



**Report of the  
Third Ordinary Meeting  
of the Contracting Parties  
to the Apia Convention**



**5 October 1995  
Apia, Western Samoa**

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# Meeting Report

## Agenda Item 1:

### Official Opening

1. *The Third Ordinary Meeting of the Contracting Parties to the Convention on Conservation of Nature in the South Pacific* (Apia Convention) was convened in Apia, Western Samoa, on 5 October 1995. Representatives of the following Contracting Parties attended: Australia, Fiji, France and Western Samoa. Other SPREP Members represented were New Zealand, United States of America and Vanuatu. Also in attendance were Observers from the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Development Programme (UNDP). A list of participants is at Annex 1.

2. The representative of Fiji, Mr Epeli Nasome, as outgoing Chair, called the Meeting to order and introduced the Rev. Father Sione Uluilakeba who led the Meeting in prayer.

3. In officially opening the meeting, the Hon. Fa'aso'otauloa Pati, Minister of Lands, Surveys and Environment of the Government of Western Samoa, welcomed delegates on behalf of his Government. He stated that this regional Convention, which was the first to demonstrate concern for the environment of the region, had been signed in Apia in 1976, nineteen years ago. The Convention aimed to preserve the region's natural ecosystems, scenery and other areas of cultural and scientific value; it encouraged traditional use of areas and species as well as encouraging exchange of information and training personnel. The Minister referred to the slow passage of entry into force of the Convention, fourteen years after its signing, and slow progress so far towards implementing the Convention's objectives, despite promised action by Parties pledged at the two previous Meetings.

4. The Minister drew delegates' attention to the Secretariat's suggestions to facilitate progress with implementation of the Convention and, as the Depository for the Convention, Western Samoa urged delegates to address these concerns in a concrete way to remedy the present situation and ensure fulfilment of the Convention's commendable objectives. The text of the Minister's address is at Annex 2.

5. The representative of Australia, His Excellency David Hegarty, thanked the Minister for his opening address and expressed the belief that the lack of progress to date in the implementation of the

Apia Convention was a concern for all Parties. It was his expectation that the deliberations of this Meeting would address the constraints to implementation.

6. The Director of SPREP, Dr Vili A. Fuavao, in his address highlighted the need to critically consider the progress of the Convention to date. Some issues he raised as requiring attention of the Parties included the constraints to national reporting and the lack of financial and human resources in the Secretariat to administer the Convention effectively under the current arrangements. He suggested that there were three options that Parties could consider for the future of the Apia Convention: leave it as it is, revise the Convention to make it broader in scope or merge it with the SPREP Convention.

## Agenda Item 2:

### Appointment of Chair and Vice-Chair

7. The representative of Australia was appointed as Chair and the representative of Western Samoa as Vice-Chair.

## Agenda Item 3:

### Adoption of Agenda and Working Procedures

8. The Agenda was adopted and is at Annex 3. The working hours of the Meeting were agreed as proposed by the Secretariat. The Meeting also agreed that a Drafting Committee would be established, comprised of a representative from each Party to the Convention present at this Meeting.

## Agenda Item 4:

### Recommendations regarding Amendments to the Convention

9. The Director of SPREP introduced the recommendations regarding any amendments to the Convention, including the question of the Secretariat of

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the Convention under Article VIII. These recommendations included:

- an amendment to Article VIII recognising the newly independent SPREP as the Secretariat to the Apia Convention; and
- the establishment of a small unit within SPREP responsible for functions for regional environment Conventions.

10. The Parties discussed in detail the establishment of a small unit within SPREP that would be responsible for Secretariat functions of the Apia, SPREP and Waigani Conventions. It was noted that under the Secretariat proposal, contributions by Parties to the Apia Convention would cover one-third of the costs of a unit. It was reconfirmed that SPREP Members should not be expected to pay for the costs of Conventions to which they are not Parties.

11. The Meeting agreed there was a need to invigorate the Apia Convention, that the notion of a small Conventions unit within the Secretariat was attractive, but needed to be considered alongside the budgetary implications for Parties and also in the light of consideration of this issue by Parties to the SPREP Convention.

#### **Agenda Item 5:**

##### **Consideration of Report by the Secretariat under Rule 11 of the Rules of Procedure**

12. Rule 11 of the Rules of Procedure requires the Secretariat to report on the work undertaken or achieved as part of the SPREP Action Plan, relating to the Convention since the last Ordinary Meeting and containing proposals for the Action Plan and other activities to be undertaken in the forthcoming biennium.

13. The Director introduced Working Paper 3AC/WP.5 which provided an Assessment of the State of the Environment and Information submitted by the Parties, including reports by the Governments of Australia and Western Samoa. He also thanked the delegate from France for his country's report on territories under France's jurisdiction.

14. The delegate of Australia expressed his appreciation to the Secretariat for the amount of work put into the production of the report. He expressed his delegation's support for the recommendations contained in the report except the recommendation re-

lating to environmental impact assessment (I.1.2. dot point 3) which he felt was too vague for endorsement. He pointed to the fact that there were different levels of EIA and suggested that formal EIA should only be made compulsory for major development activities which have adverse environmental impacts. The delegate of Australia also commented that his government was facilitating the empowerment of traditional owners in the joint management of national parks and natural resources.

15. The meeting adopted the recommendations in the report.

#### **Agenda Item 6:**

##### **Other Items in relation to the Convention considered appropriate by the Contracting Parties**

16. There were no additional items raised by Contracting Parties.

#### **Agenda Item 7:**

##### **Proposed Guidelines for Standardised Format for National Reports**

17. The Second Meeting of the Contracting Parties called for a standardised format for national reports by Parties when providing information under obligations in Articles II(2) and V(2). The Secretariat circulated proposed reporting guidelines prior to the Meeting and invited delegates to consider and endorse these guidelines.

18. Delegates accepted the guidelines in principle, but agreed to a less detailed format focusing on Members' obligations under the Convention which are contained in Part 2 of the Guidelines.

#### **Agenda Item 8:**

##### **Audited Financial Statements for 1993 and 1994**

19. The Meeting adopted the audited Financial Statements for 1993 and 1994 as tabled by the Secretariat.

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## Agenda Item 9:

### Consideration and Adoption of Budget for the Fourth Ordinary Meeting of the Contracting Parties in 1997

20. The Secretariat presented a biennial Budget which incorporated costs for the Fourth Ordinary Meeting as well as the shared costs of a unit within SPREP to administer three Conventions – Apia, SPREP and Waigani.

21. Delegates adopted the Budget as it related to costs for convening the Fourth Meeting of the Parties and deferred, until after the SPREP Convention Meeting, the question of shared costs of a unit within SPREP to administer three Conventions.

## Agenda Item 10:

### Other Business

22. There was no other business.

## Agenda Item 11:

### Date and Venue of Next Meeting

23. The Chairman recommended that the Fourth Ordinary Meeting of the Contracting Parties to the Apia Convention be held in 1997 at the same time and venue as the Tenth SPREP Meeting. This was agreed to by the Meeting.

24. The Chairman also noted that SPREP would convene a Ministerial Meeting in 1996 to adopt a revision to the SPREP Action Plan and that this might be a good opportunity for Parties to the Apia Convention to meet in Special Session at Plenipotentiary level to consider an amendment mechanism to, and the Secretariat for, the Convention.

## Agenda Item 12:

### Adoption of Report

25. The Meeting adopted the report.

## Agenda Item 13:

### Close

26. The delegate of Australia expressed the sentiment of other delegates in giving thanks to the Secretariat for its excellent work in convening the Meeting, including the high quality of Working Papers. Parties to the Convention were urged to use their best endeavours to ensure that the Convention achieved its objectives.

## Annex 1:

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**Annex 2: Opening Address by Hon. Fa'aso'otauloa Pati,  
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Government of Western Samoa**

Mr Chairman

Distinguished Representatives of Contracting  
Parties

Distinguished Observers

Ladies and Gentlemen

On behalf of the Government of Western Samoa, it is a great honour for me to welcome you this morning to the Third Ordinary Meeting of the Contracting Parties to the Convention on Conservation of Nature in the South Pacific, more commonly known by its short title of the Apia Convention.

This was the first regional convention to demonstrate concern for the environment. It was signed here in Apia 19 years ago in order to encourage the establishment of protected areas. It aims to preserve our natural ecosystems, scenery and other areas of historic, cultural or scientific value. It encourages the traditional use of areas and species along with cooperation in promoting the Convention's objectives, such as exchanging and training personnel, exchanging information and managing protected areas and species.

The Convention took fourteen years to enter into after its signing in 1976. This is the Third Meeting of the Contracting Parties in the five years since then, not counting a special meeting in 1992 which failed to raise a quorum.

As you will have noticed from the Secretariat's report before you, it cannot be said that these Meetings have achieved much, if anything, in the way of progress towards implementing the Convention's objectives.

At the two previous Meetings, Parties undertook to initiate a broad range of activities aimed at strengthening the implementation of the Convention's objectives as well as promising action to meet their obligations under the Convention.

We are now gathered for the third time, at considerable expense and effort I might add, with little having been achieved despite the best intentions of the last two Meetings.

It must now be time to ask ourselves whether it is worth continuing to meet like this.

My government notes that the Secretariat has made

some suggestions to deal with this situation, among them being a proposal to set up a small unit within SPREP to undertake jointly the Secretariat functions of three Conventions, including this one, on a cost-shared basis. Perhaps this is a step in the right direction – I leave that for your deliberations today along with other issues raised by your Secretariat.

But in any event, as minister responsible for the environment in my country, and as the representative of the Depository government, I urge all of you here this morning to address these concerns in a concrete way that will ensure that the present situation is remedied.

What is at stake is the very future of a Convention designed to put our region at the forefront of protected areas establishment and management. As things stand, it is not achieving the commendable objectives which our predecessors worked so hard to enunciate for us nearly 20 years ago.

Distinguished representatives, observers, ladies and gentlemen, my government places great significance on the location of SPREP's Headquarters in Western Samoa. This brings us considerable benefits, not least of which is your presence in our country.

We are delighted that SPREP is hosting a series of important meetings in Apia over the next 10 days or so. This gives us an opportunity to meet you and you the chance to meet us. I hope that during your stay you are able to experience something of our people's hospitality, our culture and the scenery of our Samoan islands.

This is the first time the Secretariat itself has hosted this series of SPREP Meetings. I know it has worked hard to put in place all the arrangements needed for you to have a productive and enjoyable meeting and I would like to express my appreciation to the Director and his staff.

Again, on behalf of Western Samoa and the SPREP Secretariat, I wish you well in your discussions today and in the remaining meetings. Given the concerns I expressed earlier, my delegation will be following your proceedings with great interest.

It is now my great pleasure to declare open this Third Meeting of the Contracting Parties to the Apia Convention.

Soifua.

### Annex 3: Agenda

1. Official Opening
2. Appointment of Chair and Vice-Chair
3. Adoption of Agenda and Working Procedures
4. Recommendations regarding any Amendments to the Convention, including the question of the Secretariat of the Convention under Article VIII
5. Consideration of Report by the Secretariat under Rule 11 of the Rules of Procedure, including:
  - assessment of the state of the environment relevant to the Convention in the South Pacific Region
  - consideration and review of, and recommendations on, cooperative activities within the framework of the Convention and fulfilment of Parties' obligations under Article VII
  - consideration of information submitted by Parties under Articles V(2) and II (2); and
  - consideration of additional action required for the achievement of the purposes of the Convention
6. Other Items in relation to the Convention considered appropriate by the Contracting Parties
7. Proposed Guidelines for Standardised Format for National Reports
8. Audited Financial Statements for 1993 and 1994
9. Consideration and Adoption of Budget for the Fourth Ordinary Meeting of the Contracting Parties in 1997
10. Other Business
11. Date and Venue of Next Meeting
12. Adoption of Report
13. Close