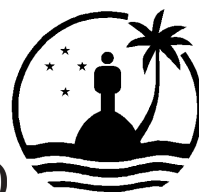
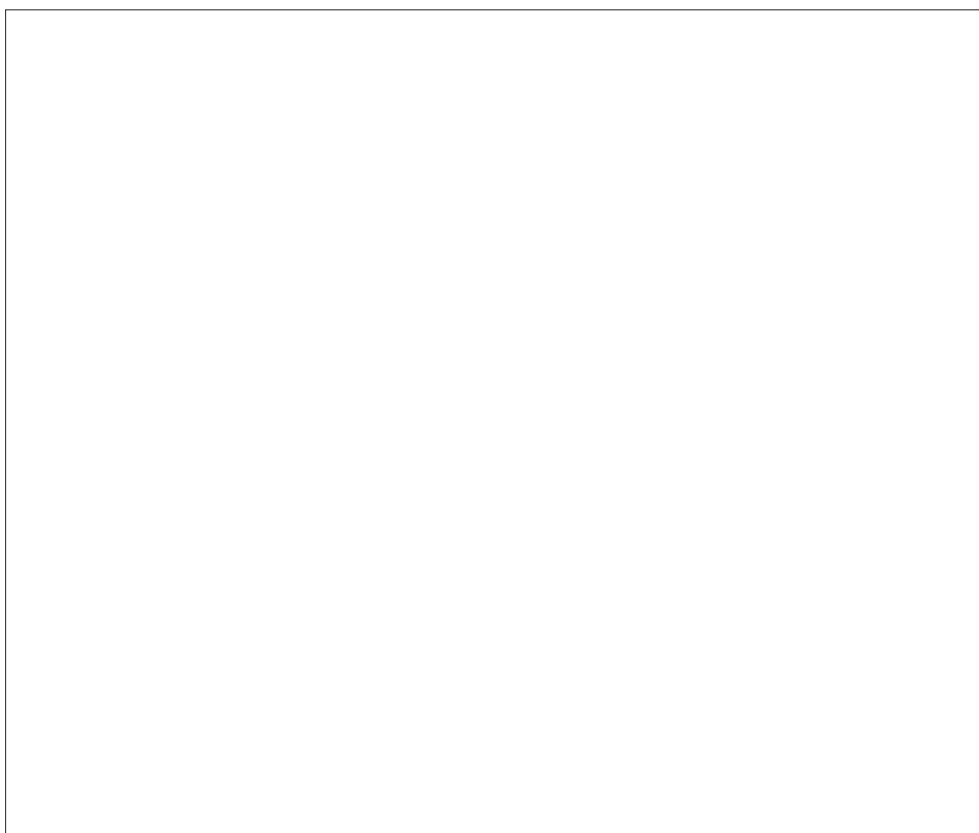

South Pacific Regional Environment Programme (SPREP)



**Joint Meeting
of the
Working Groups on the
Apia and SPREP Conventions**

Report



**Held on
3 July 1996
in Siumu, Western Samoa**

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South Pacific Regional Environment Programme (SPREP)

**Joint Meeting of the
Working Groups on the
Apia and SPREP Conventions**

Siumu, Western Samoa, 3 July 1996

R e p o r t

Published July 1996.

Introduction

1. A Joint Meeting of the Working Groups on the Apia and SPREP Conventions was convened in Siumu, Western Samoa, 3 July, 1996. Representatives of the following Contracting Parties attended:

Apia Convention: Australia, Fiji and Western Samoa

SPREP Convention: Australia, Federated States of Micronesia, Fiji, New Zealand, Solomon Islands, the United States of America and Western Samoa.

Other SPREP Members represented were Kiribati and Niue. A list of participants is at Annex 1.

Agenda Item 1: Official Opening

2. The Acting Director of SPREP opened the Meeting and gave background information relating to both Conventions and the lead up to this Working Group Meeting. He referred to the previous meetings of the Contracting Parties to both Conventions, the first of which had been held in Noumea in July 1991, the second in Suva in September 1993 and the third in Apia in October 1995. At the latter meeting, Terms of Reference were drawn up to guide this Working Group Meeting. The Working Group Meeting Terms of Reference appear as Annex 3.

3. The Acting Director stated that at an Informal Meeting, held prior to the Working Group Meeting, it had been recommended that the Working Group Meetings on both the Apia and SPREP Conventions should be held jointly as one Meeting.

Agenda Item 2: Appointment of Chair and Vice Chair

4. The representative of Western Samoa was appointed as Chair, nominated by Fiji and seconded by Australia.

Agenda Item 3: Adoption of Agenda and working Arrangements

5. It was agreed that, given the similarity between the Agendas for the Apia and SPREP Working Group Meetings, these be merged into one agenda and that a new item be included to enable briefing by the Secretariat on both Conventions in relation to SPREP's Work Programme. Further, it was agreed that the meeting be open-ended allowing input from those SPREP Members present who were not Party to the Conventions.

Agenda Item 4: Briefing by the Secretariat on Relationship of Apia and SPREP Conventions to SPREP's Work Programme

6. A brief background to the Apia Convention was given by the Secretariat which referred to:

- * the history of the Apia Convention;
- * earlier suggestions to merge the Apia and SPREP Conventions;
- * the philosophy behind the Apia Convention which was now outdated, being based on concepts of national parks and strict nature reserves, rather than on concepts of sustainable resource use within conservation areas;

- * recognising that the Apia Convention did serve a useful purpose; and
- * the emergence of other relevant international conventions including the Biodiversity Convention.

7. A brief background to the SPREP Convention was given by the Secretariat which referred to:

- * the history of the SPREP Convention;
- * the relationship between SPREP's earliest Action Plan and the SPREP Convention; and
- * the close links between SPREP's work programme and the SPREP Convention.

Agenda Item 5: Recommendations regarding Amendments to the Convention

Amendment recognising SPREP as the Secretariat to both Conventions. Legal Implications of such Amendment.

8. With regard to the proposal to amend both Conventions recognising SPREP as the Secretariat rather than SPC, delegates recognised that SPREP was already acting *de facto* as the Secretariat and that amendment would only be necessary to standardise procedures from a legal point of view. It was doubted whether there would be any challenge to this *de facto* arrangement and that amendment would not effectively change the current operating procedure, but rather merely address an existing anomaly. Nevertheless, given that earlier meetings of the Parties had agreed to amend the Conventions, the Meeting agreed that amendment should be made to both Conventions at a Plenipotentiary Meeting associated with the next SPREP Meeting. It was

recognised that this should be a minor procedural matter that could be accommodated within the timing already allocated to the Ninth SPREP Meeting.

Frequency of Meetings

9. The Meeting agreed that the current practice of convening Meetings of the Parties to the Apia and SPREP Conventions in association with the SPREP Meeting, should be continued, but should be held jointly as part of the biennial SPREP Meeting rather than as separate Meetings.

Agenda Item 6: Consideration of additional action required for the achievement of the purpose of the Convention and integration with SPREP's Work Programme.

Establishment of a small unit within SPREP responsible for functions of the three Regional Conventions.

10. Discussion ensued with relation to the proposal, submitted to previous Meetings of the Parties, for a small unit to be contained within the SPREP Secretariat, in recognition of the additional functions associated with SPREP's role as Secretariat to the Apia, SPREP and Waigani Conventions. Some delegates considered this proposal to have merit, recognising that part of the function of such a unit could be to streamline the procedures for national reporting, especially in association with the range of reporting increasingly required under a variety of international conventions and programmes of action, others however, cautioned about the need to consider this in light of priorities given likely future funding restrictions. It was agreed that the issue of providing additional resources to the Secretariat in relation to its present and future Convention responsibilities, should continue to be pursued.

The Meeting encouraged the Secretariat to refine its proposal for discussion at the next Ordinary Meeting of the Parties.

Rules of Procedure

11. The Meeting noted that the Rules of Procedure for the Apia and SPREP Conventions were different and that there is some merit in bringing these into line with each other. It was also recognised that the Rules of Procedure would need eventually to be amended to reflect the fact that SPREP, rather than SPC, was the Secretariat. Whilst amendment of the Rules of Procedure was not considered a matter of high priority, the Meeting nevertheless agreed that this should be addressed in association with the next Meeting of the Parties.

12. The Meeting exhorted Members who are not Parties to do so as soon as possible.

Standardisation of substantive reporting as required under the Convention, including frequency and level of detail of reporting

13. The Meeting recognised the need, as proposed by the Third Ordinary Meeting of the Parties, to simplify the guidelines on national reporting. It was also recognised that national reporting requirements were required under other International Agreements and that there was a need to avoid duplication. It was suggested that Parties meet informally with the Secretariat to address this issue.

Contributions to the Conventions

14. Delegates sought clarification on funding implications of convening Meetings and were advised by the Secretariat that a budget is developed which provides for one delegate from each Pacific Island country Party to the Conventions, this delegate normally being the same one attending the SPREP Meeting thus eliminating the need for additional airfare. Other costs include extra per diem, interpretation and translation, preparation of meeting papers, stationery and communications.

Agenda Item 7: Suggestions for Plenipotentiaries

15. This item was already covered under Agenda Item 5, paragraph 8.

Agenda Item 8: Other Business

16. There was no other business.

Agenda Item 9: Adoption of Report

17. The Meeting adopted the report.



South Pacific Regional Environment Programme (SPREP)

**Joint Meeting of the Working Groups
on the Apia and SPREP Conventions**

Siumu, Western Samoa, 3 July 1996

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South Pacific Regional Environment Programme (SPREP)

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Siumu, Western Samoa, 3 July 1996

Annex 2: Agenda

1. Official Opening.
2. Appointment of Chair and Vice Chair.
3. Adoption of Agenda.
4. Briefing by the Secretariat on Relationship of Apia and SPREP Conventions to SPREP's Work Programme.
5. Recommendations regarding Amendments to the Convention:
 - * Amendment to Article VIII of the Apia Convention and Article 24 of the SPREP Convention recognising SPREP as the Secretariat to the Convention;
 - * Legal Implications of such Amendment; and
 - * Frequency of meetings.
6. Consideration of additional action required for the achievement of the purpose of the Convention and integration with SPREP's Work Programme:
 - * Establishment of a small unit within SPREP responsible for functions of the three Regional Conventions;
 - * Rules of Procedures;
 - * Means to encourage other SPREP members to ratify the Convention;
 - * Standardisation of substantive reporting as required under the Convention, including frequency and level of detail of reporting; and
 - * Contributions to the Convention.
7. Suggestions for Plenipotentiaries.
8. Other Business.
9. Adoption of Report.



South Pacific Regional Environment Programme (SPREP)

Joint Meeting of the Working Groups on the Apia and SPREP Conventions

Siumu, Western Samoa, 3 July 1996

Annex 3: Working Group Terms of Reference

Goal:

To consider ways in which implementation of the SPREP and Apia Conventions and integration with SPREP's Work Programme could be achieved more effectively.

To include:

1. Practical considerations such as:

- * evaluate the "unit"/"cell" proposal by SPREP;
- * discuss the best rules of procedure;
- * encouragement of other eligible SPREP Members to ratify;
- * standardisation of substantive reporting as required under the Convention(s) to assist in obtaining the necessary information from Members, including appropriate frequency and level of detail of reporting; and
- * contributions to SPREP Convention.

2. Legal analysis regarding necessary changes (if any) including implications of:

- * SPREP substitution as Secretariat, for SPC; and
- * frequency of meetings.

3. Come up with suggestions for plenipotentiaries on a pre-approved schedule.

4. Other relevant considerations which may arise or be suggested by the Parties.