



SPREP

South Pacific Regional Environment Programme



**Report of the
Sixth Joint Meeting of the
Contracting Parties to the
Apia and SPREP Conventions**

**Majuro, Marshall Islands
21 July 2002**

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*21 July, 2002
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Introduction

1. The Sixth Joint Ordinary Meeting of the Contracting Parties to the Apia and SPREP Conventions was on 21 July 2002 in Majuro, Republic of Marshall Islands. Representatives from the following Parties attended: Australia, Cook Islands, Federated States of Micronesia, Fiji, France, Republic of Marshall Islands, New Zealand, Papua New Guinea, Samoa and the United States of America. Observers from Kiribati, Niue, Palau, Tonga, Tuvalu, Vanuatu, Forum Secretariat and World Meteorological Organization (WMO) also participated. The list of participants is attached as Annex I.

Agenda Item 1: Joint Official Opening of the Meeting

2. The representative of the Cook Islands as Chair of the Fifth Joint Meeting of the Parties to the Apia and SPREP Conventions, called the Meeting to order and led delegates in prayer. He then invited the Director of SPREP to make the introductory speech.

3. In his opening address, SPREP's Director, Mr. Tamari'i Tutangata, welcomed representatives of the Contracting Parties and other participants. He acknowledged the decision of the Marshall Islands Cabinet to become a party to the Apia Convention earlier in the year and the ratification by Australia and Samoa of the procedural amendments to the Apia Convention. He added that he looked forward to the day's discussions on revitalising the Apia Convention and to involving all countries and territories in this Convention. A copy of the Director's introductory speech is attached as Annex II.

4. The Director referred to the World Summit on Sustainable Development (WSSD) noting that this key event involved the review of the global environment agenda set in Rio de Janeiro ten years ago. He noted that while institutions, policies and players to address sustainable development were now in place or had been identified, there was a need now to take action and implement these legal frameworks.

5. The Director commented that the need to find linkages and synergise the work of the various multilateral environmental agreements was important not only at the global level but at the regional level as well. He noted the numerous nature conservation activities taking place throughout the Pacific islands in isolation from the Apia Convention. He suggested that with political will, there was no reason why the Convention could not be amended to provide the legal framework to tie all nature conservation activities together. The Meeting of the Parties would then be the principal forum to discuss all issues related to biodiversity and species protection and provide the legal platform to drive the regional nature conservation strategy.

6. The Director also commented on the work of the Secretariat consistent with the SPREP Convention and added that the Secretariat had managed to secure funds to convene a workshop to review and further elaborate on an amended text to the Convention's Protocol on Dumping.

7. In closing, the Director extended an invitation to non-parties to attend such meetings as observers and determine how their countries and territories could benefit

from joining these regional instruments. He expressed his sincere hope that the outcome of this meeting would result in significant actions over the next two years and beyond.

Agenda Item 2: Organisation of the Meeting

2.1 Rules of Procedure

8. The respective Rules of Procedure for the Meeting of the Contracting Parties to the Apia and SPREP Conventions applied for the conduct of the Meeting. The representative of Australia requested that the Rules of Procedures be put on the internet to enable easier access.

2.2 Election of Officers

9. The Chair, noting that the Rules of Procedure called for the nomination of a new Chairperson, invited such nomination from the meeting. Accordingly, Samoa was elected Chair and Australia Vice-Chair.

2.3 Organisation of Work

10. English and French were the working languages of the Meeting. Simultaneous interpretation in these languages was provided by the Secretariat. The working documents of the Meeting were available in both working languages.

11. The Meeting conducted its work in plenary sessions. No ad hoc working groups were established by the Meeting.

Agenda Item 3: Adoption of the Agenda

12. The Agenda was adopted without amendments and is attached as Annex III.

Agenda Item 4: Presentation of Reports by the Secretariat under Rule 11 of the Rules of Procedure of the Apia Convention and Rule 12 of the Rules of Procedure of the SPREP Convention

13. The Secretariat introduced the report on work undertaken or achieved as part of the Action Plan towards implementation of the Conventions since the Fifth Ordinary Meeting.

14. The Meeting noted the Secretariat's report outlining work achieved in fulfillment of the provisions of the Apia and SPREP Conventions and its related Protocols.

Agenda Item 5: Country Reports on the Implementation of Obligations under the Apia and SPREP Conventions

15. The Chair introduced this agenda item and asked country representatives to submit national reports to the Secretariat, if they had not been done so already. He noted that Samoa and Australia had submitted their national reports to the Secretariat.

16. The representative of Australia took the meeting through the main elements of two national reports. The representative of France indicated that his country's report was being finalised and would be presented to the Secretariat in a few weeks. The Chair, speaking on behalf of Samoa took the Meeting through his country's national report.

17. No other country offered comments or presented national reports.

Agenda Item 6: Items Requested at Previous Meetings

6.1 At the Meeting of the Contracting Parties to the Apia Convention

18. The Secretariat presented items arising from requests at the Fifth Joint Meeting of the Contracting Parties to the Apia and SPREP Conventions.

6.1.1 Current activities related to Biosafety, Access to Genetic Resources and Intellectual Property Rights within the South Pacific Region

19. The Secretariat presented the recommendations of the Pacific Islands Regional Biodiversity Workshop, held from 19-21 March 2001.

20. The representative of New Zealand stated that she had no problem with the recommendations, however she wished to raise the issue of the current split of work with regard to traditional ecological knowledge between the Forum Secretariat, the Secretariat of the Pacific Community and SPREP. She noted that the two issues of traditional knowledge and cultural expressions should not be dealt with in isolation and added that there was a need for a more efficient and coordinated process to be taken to addressing this issue. She added that the New Zealand delegation would also be raising this issue at the upcoming Forum Leaders Meeting.

21. In responding to the concern raised by New Zealand, the Secretariat advised that this split had come about mainly as a result of the intellectual property rights issue being raised at different fora. The Secretariat further advised that it had already raised the matter with the Forum Secretariat and discussed the possibility of SPREP and SPC working together on this issue with the Forum Secretariat involvement only at the reporting level. The matter would be formally raised at the Forum Leaders Meeting.

22. The representative of Australia stated that Australia had not participated in the Regional Biosafety Workshop and had not contributed to the recommendations. However, he found the recommendations problematic possibly due to a significant

amount of time having passed and also due to the raised political profile of biosafety issues. He suggested that the recommendations be noted rather than adopted.

23. In response to a query from the representative of Fiji, the Secretariat advised that Australia had been invited to the Regional Biosafety Workshop and had also been approached for funds.

24. The Secretariat advised that it did not have a problem with merely noting the recommendations as a number of the recommendations were for Parties and the Secretariat and thus the work requested of the Secretariat could continue regardless. The representative of Fiji added his agreement noting that Fiji had already signed the Cartagena Protocol on Biosafety to the Convention on Biological Diversity and had agreed to ratify but was waiting to set in place national institutional framework for its implementation.

25. The Meeting noted:

- the recommendations of the Pacific Regional Biosafety Workshop;
- the Report of the Ad Hoc Group of Experts to examine the potential need to amend the Apia Convention;
- the Reports of the two national Workshops held on access to genetic resources and benefit sharing in the Cook Islands and Vanuatu; and
- the developments so far with respect to the collaborative efforts of SPREP and the Forum Secretariat to develop a Model Law on Traditional Ecological Knowledge.

6.1.2 Proposed Amendment to the Apia Convention

26. The Secretariat presented an options paper for the amendment of the Apia Convention as per **Decision 6** of the Fifth Meeting of the Parties which agreed on the potential need to amend the Apia Convention in light of developments under the Convention on Biological Diversity through the development of a Protocol or other mechanisms. The paper considered four options: (1) to substantially amend the Apia Convention; (2) to develop a Protocol under the Apia Convention; (3) to merge the Apia Convention with the SPREP Convention under Article 14 of the SPREP Convention; and (4) to create a new successor Convention to supercede the Apia Convention.

27. The Secretariat advised that its preferred option was option 4 (to create a new successor Convention to supercede the Apia Convention) as this would present the possibility of greater flexibility, broader involvement of SPREP Members and also have the added benefit of preserving the Apia Convention as a historical document.

28. The representative of the Cook Islands stated that he had no problems with the Secretariat's preferred option and that the Cook Islands would be happy to support this.

29. The representative of France also expressed his approval for the Secretariat's preferred option and thanked the Secretariat for the very serious work done in preparing the discussion paper and draft text. He further noted the excellent translation of the document and thanked those involved in the translation process, adding that it was uncharacteristic of meetings he attended to have all documents translated into the French language in a timely fashion.

30. The representative of Fiji also added his approval for the Secretariat's preferred option but noted that there were very few signatories to the Apia Convention and requested that the Meeting reflect on what the problems may have been in getting countries to ratify the Apia Convention. Otherwise, he suggested, any new Convention would face the same problem of getting sufficient signatories. He further recommended that the new Convention should look at incorporating new issues which would raise the interest of more SPREP Members.

31. In response to the Chair's request for comments on the name of the new Convention, the Secretariat advised that it was suggesting the title of "Apia Convention on Biodiversity, Natural and Cultural Heritage in the Pacific". The representative of the Cook Islands stated that his preference was to keep the name "Apia Convention" however he was more concerned with focusing on the amendments and text itself.

32. The representative of Australia was also in favour of keeping the name "Apia Convention" stating that the Convention was 30 years old. He added that Australia welcomed the drafting work done by the Secretariat and that the process had been very valuable in raising the profile of the Convention within his own government. He then noted that it was important that, given the enormous amount of resources that would need to be harnessed to negotiate and develop a new Convention, there was a need to ensure that the new document would have substantial impact on nature conservation in the region. He reminded the Meeting of the many groups of people that would need to be involved in the negotiation and development of any new Convention and urged delegates to seriously question what a new Convention would achieve that could not otherwise be achieved without a Convention. He suggested the following possible reasons for having a new Convention:

- it will allow the region to record its principles of nature conservation at the highest level through a legal framework (albeit as a preamble or declarative statement within the legal document);
- it will allow for a common set of legislative actions for each Member, making nature conservation a requirement in the legislation of all Parties; and
- it will have the potential of enabling the region to take collective action beyond its regional boundaries (he quoted the example of the proposed whale sanctuaries and that of invasive species noting that in order to protect species or prevent spread of invasive species, there was a need to develop a Convention that would satisfy World Trade Organization rules which prevent unilateral action where trade interests were affected).

33. The representative of Australia further noted the Nature Conservation Programme concept to be discussed at the 13th SPREP Meeting which, he said could help guide the focus of the new Convention which should serve as the legal framework for nature conservation activities in the region.

34. In response to a question from the Chair as to whether Australia had an alternative option, the representative of Australia stated that he saw the Secretariat reasoning for the preferred option as sound. He felt it was important that the Meeting seriously consider what it hoped to achieve with a new Convention.

35. The representative of New Zealand thanked the Secretariat for the sound legal analysis that had gone into drafting the text and stated that, in response to an earlier

question from Fiji, she may be able to shed some light on why at least one country had not become party to the Apia Convention. She explained that New Zealand had, for some time, been undertaking similar work in National Parks and Reserves under the auspices of the SPREP Convention and that there was much overlap between the aims of the Apia Convention and the SPREP work programmes. Ratification of the Apia Convention was not considered to be of any real benefit to New Zealand. Additionally, the representative suggested that it would be important to ensure that the revised Convention included new issues that would be of interest to other countries.

36. With regards to the preferred option of the Secretariat, the representative of New Zealand stated that her country agreed with the concept however, she noted that there was no guarantee that more countries would become Party to the revised Convention. She added that the legal experts in her government had not been able to comment on the draft text itself due to lack of time however, she was grateful to the representative of Australia for his very useful comments.

37. The representative of France thanked Australia and New Zealand for their useful and interesting comments and agreed that drafting new text would indeed require time, money and effort. However he added that this was what was expected when drafting any new Convention, be it regional or international. He expressed his belief that there were few signatories to the Apia Convention primarily because it was old text which few current SPREP Members had actually been involved in writing. He suggested that the process of drafting new text could have the impact of involving governments at the highest level and hence actually have ownership of the Convention and thus, more signatories. The representative stressed that much hard work and energy would need to be expended in the process but the benefit of this setting off its own set of dynamics for the region could be well worth it.

38. The representative of New Zealand noted that it should be recognised that a lot of good work was already being carried out in nature conservation in the region whether or not countries were Party to the Apia Convention.

39. The Secretariat gave a brief history of the Apia Convention noting that the Convention was drafted in the early 1970s and hence was not really “owned” by those involved in environment and nature conservation today. He added that a legal framework for nature conservation in the region could also help to address issues of monitoring and reporting on nature conservation in the region.

40. Following more general discussions, the Meeting adopted by consensus, the preferred option of the Secretariat to develop a new revised Apia Convention. With regard to the number and timing of further meetings, the representative of Fiji suggested that it would be appropriate to leave this to the Secretariat. The representative of the Cook Islands agreed and suggested that the Secretariat also look at other Conventions when organising meetings in the interests of efficiently using minimal finances.

41. In response to a question from the SPREP Secretariat regarding ownership of the new Convention, the representative of Fiji suggested that the 13th SPREP Meeting be used to solicit agreement and participation of non-Parties. The representative of France endorsed this recommendation and further suggested that copies of the draft text

be given to those at the 13th SPREP Meeting as a first step in the process. He noted that this would allow a good time span, of at least a year to work with.

42. The Secretariat indicated that it had in mind a 3-day negotiating session by both Parties and non-Parties (to the Apia Convention) which would cost in the vicinity of US\$127,703.

43. The representative of Australia stated that this was a large sum of money and that it was important that the exercise of developing the new revised Convention be conducted by the Members of SPREP as opposed to parties of the Apia or SPREP Conventions. He proposed that the best way forward was to present the proposal to the 13th SPREP Meeting and if Members considered this a good idea, then they should be asked to fund the initiative.

44. The Meeting:

- **adopted** by consensus, Option 4 as recommended by the Secretariat to develop a new Apia Convention;
- **agreed** to convene a working group meeting in 2003;
- **decided** to leave to the SPREP Secretariat, the timing of such a meeting;
- **agreed** to inform the 13th SPREP Meeting of the Parties' adoption of the preferred Secretariat option and to seek full involvement of all SPREP Members and funding of the working group costs; and
- **decided** to circulate to the participants of the 13th SPREP Meeting copies of the options paper and suggested revised text.

6.1.3: Collaboration with Relevant Institutions, UNEP-CAR/RCU, RAMSAR, CITES, CBD

45. In introducing this agenda item, the Secretariat noted that it had much to gain by maintaining collaboration with the proposed institutions, given the technical resources of these partners and some of the assistance that was available from time to time through these relationships.

46. There were no comments from Members, and the Meeting :

- **noted** the report;
- **recognised** the need for greater collaboration with the Secretariat of the Convention on Biological Diversity (CBD), Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and Convention on Wetlands of International Importance Especially as Water Fowl Habitat (Ramsar);
- **further recognised** the potential important role of these Secretariats in amending the Apia Convention; and
- **called** upon the collaboration of the CBD Secretariat for the identification of activities of mutual interest.

6.2 At the Meeting of the Contracting Parties to the SPREP Convention

6.2.1 Amendment to the Dumping and Emergency Protocols to the Noumea/SPREP Convention

47. The Secretariat presented the paper and noted that this was intended to update Parties on progress with the work on amendments to the Dumping and Emergency Protocols to the Noumea Convention, as requested by the Fifth Joint Meeting of the Contracting Parties. Limited funding was only obtained from the International Maritime Organization (IMO) for this work in early 2002, and it was proposed that a Working Group now be convened to consider the proposed changes, to report back to a Conference of Plenipotentiaries to be convened next year, in association with the 14th SPREP Meeting.

48. The representative of Australia welcomed the efforts of the Secretariat, but asked the representatives for their views on the relative merits of regional versus national workshops for the purposes of implementing activities at a national level.

49. The representative of Australia also indicated Australia's interest in participating in the proposed workshop, and the meeting agreed that the other participants would be Cook Islands, Fiji and the Republic of Marshall Islands. New Zealand was also invited to participate at their own cost.

50. The Meeting:

- **welcomed** the efforts of the Secretariat in identifying funds to progress the amendments to the Protocols;
- **acknowledged** with much appreciation the assistance provided by IMO;
- **nominated** one Contracting Party from each of the sub-regions namely, Cook Islands, Fiji, Republic of Marshall Islands, to attend the working group meeting to examine and review the proposed amended text to the Noumea Convention Protocols no later than February 2003; and
- **requested** the Secretariat to prepare an amended text as reviewed by the working group and other Contracting Parties to be considered and adopted at a Conference of Plenipotentiaries to be convened during the 14th SPREP Meeting to be held in 2003.

6.2.2 Legal Framework for the management of hazardous chemicals

51. Upon request of the Chair, the Secretariat introduced this item. In doing so the Secretariat indicated that the work reported was a continuation of activities initiated in response to Members requests at previous meetings. Proposals for donor funding had been prepared, but regrettably no progress had been made in securing funding for this work. The Meeting was asked to endorse the activity to provide further support for the Secretariat's efforts in obtaining funding.

52. The representative of Australia reminded the Meeting about previous discussions on the development of model legislation, and noted that it had subsequently been recognised that model legislation was not especially practical as a regional

approach. It was felt that the more productive approach would be to hold a series of connected national workshops, as proposed in paragraph 9 of the paper. The use of a connected approach would also have the benefits of building up a regional resource in the form of training and reference manuals, which would be very relevant to other future legislation initiatives.

53. It was noted by New Zealand that implementation of model legislation could be very difficult because of the multiplicity of agencies and legal instruments involved in implementing different aspects of chemical and hazardous waste management.

54. The representative of the Republic of Marshall Islands agreed with Australia and suggested that a sub-regional approach might also be an effective approach.

55. The Meeting agreed that model legislation may not be the best approach and that focus should be given to the development of national legislation which could be used as a base to build on for providing assistance to other countries.

56. The Meeting:

- **agreed to** the urgent need to develop legislation on hazardous chemicals and hazardous wastes in light of the relevance and importance of the Stockholm Convention, the Rotterdam Convention, the Basel Convention and their direct link with the Waigani Convention;
- **called upon** the relevant Secretariats of waste related Conventions to fully cooperate with the development of legislation on hazardous chemicals and hazardous wastes; and
- **encouraged** the Secretariat to continue its efforts in identifying the necessary funds to develop legislation on hazardous chemicals and hazardous wastes together with the undertaking of the related activities, particularly at national and sub-regional levels.

6.2.3 Development of model legislation on environmental impact assessment

57. The Secretariat referred to Decision 12 where the Secretariat was requested to continue its work on the development of Model Legislation on Environmental Impact Assessment.

58. The Secretariat further informed the meeting about the similarities between this and the previous paper in terms of the model legislation approach. Funding had not yet been secured, but the Meeting was invited to note the status of the work, and to endorse the future directions.

59. In response to a question from Fiji, the secretariat advised that this work had been endorsed by the Fifth Ordinary Meeting of the Contracting Parties.

60. The Meeting:

- **noted** the status of development of new directions and actions in environmental impact assessments and integrated environmental planning capacity building; and
- **endorsed** the call for on-going long-term funding to ensure the nurturing of capacity development in environmental assessment and planning.

Agenda Item 7: Any Item Proposed by a Contracting Party

61. No new items were raised by Parties.

Agenda Item 8: Financial Statements of 2000 and 2001

62. The Secretariat presented the relevant sections of the SPREP financial statements and auditors reports for the years 2000 and 2001 noting that the full reports would be considered during the 13th SPREP Meeting.

63. The representative of Australia noted that the auditors reports were neither signed nor dated, but was assured by the Secretariat that signed copies would be made available in the documents for the 13th SPREP Meeting.

64. The Meeting adopted the reports.

Agenda Item 9: Consideration and Adoption of the Budgets for the Biennium, 2001 and 2002

65. The Secretariat took the Meeting through the Apia Convention and SPREP Convention budgets. It noted that in the case of the Apia Convention, the full cost of mounting the three day Workshop was included but given the meeting's decision under Agenda Item 6.1.2 to refer the funding of this to the SPREP Meeting, the budget of the Apia Convention for the biennium 2003/2004 would be revised to remove these costs.

66. There were no comments and the Meeting adopted the proposed budgets with the amendments proposed by the Secretariat. These are contained in Annex IV

Agenda Item 10: Other Business

67. There was no other business.

Agenda Item 11: Date and Venue of the Next Meeting

68. The Meeting recalled the decision of the Joint Extraordinary Meeting of the Parties to the Apia and SPREP Conventions, Tonga, 1996 to hold joint Meetings of the Parties together with the biennial SPREP Meeting. Accordingly, the Meeting agreed to convene the Seventh Ordinary Meeting of the Contracting Parties to the Apia and SPREP Conventions at the same time and venue as the 15th SPREP Meeting in 2004.

Agenda Item 12: Adoption of the Report

69. The record was adopted.

Agenda Item 13: Closure of the Meeting

70. In his closing remarks, the Chair thanked delegates for their active participation during the Meeting. He also thanked the interpreters and translators for their work.

71. The contribution of the Secretariat, prior to and during the Meeting was also acknowledged.

Annex I: Participants' List

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Annex II: Introductory Speech by Director of SPREP

Distinguished Chairperson,
Distinguished Representatives of Contracting Parties,
Observers,
Ladies and Gentlemen

Kia Orana

I am pleased to make a few introductory remarks before we move on to today's joint meeting of the Parties to the Apia and Noumea or SPREP Conventions.

From the outset, I would like to acknowledge the Marshall Islands Cabinet's decision made last month to become a Party to the Apia Convention as well as the ratification by Australia and Samoa of the procedural amendments to the Apia Convention in 2001. I look forward to today's discussion on revitalising the Apia Convention and the future involvement of all countries and territories in this Convention.

This year, 2002 may well be remembered for two global events involving the letter R and Brazil. First there was Brazil's World Cup win and the starring roles of Ronaldo, Rivaldo and Rhonaldino. And Second, the World Summit on Sustainable Development, - basically involving the review of the global environmental agenda set in Rio de Janeiro ten years ago.

Ask most Pacific islanders whether the environment today is better than it was ten years ago, and the answer will probably be no. While institutions, policies and players to address sustainable development are now in place or have been identified, we need to score goals. In other words, to implement as a team, the existing international, regional and national legal and policy frameworks.

Much focus at the WSSD will be on streamlining the activities of the numerous multilateral environmental agreements, developed in relative isolation from each other but which are ultimately inter-linked to the environment, to Rio and to its predecessor, the Stockholm Conference held 20 years earlier in 1972. There will also be much discussion on actually funding specific environmental initiatives and less complicated procedures to access those funds.

From the regional perspective we need to play our part as well. While we are attracted to the benefits from international conventions, we remain overwhelmed by their sheer number and many requirements. We may justifiably complain of not being able to track the numerous meetings taking place all over the world but have we really tried to co-ordinate our own positions, responses and activities?

Each year for example, numerous nature conservation activities take place throughout the Pacific dealing with subjects falling either under the CBD, CITES, RAMSAR or the World Heritage Convention. Meanwhile the Apia Convention—which represents the only regional legal framework to address nature conservation, and which could tie all these activities together, remains underdeveloped and under resourced. After many years of going through the motions with this Convention, it is time for Parties and the non-Parties in particular to revisit the Apia Convention and what it stands for, and develop a modern regional framework to address nature conservation.

When we last met in Guam, a proposal for a workshop for a group of legal and technical experts to examine a revised Protocol on Dumping to the SPREP Convention was agreed to.

The Secretariat has managed to secure funds for such a workshop in January 2003 and would like to encourage Parties to also provide comments on this revision exercise.

In closing, I would like to invite and welcome non-Parties to attend these meetings as observers and to consider how your respective countries and territories would benefit from joining these regional instruments.

I sincerely hope that the outcomes of this meeting will result in significant action over the next two years in particular and beyond.

Thank you.

Annex III: Provisional Agenda

- Agenda Item 1: Joint Official Opening of the Meeting
- Agenda Item 2: Organisation of the Meeting
- 2.1 Rules of Procedure
 - 2.2 Election of Officers
 - 2.3 Organisation of Work
- Agenda Item 3: Adoption of the Agenda
- Agenda Item 4: Presentation of Reports by the Secretariat under Rule 11 of the Rules of Procedure of the Apia Convention and Rule 12 of the Rules of Procedure of the SPREP Convention
- Agenda Item 5: Country Reports on the Implementation of Obligations under the Apia and SPREP Conventions
- Agenda Item 6: Items Requested at Previous Meeting
- 6.1 At the Meeting of the Contracting Parties to the Apia Convention
 - 6.1.1 Current activities related to Biosafety, Access to Genetic Resources and Intellectual Property Rights within the South Pacific Region
 - 6.1.2 Amendment to the Apia Convention
 - 6.1.3 Collaboration with relevant institutions, (UNEP-CAR/RCU), RAMSAR, CITES, CBD
 - 6.2 At the Meeting of the Contracting Parties to the SPREP Convention
 - 6.2.1 Amendment to the Dumping and Emergency Protocols to the SPREP Convention
 - 6.2.2 Legal Framework for the management of hazardous chemicals
 - 6.2.3 Development of model legislation on environmental impact assessment
- Agenda Item 7: Any Item Proposed by a Contracting Party
- Agenda Item 8: Financial Statements of 2000 and 2001
- 8.1 For the Apia Convention's Fund
 - 8.2 For the SPREP Convention's Fund
- Agenda Item 9: Consideration and Adoption of Budget for the Biennium, 2003 and 2004
- Agenda Item 10: Other Business
- Agenda Item 11: Date and Venue of the Next Meeting
- Agenda Item 12: Adoption of the Report
- Agenda Item 13: Joint Closure of the Meeting
-

Annex IV: Adopted Budget and Amendments

SPREP CONVENTION BUDGET FOR THE ORDINARY MEETING IN 2004 OF THE CONTRACTING PARTIES BASED ON 1 DAY DURATION

EXPENDITURE			\$USD
<i>Ordinary Meeting in 2004</i>			\$29,735
1 Party Member's Per diems (Small Island States status) :			
- Cook Islands	1 night	135	
- Marshall Islands	1 night	135	
- Nauru	1 night	135	405
Resource person			6,500
Meeting Administration			
- Secretariat support		2,000	
- Communications		1,500	
- Translation		2,000	
- Photocopying and stationery		1,200	
- Other costs (venue/share of cocktails etc)		3,000	9,700
Interpretation/Translation			
- Interpretation/Translation services		4,320	
- Per diems (6 persons)		810	5,130
Technical and Secretariat Support to Party Members over 2 years			8,000
TOTAL EXPENDITURE			USD \$ 29,735

CONTRIBUTIONS BY CONTRACTING PARTY MEMBERS :			\$USD
<i>Ordinary Meeting in 2004</i>			29,735
Australia	20.00%	5,947	
Cook Islands	2.50%	743	
Federated States of Micronesia	2.50%	743	
Fiji	2.50%	743	
France	20.00%	5,947	
Marshall Islands	2.50%	743	
Nauru	2.50%	743	
New Zealand	20.00%	5,947	
Papua New Guinea	2.50%	743	
Solomons Islands	2.50%	743	
United States of America	20.00%	5,947	
Samoa	2.50%	743	
TOTAL CONTRIBUTIONS			USD \$ 29,735

APIA CONVENTION BUDGET
FOR THE WORKING GROUP MEETING IN 2003
AND ORDINARY MEETING OF CONTRACTING PARTIES IN 2004
Based on duration of 1 day

EXPENDITURE			\$USD
1. Ordinary Meeting in 2004			\$17,745
1 Party Member's Per diems (Small Island States status) :			
- Cook Islands	1 night	135	135
Resource person			6,500
Meeting Administration costs :			
- Secretariat support		1,500	
- Communications		800	
- Translation		2,000	
- Photocopying and stationery		700	
- Other costs (venue/share of cocktails etc)		2,500	7,500
Interpretation/Translation			
- Interpretation/Translation services		2,800	
- Per diems (6 persons)		810	3,610
2. Technical Advisory Services and Support to Party Members (2 years)			8,000
TOTAL EXPENDITURE (2003 and 2004)			USD \$ 25,745
<hr/>			
CONTRIBUTIONS BY CONTRACTING PARTY MEMBERS :			USD
<u>Ordinary Meeting in 2004 and Technical Advisory Services</u>			\$25,745
Australia	40.00%	10,298	
Cook Islands	6.67%	1,716	
Fiji	6.67%	1,716	
France	40.00%	10,298	
Samoa	6.67%	1,716	
TOTAL CONTRIBUTIONS			USD \$ 25,745

Annex V: List of Decisions Adopted by the Six Meeting of the Contracting Parties to the Apia and SPREP Conventions

DECISION I

ACTIVITIES RELATED TO BIODIVERSITY, ACCESS TO GENETIC RESOURCES AND INTELLECTUAL PROPERTY RIGHTS WITHIN THE SOUTH PACIFIC REGION

The Meeting noted:

1. the recommendations of the Pacific Regional Biosafety Workshop;
2. the Report of the Ad Hoc Group of Experts to examine the potential need to amend the Apia Convention;
3. the Reports of the two national Workshops held on access to genetic resources and benefit sharing in the Cook Islands and Vanuatu; and
4. the developments so far with respect to the collaborative efforts of SPREP and the Forum Secretariat to develop a Model Law on Traditional Ecological Knowledge.

DECISION II

AMENDMENT TO THE APIA CONVENTION

The Meeting:

1. **Adopted** by consensus, Option 4 (“to create a new successor Convention to supercede the Apia Convention”) as recommended by the Secretariat to develop a new Apia Convention;
2. **Agreed** to convene a working group meeting in 2003;
3. **Decided** to leave to the SPREP Secretariat, the timing of such a meeting;
4. **Agreed** to inform the 13th SPREP Meeting of the Parties’ adoption of the preferred Secretariat option and to seek full involvement of all SPREP Members and funding of the working group costs; and
5. **Decided** to circulate to the participants of the 13th SPREP Meeting copies of the options paper and suggested revised text.

DECISION III

COLLABORATION WITH THE RELEVANT INSTITUTIONS, UNEP CAR/RCU, RAMSAR, CITES, CBD

The Meeting:

1. **noted** the report;
2. **recognised** the need for greater collaboration with the Secretariat of the CBD, CITES and Ramsar;
3. **further recognised** the potential important role of these Secretariats in amending the Apia Convention; and
4. **called** upon the collaboration of the CBD Secretariat for the identification of activities of mutual interest.

DECISION IV

AMENDMENT TO THE DUMPING AND EMERGENCY PROTOCOLS TO THE NOUMEA/SPREP CONVENTION

The Meeting:

1. **Welcomed** the efforts of the Secretariat in identifying funds to progress the amendments to the Protocols;
2. **Acknowledged** with much appreciation the assistance provided by IMO;
3. **Nominated** one Contracting Party from each of the sub-regions namely, Cook Islands, Fiji, Republic of Marshall Islands, to attend the working group meeting to examine and review the proposed amended text to the Noumea Convention Protocols no later than February 2003; and
4. **Requested** the Secretariat to prepare an amended text as reviewed by the working group and other Contracting Parties to be considered and adopted at a Conference of Plenipotentiaries to be convened during the Fourteenth SPREP Meeting to be held in 2003.

DECISION V

LEGAL FRAMEWORK FOR THE MANAGEMENT OF HAZARDOUS CHEMICALS

The Meeting:

1. **Agreed to** the urgent need to develop legislation on hazardous chemicals and hazardous wastes in light of the relevance and importance of the Stockholm

Convention, the Rotterdam Convention, the Basel Convention and their direct link with the Waigani Convention;

2. **Called upon** the relevant Secretariats of waste related Conventions to fully cooperate with the development of legislation on hazardous chemicals and hazardous wastes; and
3. **Encouraged** the Secretariat to continue its efforts in identifying the necessary funds to develop legislation on hazardous chemicals and hazardous wastes together with the undertaking of the related activities, particularly at national and sub-regional levels.

DECISION VI

DEVELOPMENT OF MODEL LEGISLATION ON ENVIRONMENTAL IMPACT ASSESSMENT

The Meeting:

1. **Noted** the status of development of new directions and actions in environmental impact assessments and integrated environmental planning capacity building; and
2. **Endorsed** the call for on-going long-term funding to ensure the nurturing of capacity development in environmental assessment and planning.

DECISION VII

ADOPTION OF THE BUDGET FOR THE BIENNIUM 2003-2004

The Meeting:

Approved the budget for the biennium 2003-2004