whose salary level fall within the Grades A to F3.

"**local school**" means a school in Samoa that a child of a local professional staff member may attend to receive a Samoan curriculum education and includes a Government, denominational, or private school.

"**professional staff**" are staff engaged under a fixed term contract whose salary level falls within the Grades H to M.

"**remuneration policy**" means the basis for remuneration approved by the SPREP Meeting.

"**salary**" means the basic annual rate of pay for the job which is specified in SPREP's salary scale.

"**SPREP**" means the South Pacific Regional Environment Programme.

"**SPREP Meeting**" means the governing organ of SPREP established under Article 1 and described in Article 3 of the Agreement Establishing SPREP.

"**staff**" or "**staff member**" means support staff and professional staff appointed to an established position.

PART III : DUTIES AND OBLIGATIONS

Status as International Civil Servants Regulation 3

The Director and all members of the staff of SPREP are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of SPREP only in view.

Responsibility of SPREP Regulation 4

The Director is responsible for the proper functioning of SPREP. Staff members are subject to the authority of the Director and shall not seek or receive in the performance of their duties any instruction from any external authority.

Privileges and Immunities Regulation 5

Privileges and Immunities are as set out in the Headquarters Agreement between the Independent State of Samoa and SPREP signed on the 30th April 1996 which is attached as schedule 3.

Disclosure of Information Regulation 6

Staff shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person or the press any unpublished information known to them by reason of their official position, except in the course of their duties or by authorization of the director. All rights in, and title to, the results of any work performed by staff in the course of their duties shall be the property of SPREP.

Conduct Regulation 7

Staff shall avoid any action, and in particular any kind of public pronouncement or activity, which may adversely reflect on their positions as international civil servants. They are not expected to give up their national sentiments or their political and religious convictions, but they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

**Outside Activities
Regulation 8**

No staff may accept, hold or engage in any office or occupation which, in the opinion of the Director, is incompatible with the proper discharge of their duties with SPREP.

**Candidacy for Public Office
Regulation 9**

Any staff member who becomes a candidate for a public office of a political character shall resign from SPREP.

**Acceptance of Honours, Decorations, Favours, Gifts or Fees
Regulation 10**

No staff shall accept in respect of their work for SPREP any honour or decoration from any government or organisation or, except with the approval of the Director, any favour, gift or fee from any government, organisation or person during the period of their appointment.

PART IV : APPOINTMENT AND PROMOTION

**Appointment of Director and Staff
Regulation 11**

Director

- (a) The Director is appointed by the SPREP Meeting under such terms and conditions as it determines.

Director - Exercise of Powers

- (b) When the position of Director is vacant, the Director's functions and powers shall be exercised according to the instructions of the Chairperson of the SPREP Meeting and in the absence of such instructions, by the Deputy Director.
- (c) When the Director is absent from Headquarters, the Deputy Director shall be designated to act as Director, in the event that both are absent, an officer of the Director's choice shall be designated Officer-in-Charge.

Staff

- (d) The power of appointment rests with the Director subject to the establishment and remuneration policy approved by the SPREP Meeting.

Appointment Policy
Regulation 12

- (a) In selecting staff for appointment to SPREP, the dominant considerations shall be:
 - (i) the required qualifications and experience
 - (ii) competence
 - (iii) integrity
- (b) Subject to Regulation 12(a) above, and the principle of open competition, the Director shall, in selecting professional staff, give due consideration to the nationals of SPREP island member states and to the desirability of obtaining equitable national representation.
- (c) When a support staff vacancy occurs the vacancy will be advertised in the Apia media. When a professional staff vacancy occurs the vacancy will be advertised regionally.
- (d) When two applicants for a support staff position are rated equally suitable, and one is a SPREP employee, preference shall be given to the existing staff member.
- (e) Men and women are equally eligible for all posts in SPREP.

Appointment Procedure
Regulation 13

- (a) No appointment is valid which is not the subject of a written offer of employment signed by the Director or an authorized representative, and a written acceptance signed by the appointee. Every offer of employment shall contain a statement of duties, all the terms and conditions of employment and a copy of the Staff Regulations.
- (b) An appointment is either temporary or on a fixed or short term contract. The length of appointment of a temporary or contract staff member is set by the Director according to the requirements of the work programme and available funding.
- (c) The term of appointment of a support staff member shall not exceed a maximum of three years. Such period may be extended for a term or terms of up to the same duration, subject to the work programme requirements and available funding and provided the employee's work performance has been satisfactory.

- (d) A temporary appointment may not exceed a period of six months. A temporary appointment is usually made to replace a support staff member who has resigned at short notice or is on leave.
- (e) A fixed term appointment for professional staff shall not exceed a maximum of three years. A short term appointment for professional staff is for any period less than three years and is subject to such terms and conditions as the Director determines, but within the salary scales applicable to SPREP. Subject to Regulation 13 (g) a short term appointment may be renewed for a further term or terms.
- (f) Subject to Regulation 13(g), a fixed term appointment of three years for professional staff is renewable, based on the needs of SPREP, and the merit and performance of the employee, for a further period not exceeding three years.
- (g) When an aggregate period of six years has been served by professional staff it shall be mandatory for that position to be re-advertised. The incumbent is eligible to apply and should the Director decide to reappoint the incumbent on merit he/she may do so provided a report is made to the next SPREP Meeting.
- (h) The length, terms and conditions of appointment may be varied by the mutual agreement in writing of the Director and employee subject to the establishment and remuneration policy set by the SPREP Meeting. Duties of staff may be revised at any time by the Director in accordance with changes in work priorities.
- (i) Appointment is provisional until confirmed. Appointment is subject to a satisfactory medical examination by a designated medical practitioner and a probationary period of six months' service which may be extended or reduced by the Director. At the end of the probationary period the Director shall in writing:
 - (i) confirm the appointment; or
 - (ii) extend the probationary period; or
 - (iii) terminate the appointment.
- (j) The appointment of:
 - (i) an expatriate runs from the date of leaving home to take up appointment with SPREP;
 - (ii) a local employee from the date of taking up duties with SPREP.
- (k) Salary is earned for an expatriate staff from the date set in accordance with Regulation 13 (j)(i) and for a local employee from the date set in accordance with Regulation 13(j)(ii).

**Promotion
Regulation 14**

- (a) A support staff member is promoted when appointed to a position higher than his or her current position.
- (b) A promotion is a variation to the terms of an appointment and is subject to Regulation 13(h).

**Termination
Regulation 15**

Ways of Termination

- (a) An appointment is terminated -
 - (i) when being a fixed term appointment it reaches the end of its term; or
 - (ii) by either the Director or the staff member giving the other, one month's notice in writing; or**
 - (iii) without notice by either the Director or the employee paying to the other one month's salary in lieu of notice; or
 - (iv) as a disciplinary measure by dismissal with or without notice under Regulation 30(b).

Seconded Staff

- (b) Before dismissing or giving notice to a staff member who is seconded from a member government, the Director shall inform the government in question.

Certificate of Service

- (c) A staff member shall, on leaving the service of SPREP, be given a certificate relating to the nature of his or her duties, the length of service, the amount of emoluments, and other relevant information.

Retention of Pay

- (d) Upon leaving the service, any indebtedness of a staff member to SPREP shall be deducted from any money due to the staff member from SPREP.

PART V : ENTITLEMENTS ON APPOINTMENT AND TERMINATION

Regulation 16

Entitlements

- (a) SPREP shall meet the following appointment and termination expenses of professional staff recruited from outside the Greater Apia Area. The entitlements cover the transport and accommodation enroute for the staff member and accompanying dependents between home and Apia, and back, by the shortest and most economical route. The Director has discretion, after taking family circumstances into account, to include dependents who arrive within six months of the start of appointment or leave within one month of termination.

Fares

- (i) Director: Business class
Other staff: Economy class

Removal Expenses

- (ii) The reasonable cost of packing, insuring, shipping and unpacking furniture, household and personal effects as follows-
- (a) 6m³ in respect of the staff member
2m³ in respect of a dependent spouse
1m³ in respect of each dependent child
- (b) up to 20 kilos of excess baggage per person for all professional staff recruited outside the Greater Apia area.

Establishment Grant

- (iii) To offset incidental expenses and compensate for the upheaval of removal, an establishment grant on appointment only at the rate prescribed in Schedule 1 to these Regulations.

Temporary Accommodation

- (iv) Accommodation at a suitable hotel or other fully furnished accommodation for up to six working days or such other period, up to a maximum of twelve working days, as the Director considers reasonable in the circumstances. Professional staff will not be paid housing assistance for the period when temporary accommodation costs are met.

SPREP Assistance

- (v) An appointee will be assisted to settle into Apia. This assistance could include help to find suitable rented accommodation and advice on suitable terms.

Ineligibility

- (b) The entitlements prescribed in Regulation 16(a) do not apply and, at the Director's discretion, may be withheld in whole or in part if:
 - (i) all or part of the expenses are met from some other source; or
 - (ii) within 12 months of appointment the staff member resigns appointment under Regulation 15(a) (ii) or (iii) or is dismissed under Regulation 30(b) (iv) or (v).

PART VI : HOURS OF WORK

Normal Hours Regulation 17

- (a) The Director has the right to call upon the services of staff to the extent considered reasonable.
- (b) Normal office hours are 8 am to 12 noon and 1 pm to 4.35 pm Monday to Friday, making a total of 37 hours 55 minutes per week.
- (c) The driver/messenger, gardener, handyman and tea attendant/cleaner will be required to work hours as directed by the Director. They will have to work either 40 hours per week or 8 hours a day before overtime rates become applicable.
- (d) The watchman will be required to work from 6 pm to 6 am Monday to Friday as well as any additional hours required by the Director.

Overtime Regulation 18

Eligibility

- (a) Support and temporary staff at Grade F3 and below may claim overtime or time off in lieu of overtime for the hours they are required to work in excess of their normal working hours.

Overtime Rates of Pay

- (b) The rates of pay for overtime are:
 - (i) for days other than public holidays and Sundays, one and half times the normal hourly rate.
 - (ii) for Sundays or public holidays, double the normal hourly rate.

Provided that the normal hourly rate upon which overtime is based shall be no higher than the maximum step of Grade F2 for support staff.

Meal Allowance

- (c) Support staff required to work overtime for more than 6 hours on a Saturday, Sunday or public holiday, or beyond 6.30 pm on a full working day, shall be paid lunch and dinner allowances as appropriate at rates approved by the Director.

Transport Assistance

- (d) Support staff required to work more than one hour's overtime on a normal working day shall be taken home by SPREP transport, if it is available, and if not, by taxi at SPREP expense, or is entitled to an allowance under Regulation 29(e).
- (e) Support staff required to work overtime on weekends or public holidays shall be; (i) taken to and from work by SPREP transport, if it is available, and if not, by taxi at SPREP expense: or
 - (ii) entitled to claim an allowance under Regulation 29(e).

PART VII : REMUNERATION

Regulation 19

Determination and Currency of Payment

- (a) The remuneration policy and conditions of service of SPREP employees are determined by the SPREP Meeting.
- (b) The remuneration of all SPREP staff shall be expressed and paid in Samoan Tala.

Stabilisation, Adjustment and Review

- (c) As a stabilization mechanism, the remuneration of professional staff are expressed in International Monetary Fund Special Drawing Rights (SDRs) and adjusted every six months based on a moving average in the value of the SDR relative to the Samoan Tala for the six months period immediately preceding the date of review.
- (d) Professional staff salary scales are reviewed three yearly, in co-ordination with other CROP agencies.
- (e) The salaries of support staff are to be reviewed three yearly, with salary scales to be adjusted to the 75-percentile range of comparable positions in the Apia local salary market, based on an Apia local market salary survey. For the purpose of this provision, the 75-percentile range is the boundary between the top 25% of the market and the lower 75%.

Salaries Regulation 20

General

- (a) Current salary scales approved by the SPREP Meeting are set out in Schedule 2 to these Regulations and shall be incorporated annually to SPREP's Work Programme and Budget.

Salary on Appointment

Appointments of support staff shall be to the bottom step of the grade for the position except that the Director shall have discretion, in particular cases, to appoint to a higher step if the circumstances justify it.

- (c) The Director shall have the flexibility to appoint professional staff to whatever salary step is considered appropriate by the Director within the designated salary grade; appointments shall be subject to annual performance review by the Director.
- (d) The salary level for any contract period for professional staff shall be fixed; any review within that period shall be at the discretion of the Director. *(This provision applies only to contracts entered into prior to 1 January 2002 and will lapse with the expiry of those contracts.)*

Salary on Promotion

- (e) Appointment on promotion is at the minimum of the salary range for the higher position or, if the salaries for the two positions overlap, to the level of the higher salary range which affords an immediate salary increase equal to one incremental step.

Increments

- (f) (i) The Director may authorize an increment to a staff member at the completion of each year's of service based on the staff members annual performance assessment and where he/she has not reached the maximum of the salary grade for his/her position. Where the staff member's performance has not been considered highly satisfactory, the Director or his/her delegate will explain to the staff member why he/she will not receive an increment, or in the case of poor performance, why his/her salary will be reduced by an increment.
- (ii) For support staff, the Director may authorize an increment in recognition of permanent increases in formal skill levels of that staff, relevant to his/her duties in SPREP; or where the Director is satisfied that the staff has permanently increased his/her capacity to accept responsibility in his/her duties within SPREP.

Performance bonus

- (g) Where a support staff has reached the maximum salary point in his/her approved salary scale and where that employee's work performance is assessed as having been highly satisfactory on completion of a particular year's service, the Director may grant a fixed sum performance bonus payment to that staff, provided that any such bonus:
- (i) is not made as a permanent increase in the salary of the staff;
 - (ii) can be fully financed from available budgetary provision in that year; and
 - (iii) shall not exceed 5% of the staff's current salary.

PART VIII : ALLOWANCES AND RELATED BENEFITS

Higher and Extra Duties Allowances Regulation 21

- (a) Any staff member may at any time be required by the Director to undertake the duties of a senior or other position whether or not the circumstances justify increased pay.
- (b) A staff member who is required by the Director to carry out and does carry out the full duties of a higher graded position for a continuous period of not less than ten working days will be paid a higher allowance amounting to the difference between his or her salary at the time and the minimum salary for the higher graded position.

Representational Allowance Regulation 22

The Director and Deputy Director shall receive a non-accountable representational allowance of 5% and 1% of basic salary respectively.

Professional Staff and Expatriate Allowances Regulation 23

- (1) In addition to base salary, expatriate professional staff are entitled to receive the following allowances and benefits:
- (a) **A location allowance** of 5% of salary. (*This provision applies only to contracts entered into prior to 1 January 2002 and with lapse with the expiry of those contracts.*)

- (b) **School holiday travel** of one return economy class flight each year between place of education and Apia by:
- (i) each dependent child being educated outside Samoa; or
 - (ii) **the staff member or spouse to visit the child, providing the journey is not made within the final six months of the contract.**
- (c) **Home leave travel** for every completed year of service except for the terminal year. The entitlement is for the reimbursement of one economy class return flight between Apia and home for the staff member, spouse and dependent children. The normal home of the staff member will be agreed between him/her and SPREP at the time of appointment. *(This provision applies only to contracts entered into prior to 1 January 2002 and will lapse with the expiry of those contracts).*
- For contracts entered into on or after 1 January 2002 expatriate staff would be entitled to return economy class airfares between Apia and home for the staff member and dependents every completed 18 months of service for three year contracts providing no travel is undertaken within the final twelve months of the contract.
- (d) **A repatriation allowance** equivalent to two week's salary, on completion of a contract providing the contract is not extended or renewed.

Other Allowances

In addition to salary, all professional staff are entitled to receive the following allowances and benefits.

- (e) An **education allowance** in respect of each dependent child to the amounts set out in Schedule 1 to cover the actual costs of tuition and board and to cover 100% of the fees for forms 4 to 7 at International School for expatriates and local levels for locals. This allowance is to be reviewed every three years.
- (f) **A cost-of-living differential allowance (COLDA)** to reflect the comparative cost of living difference between Suva and Apia calculated, reviewed and provided periodically by Employment Conditions Abroad Ltd of Australia is payable to professional staff. The index that currently apply is shown in Schedule 1.

(g) **A market allowance** as follows:

- the Director shall have discretion to decide whether a particular position qualifies for this allowance.
- eligibility shall be assigned to the position and not personally.
- the allowance shall be negotiable up to 25% of salary scale mid-point.
- the maximum allowance shall be reviewed annually and adjusted according to relative movement in the base salary scale in SDR units.
- guideline criteria for eligibility shall be.
 - (i) that the skills are rare and in international demand.
 - (ii) proven failure to recruit appropriate candidates.
 - (iii) budgetary provision is available.
 - (iv) conditions justifying the decision to apply the allowance are readily transparent.

The amount shall be determined through negotiations with the preferred candidate. The allowance should not apply to more than 10% of professional staff positions at any one time.

The Director shall notify the SPREP Meeting of Market Allowance agreements greater than 5% of the salary mid point. *(This allowance applies only to contracts entered into prior to 1 January 2002 and will lapse with the expiry of those contracts.)*

Director's Entitlements Regulation 24

In addition to any other allowances provided for elsewhere in these Regulations the Director shall be entitled to the following:

- (a) rent-free accommodation up to a rental limit specified in Schedule 1;
- (b) electricity charges for accommodation; and
- (c) a domestic assistance allowance. The allowance is to be adjusted at the same time and in accordance with the same rate of adjustments made to pay in the Samoan Public Service and the rate for the time being is set out in Schedule 1.

PART IX : LEAVE

Annual Leave Regulation 25

- (a) The annual leave entitlement is:
Professional contract Staff: 25 working days. For contracts entered into prior to 1 October 1998 the entitlement is 30 working days. *(This provision will lapse with the expiry of those contracts.)*
Support Staff: 15 working days
- (b) For each staff member the leave year runs from the date of appointment to its anniversary and thereafter from anniversary to anniversary. Leave accumulates with the passing of the leave year with the full entitlement, minus any leave taken, falling due on the anniversary of appointment.
- (c) If a Samoan public holiday is observed on a normal working day while a staff member is on annual leave or duty travel that day shall be added to his or her entitlement.
- (d) Applications for leave should where possible be received by the Director 30 days before the leave applied for begins.
- (e) Annual leave does not carry over from one leave year to the next without written approval from the Director. Subject to this provision, annual leave may be accrued up to 50 working days at each anniversary of appointment. In considering applications to carry over annual leave, the Director will have regard both to the requirements of SPREP and the situation of the staff member.
- (f) SPREP will only pay salary in lieu of unexpended leave at the end of a contract. Cases involving dismissal under Regulation 30(b) will not receive salary in lieu of unexpended leave.

Sick Leave Regulation 26

- (a) Each staff member is entitled to 30 days', paid sick leave per year or 2.5 days per month after one year of service. Sick leave not taken accumulates up to a maximum of 90 days. For contracts entered into prior to 1 January 2002, including extensions to previous contracts made before this date, the entitlement is 36 days paid sick leave per year, with a maximum accumulation of 108 days. *(This provision will lapse with the expiry of those contracts.)*

- (b) To qualify for sick leave a staff member is required:
 - (i) to notify his/her immediate superior as early as practical on the first day of absence; and
 - (ii) as soon as practicable, apply for sick leave in writing.
- (c) All applications for sick leave shall be supported by a certificate from a qualified medical practitioner justifying the absence on medical grounds unless;
 - (i) the application is for two days or less; and
 - (ii) the applicant has not already taken six days of uncertified sick leave in the last 12 months.
- (d) The Director may at any time withdraw the dispensation from the requirement to furnish a medical certificate, or require a staff member to undergo a medical examination from a designated medical practitioner, when certified sick leave appears to be excessive.
- (e) If a staff member is taken sick or is injured while on annual leave and produces a medical certificate to that effect, the period of sickness shall be recorded as sick not annual leave.
- (f) Sick leave may not be used by a staff member to meet his or her extended family responsibilities, or for any reason other than personal sickness of the employee.
- (g) SPREP will not make any payment in lieu of unexpended sick leave at the completion of employment.

Other Leave Regulation 27

Maternity Leave

- (a) A staff member with at least one year's continuous service at the expected date of confinement is entitled to 60 working days' maternity leave on full pay. The period of leave begins on a date decided by the Director in consultation with the staff member but not more than 30 days before the expected confinement. The balance of the leave, but in any case not less than 30 working days, shall be taken immediately after confinement.

Family (Compassionate and Paternity) Leave

- (b) Applications for family leave which includes paternity and compassionate leave will be considered by the Director on an individual basis, but will not exceed five days per situation or a maximum of six days in any year plus minimal travelling time for all staff members whether they have to travel outside or within Samoa. This leave will normally only apply to a bereavement in respect of immediate family members, such as spouse, children or parents or for the birth of a child of a male staff member. Compassionate leave may not be used by a staff member to meet his/her extended family responsibilities.

Special Leave Without Pay

- (c) Requests for special leave without pay shall be submitted in advance and require approval in writing from the Director. Special leave may be granted for cases of extended illness or other exceptional or urgent reasons.
- (d) Special leave without pay shall be granted only after accrued annual leave has been expended. No leave accruals or other financial allowances of any kind shall be earned or granted during periods of special leave without pay.

Examination Leave

- (e) Where a support staff sits for an examination for an approved course of studies, which is directly relevant to their duties in SPREP, and is successful in passing such examination, the Director may grant a leave credit for leave taken by the employee to enable them to attend and sit for that examination.

PART X : HOUSING

Regulation 28

Eligibility

- (a) All professional staff shall be eligible to receive housing assistance.

Housing Assistance

- (b) (i) Professional staff shall receive housing assistance of 75% of the typical rent payable in Samoa for expatriate executive furnished housing. The current rate is set out in Schedule 1 to these Regulations. This assistance shall be reviewed annually and adjusted on relative movement in the local market rentals.
- (ii) A rental assistance supplement of 18% of basic salary shall be a component of remuneration for all professional contract staff. This supplement shall be reviewed annually and adjusted on relative movement in the rent index. (This provision applies only to contracts entered into prior to 1 January 2002 and will lapse with the expiry of those contracts.)

PART XI : EXPENSES

Regulation 29

Duty Travel

- (a) SPREP meets the travelling expenses necessarily incurred by staff required to travel away from Apia on official business.
- (b) The Director is entitled to travel business class. All other staff will travel economy class except that the Director may authorize business or executive class travel if considered justified in the particular circumstances of the case.

Per Diem

- (c) Staff travelling on SPREP business and spending the night away from Apia will receive a per diem at current UNDP rates to cover the cost of accommodation, meals and

incidentals. Transport (including taxis), telephone and other costs not covered by the per diem that are necessarily incurred for official business reasons, will be reimbursed on actual cost basis and production of receipts where possible.

Actual and Reasonable Expense Reimbursement

- (d) If
 - (i) the period of absence does not include a night away from Apia; or
 - (ii) the staff member is accommodated privately; or
 - (iii) the staff member could not for good and practical reasons have kept within the per diem for the place in question; or
 - (iv) the nature or venue of the staff member's business renders the standard per diem for that country inadequate;

the Director may authorize the reimbursement of actual and reasonable expenses incurred.

Private Transport Expense Reimbursement

- (e) The Director or his/her delegate may approve reimbursement at prevailing public transport rates of claims by a staff member who uses his/her personal vehicle with the prior approval of the Director in the following circumstances:
 - (i) to travel on official business in and around Apia when SPREP transport is not available; or
 - (ii) when working overtime as set out in Regulation 18(d) and (e).

Official Entertainment

- (f) The Director may be reimbursed the expenses of official entertainment extended on behalf of SPREP.
- (g) Providing the Director's approval in writing has been obtained prior to the offer of official entertainment, Senior Management may be reimbursed the expenses of entertainment extended on behalf of SPREP. The Director shall not authorize any reimbursement under this provision unless reasonable evidence of the official nature of the entertainment is provided and the claim is supported by receipts.

PART XII : DISCIPLINE

Regulation 30

Offences

- (a) An employee commits an offence who:
 - (i) wilfully disobeys a lawful order of the Director or of any other officer to whom the employee is formally responsible;
 - (ii) wilfully disregards the Regulations;
 - (iii) is negligent, inefficient or incompetent in the exercise of his or her duties;
 - (iv) wilfully acts without regard to SPREP's interests;
 - (v) behaves disgracefully or improperly either in an official capacity or otherwise; or
 - (vi) steals or misappropriates the funds or property of SPREP.

Penalties

- (b) The Director may discipline an employee found guilty of an offence by:
 - (i) an official reprimand;
 - (ii) a fine not exceeding 14 days' salary;
 - (iii) demotion to a lower step in the grade of the offender's position;
 - (iv) dismissal with notice under Regulation 15(a) (ii); or
 - (v) if the offence is theft or misappropriation of SPREP's funds or property, by summary dismissal without notice.

Procedures

- (c) No employee suspected of committing an offence shall be penalized under Regulation 30(b) unless guilt is confirmed by:
 - (i) the employee's own admission; or
 - (ii) the outcome of criminal proceedings; or
 - (iii) the findings of an internal inquiry conducted as soon as practicable by the Director (or in his or her absence by the Deputy Director) and two other staff members, one of whom may be nominated by the suspected employee.

Suspension

- (d) An employee may be suspended without pay if suspected of theft or misappropriation of SPREP's property and on pay in all other cases. If the suspicion cannot be sustained the employee will be fully reinstated with effect from the date of suspension.

PART XIII : STAFF COMMITTEES

Regulation 31

Staff Committees, shall be elected annually by staff members to represent their views and shall be consulted by the Director on general and specific questions relating to staff issues and welfare.

PART XIV : GENERAL

Regulation 32

Personal Accident Insurance

- (a) All staff are covered by SPREP's life and personal accident insurance schemes 24 hours a day.
- (b) An employee may take out additional cover at his/her own cost.

Medical Insurance

- (c) All employees and their dependents will have all reasonable medical, dental and optical expenses, as determined by the Director, met by SPREP direct or, where appropriate, by SPREP's medical scheme.
- (d) An employee may take out additional cover at his/her own cost.

Superannuation

- (e) Local staff will contribute to the Samoa National Provident Fund (SNPF).
- (f) For all local staff, SPREP will make a contribution to the SNPF equivalent to seven percent of basic salary. Provided that if the minimum legal requirement for contributions payable by Samoan citizens and residents to the SNPF is increased to exceed seven percent of basic salary, SPREP will make a contribution to the SNPF equal to such minimum legal requirement for contributions.
- (g) An expatriate professional staff member will receive a payment of seven percent of basic salary, provided that if the minimum legal requirement for contributions payable by Samoan citizens and residents to the SNPF is increased to exceed seven percent of basic salary, the employee will be entitled to a payment equal to such minimum legal requirement for contributions to the SNPF.

Protective Gear

- (h) On confirmation of appointment, support staff regularly employed on labouring work shall be issued with necessary protective gear.
- (i) Protective gear issued to staff will be replaced on a fair wear and tear basis but not more than once a year.

Training

- (j) The Director shall, where deemed necessary in the interests of SPREP, provide for the training of staff members in areas directly related to their duties and advancement. Priority should be given to support staff.

Documentation

- (k) The Director shall maintain up-to-date documents detailing the establishment, grading system, salary scales and conditions of service of SPREP as approved by the SPREP Meeting.

SPREP STAFF REGULATIONS

SCHEDULE 1

ALLOWANCES

Establishment Grant: Regulation 16(a)(iii)

	<u>Samoan Tala</u>
For contracts entered into prior to 31 December 2001, the rate is:	
Director	2,747
Other Staff	2,060
<i>(The above rates will phase out on the expiry of these contracts)</i>	

For contracts entered on or after 1 January 2002, the rate is:	
Director	SDR 1,467
Other Staff	SDR 1,100

Maximum Rate for Director's Rent-free Accommodation: Regulation 24(a)

For contracts entered into prior to 31 December 2001, the rate is:
Samoan Tala 3,500 per month

For contracts entered into on or after 1 January 2002, the rate is:
Samoan Tala 5,000 per month

Domestic Assistance Allowance for Director: Regulation 24(c):

Samoan Tala 4,695 per annum (at 1 January 2001) : Adjusted at the same time and in accordance with the same rate of adjustments made to pay in the Samoan Public Service.

Education Allowance Regulation 23(e)

Expatriate Staff:

Up to a maximum of Samoan Tala 15,600 per child per annum with a maximum of Samoan Tala 46,800 per family per annum.

Local Professional Staff:

Up to a maximum of Samoan Tala 3,200 per child per annum with a maximum of Samoan Tala 9,600 per family per annum.

Housing Assistance (Regulation 28(b)(i))

All professional staff:

Samoan Tala 2,138 per month

Cost of Living Differential Allowance (COLDA) Regulation 23(f)

Index is 123.8

**SPREP STAFF REGULATIONS
SCHEDULE 2A¹**

SDR SALARY SCALES FOR SPREP PROFESSIONAL STAFF

(Including Interim Adjustment Paid from 1 January 1999 *)

Grade	Step	Basic Salary (SDR*)	
		1/01/1999	Reg.20(a)
Grade 6	Minimum	1	10,668
	High	1	11,734
	Minimum	2	11,618
	High	2	12,781
	Minimum	3	12,654
	High	3	13,919
	Minimum	4	13,781
	High	4	15,159
	Minimum	5	15,010
	High	5	16,510
Grade 5	Minimum	1	18,162
	High	1	19,981
	Minimum	2	19,776
	High	2	21,754
	Minimum	3	21,660
	High	3	23,827
	Minimum	4	23,548
	High	4	25,903
Grade 4	Minimum	1	25,176
	High	1	27,701
	Minimum	2	27,429
	High	2	29,825
	Minimum	3	29,624
	High	3	32,586
Grade 3	Minimum	1	32,916
	High	1	36,215
	Minimum	2	33,910
	High	2	37,304
	Minimum	3	36,512
	High	3	40,164
Grade 2	Minimum		43,665
	High		47,991
Grade 1	Minimum		49,912
	High		54,911

* SDR Salary levels remain constant until revised by a SPREP Meeting.
Interim Adjustment, from 1 January 1999, approved by 1999 Special Meeting.

¹ Old Schedule 2A to continue to apply to all contracts or extensions entered into on or before 31 December 2001, but not to new contracts or extensions to old contracts entered into on or after 1 January 2002, as decided at the 12th SPREP Meeting

SPREP STAFF REGULATIONS

SCHEDULE 2A²

(Effective from 1 January 2002)

Executive/Professional Staff

	CED Points		Base Salary (SDR pa)								
	Minimum	Maximum	Minimum	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7	Point 8	Maximum
M	1,050	1,310	39,493	41,692	44,431	46,901	49,370	51,839	54,308	56,778	59,239
L	840	1,049	33,851	35,969	38,036	40,204	42,321	44,439	46,556	48,674	50,777
K	630	839	29,971	31,293	32,615	33,936	35,258	36,579	37,901	39,223	40,552
J	470	629	25,977	27,125	28,272	29,420	30,567	31,715	32,863	34,010	35,143
I	350	469	20,309	21,327	22,345	23,363	24,381	25,399	26,417	27,436	28,442
H	260	349	10,668	11,398	12,128	12,858	13,588	14,318	15,048	15,779	16,510

² Proposed new Schedule 2A to be inserted at a future SPREP Meeting. To apply to all new contracts and extensions to old contracts entered into on or after 1 January 2002

SPREP STAFF REGULATIONS
SCHEDULE 2B³
SALARY SCALES FOR SUPPORT STAFF FROM 1 OCTOBER 1998

Step	1	2	3	4	5	6	7	8	9	10
Grade										
1	<u>5,160</u>	<u>5,418</u> {-----}	<u>5,689</u> -----	<u>5,974</u> Gardener -----	<u>6,273</u> -----	<u>6,587</u> ----- Cleaner -----	<u>6,916</u> ----- Night Watchman -- -----	<u>7,261</u> -----	<u>7,625</u> ----- Teaperson / Cleaner - -----	<u>8,006</u> -----
2	<u>8,232</u> {-----}	<u>8,643</u> -----	<u>9,075</u> Driver / Clerk -----	<u>9,530</u> -----	<u>10,006</u> -----	<u>10,506</u> -----	<u>11,032</u> -----	<u>11,584</u> -----	<u>12,162</u> -----	<u>12,770</u> -----
			Receptionist -----							
			Handyman -----							
			Clerk / Teaperson -----							
			Registry Clerk -----							
3	<u>12,901</u> {-----}	<u>13,545</u> Maintenance {-----}	<u>14,222</u> Tradesman -- -----	<u>14,934</u> -----	<u>15,680</u> -----	<u>16,464</u> -----	<u>17,288</u> -----	<u>18,153</u> -----	<u>19,061</u> -----	<u>20,014</u> -----
			Accounts Clerk -----							
						Divisional Assistant -----				
						Administration Assistant -----				
							Secretary -----	to Division Head -----		
4	<u>18,429</u> {-----}	<u>19,351</u> Registry {-----}	<u>20,319</u> Supervisor -----	<u>21,335</u> -----	<u>22,402</u> -----	<u>23,522</u> -----	<u>24,697</u> -----	<u>25,932</u> -----	<u>27,229</u> -----	<u>28,590</u> -----
			Conference Officer -----							
						Personal Assistant -----				
						Senior Accounts Officer -----				
						Assistant Accountant -----				
5	<u>23,344</u> {-----}	<u>24,511</u> -----	<u>25,737</u> Administration -----	<u>27,024</u> Officer -----	<u>28,375</u> -----	<u>29,794</u> -----	<u>31,284</u> -----	<u>32,848</u> -----	<u>34,491</u> -----	<u>36,216</u> -----

³ Old Schedule 2B to continue to apply to all contracts or extensions entered into on or before 31 December 2001, but not to new contracts or extensions to old contracts entered into on or after 1 January 2002, as decided at the 12th SPREP Meeting

SPREP STAFF REGULATIONS

SCHEDULE 2B ⁴: SALARY SCALES FOR SUPPORT STAFF FROM 1 JANUARY 2002

Support Staff

Grade	CED Points		Samoan Tala per annum								
		Maximum	Minimum	Point 2	Point 3	Point 4	Point 5	Point 6	Point 7	Point 8	Maximum
8											
F3	240	259	23,400	25,000	26,600	28,200	29,800	31,400	33,000	34,600	36,200
F2	220	239	18,400	19,675	20,950	22,225	23,500	24,775	26,050	27,325	28,600
F1	200	219	12,800	13,700	14,600	15,550	16,400	17,300	18,200	19,100	20,000
D/E	110	199	8,200	8,775	9,350	9,925	10,500	11,075	11,650	12,225	12,800
B/C	60	109	5,200	5,575	5,950	6,325	6,700	7,075	7,450	7,825	8,200
A	40	59									

Grade: **Staff Position:**

F3 Administration Officer; Personal Assistant to the Director

F2 Assistant Accountant; Property Services Officer; Personal Assistant;

⁴ Proposed new Schedule 2B to be inserted at a future SPREP Meeting. To apply to all new contracts and extensions to old contracts entered into on or after 1 January 2002

Registry Supervisor; Conference and Travel Officer; Secretary

F1 Assistant Librarian; Administration Assistant; Finance Officer;
Programme Assistant; Maintenance Tradesman;

D/E Customs Clerk; Driver/Clerk; Registry Clerk; Handyman; Receptionist

B/C Teaperson/Cleaner/Clerical Assistant; Nightwatchman/Security; Cleaner/Teaperson/Messenger;
Groundsman/Gardener; Cleaner

A [No staff positions in this Grade]

Annex VIII: Revised Instructions to the Director of the South Pacific Regional Environment Programme (SPREP)

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The South Pacific Regional Environment Programme (hereinafter referred to as “SPREP”)

Instructions to the Director

To: The Director of the South Pacific Regional Environment Programme

You are hereby instructed by the SPREP Meeting (hereinafter referred to as the “Meeting” as follows:

I Definitions

1. In these instructions, unless otherwise indicated by the context, “direction” means any direction, instruction, resolution, decision, or request recorded in the Reports of the Meeting or otherwise approved by the Meeting or any instruction or observation embodied in records approved by the Meeting.

II Constitution and Functioning of SPREP

2. SPREP derives its authority, powers and functions from the Agreement Establishing the South Pacific Regional Environment Programme (1993).

3. As laid down therein, you are the chief executive officer of SPREP and shall carry out all directions of the Meeting. You will be responsible for the functioning of the Secretariat and it is your duty:

- (a) to ensure, so far as lies within your power and authority, the due observance of the terms and provisions of the Agreement Establishing the SPREP, the Staff and Financial Regulations and decisions of the Meeting.
- (b) to bring to the notice of the Meeting any case where those decisions or terms and provisions are not being satisfactorily observed or carried out, and where, in your opinion, action or proposed action is or would be inconsistent with any of those terms or provisions or not strictly within the authority, powers, or functions conferred on SPREP;
- (c) to safeguard at all times the interests of SPREP and to ensure that its affairs are conducted with efficiency and dignity as an international organisation created to promote the protection of the environment and conservation and sustainable management of the natural resources of the South Pacific region.

4. Your management role is one of broad scope including responsibility within established policies for maintaining relationships with the appropriate agencies of Members the Pacific Islands Forum, the Secretariat of the Pacific Community, other regional institutions, specialised agencies of the United Nations, other relevant international organisations, and non-governmental organisations.

5. Your administrative powers and functions are also broad. Details of administration are a matter for you and not the Meeting. Nevertheless, it is your duty to ensure that Members are kept sufficiently informed of the activities within your purview to enable them to discharge properly their functions in respect of the general policies of SPREP and the implementation of the Programme.

III Staff

6. As Head of the SPREP Secretariat, you are empowered, subject to such directions that may be received from the Meeting, to appoint and dismiss, as necessary, all members of the staff of the Secretariat.

7. You should protect the international character of the Secretariat and maintain at all times the independence of the Secretariat and the freedom of its personnel from influences external to the Secretariat.

8. In the appointment of staff to the Secretariat, technical qualifications and personal integrity of candidates are to be governing considerations. Wherever practicable, preference for staff appointments should be given to candidates from within the Pacific islands region.

9. You are required to establish a Staff Classification and Salaries Plan and Staff Regulations for the approval of the Meeting.

10. It is your duty to administer these instructions fairly and impartially and to ensure their due and proper observance; and in the exercise of your responsibilities and powers you will act in conformity with the relevant provisions of these instructions and in all respects as a good employer.

IV Performance of Duties during Absence

11. In the event of your absence or incapacity, the Deputy Director will act as Director. You will provide for the designation, in the absence or incapacity of both yourself and the Deputy Director, of an officer of the Secretariat to act as Officer-in-Charge. Such designation will be notified in writing.

12. In the event that the position of Director becomes vacant, the Director's functions and powers shall be exercised by the Deputy Director according to the instructions of the Chairperson of the SPREP Meeting.

V The Work Programme

13. You will make yourself familiar with the approved procedure for the formulation and approval of the SPREP Work Programme and you will be responsible for the development of the draft Budget estimates for the Work Programme activities.

VI Finance

14. You are to ensure that SPREP complies with accepted principles for financial accounting and expenditure and with its detailed Financial Regulations approved by the Meeting. You are responsible, subject to the directions of the Meeting, for the control of the funds of SPREP and for all accounting and expenditure.

15. You will make yourself familiar with the Financial Regulations and take such steps as may be necessary from time to time to ensure the strict observance of the requirements of those Regulations.

16. In exercising your management role and administrative control of SPREP activities and financial commitments, you will at all times bear in mind the importance of carrying out directions of the Meeting with the utmost efficiency.

17. You should regard it as an important part of your functions to seek additional financial and technical assistance from the international donor community.

VII Rules and Regulations

18. You will make yourself familiar with the Rules of Procedure for the Meeting and will seek to ensure their observance at all times.

19. You are responsible for the administration of all rules and regulations made by, or under, the authorisation of the Meeting, and it is your duty to ensure the full impartial observance of all such rules and regulations.

VIII Resolutions and Directions

20. You will take due cognizance of all resolution and directions and requests for information, of the Meeting; and will take action within your competence as may be necessary to give effect thereto or comply herewith.

IX Organisation and Servicing of Meetings

21. You will be responsible for the organisation and servicing of all sessions of the Meeting and any committees, sub-committees or subsidiary bodies that it establishes, and all conferences and meetings which may be directed or authorised by the Meeting under its auspices. Subject to the directions of the Meeting, you will be responsible for making all necessary arrangements for such meetings and conferences and for the preparation and circulation at the proper time of the agenda and all other necessary documentation.

X Reports and Publications

22. You will be responsible for the preparation and submission to Members of annual reports on activities of SPREP covering the twelve months since the last similar report. Such reports will also be provided to the Conference of the Pacific Community and the Pacific Islands Forum. Other periodical reports are called for in the various rules and regulations established by the Meeting.

23. You will be responsible for the publication and distribution of SPREP periodicals, reports and other papers as may be directed by the Meeting from time to time or in accordance with the established practice and procedure.

XI Records and Correspondence

24. You will be responsible for the operation of an efficient system of records and correspondence, and for the safe custody of Meeting and SPREP records and archives.

XII Custody and Care of Property

25. You will be responsible for the protection, control and safe custody of all SPREP property and will take all necessary steps within your authority to ensure the proper care, protection and maintenance of all such property, including land, buildings, furniture, equipment, goods and materials of whatsoever nature, whether owned by SPREP or held by it on loan or tenancy, and appropriate insurance arrangements where applicable.

XIII Commencement and Amendment

26. These instructions shall enter into effect from _____ 20 _____ the date of their approval by the Meeting and shall remain in force until amended by the Meeting.