



South Pacific Bureau
for Economic Co-operation



South Pacific Commission



Economic & Social
Commission for Asia and the Pacific



United Nations
Environment Programme

South Pacific Regional Environment Programme



**REPORT
OF THE EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND
DEVELOPMENT OF THE NATURAL RESOURCES AND ENVIRONMENT
OF THE PACIFIC REGION**

(Noumea, New Caledonia, 24-28 January 1983)

South Pacific Commission
Noumea, New Caledonia
February 1983

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SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT
OF THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24 - 28 January 1983)

REPORT

South Pacific Commission
Noumea, New Caledonia
February 1983

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REPORT OF

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(Noumea, New Caledonia, 24-28 January 1983)

1. Introduction

1.1. Arising from recommendations made by the Conference on the Human Environment in the South Pacific held in Rarotonga, Cook Islands from 8-11 March 1982, the Thirteenth (1982) South Pacific Forum and the Twenty-Second (1982) South Pacific Conference approved the convening of an Expert Meeting to consider a Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region.

1.2. An Expert Meeting on a Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region was accordingly held at SPC headquarters, Noumea, from 24-28 January 1983. Representatives from the following countries and territories attended the meeting: American Samoa, Australia, Cook Islands, Fiji, France, French Polynesia, Kiribati, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Solomon Islands, Tonga, United Kingdom, United States of America, Vanuatu, Wallis and Futuna and Western Samoa, together with representatives of the Co-ordinating Group for the South Pacific Regional Environment Programme (South Pacific Bureau for Economic Co-operation, South Pacific Commission, United Nations Environment Programme, Economic and Social Commission for Asia and the Pacific) and observers from Japan, the International Atomic Energy Agency and the International Maritime Organization.

1.3. The objective of the meeting was to consider and agree on provisions to be included in a Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region, as well as two Draft Protocols, one for the Prevention of Pollution of the South Pacific Region by Dumping, and the other concerning Co-operation in Combating Oil Pollution Emergencies in the South Pacific Region. Working documents for the Draft Convention and Protocols were prepared for the meeting by Ms Mere Pulea and Mr Saleimoa Va'ai, who were present at the meeting as consultants to the South Pacific Regional Environment Programme.

2. Opening of Meeting

2.1. Mr William T. Brown, Acting Secretary-General of the South Pacific Commission, opened the meeting by welcoming the Expert Delegates from participating countries, Members of the SPREP Co-ordinating Group, and Observers. (A list of participants is attached as Annex I). He gave special thanks to UNEP for their financial and expert assistance to the First and Second Phases of SPREP. Mr Brown alluded to the wide concern expressed at the Conference on the Human Environment in the South Pacific, held in Rarotonga in March 1982, concerning proposals to dump low level nuclear waste in the Pacific Ocean, and to use the Pacific Islands for high level waste storage.

2.2. Consequently, the SPREP Co-ordinating Group commissioned three studies:

One to review existing international and regional legal agreements and to prepare a draft regional convention on the protection of the environment; another to review the sources and levels of natural and artificial radioactivity in the Pacific region; and a third to review hazardous wastes and the environmental implications of these wastes for the region. The results of the legal study were the prime focus of the meeting.

2.3. Mr Brown also noted the resolutions adopted by the Twenty-Second South Pacific Conference which encouraged Member countries to consider early accession to the London Dumping Convention and to work under Article VIII of that Convention towards a regional agreement regarding nuclear waste disposal in the region. He expressed his hope that the Expert Meeting would reach substantive agreement on the Draft Convention by the end of the week. A copy of the Acting Secretary-General's statement is attached as Annex II.

2.4. Dr Peter Adams, Deputy Director of the South Pacific Bureau for Economic Co-operation, pointed out that SPREP is one of the increasing number of areas where SPEC and SPC are working as partners in regional co-operation on behalf of their respective memberships. The Thirteenth South Pacific Forum, at Rotorua, New Zealand, in August 1982, endorsed the preparation of the Draft Convention. Dr Adams considered that its adoption would provide a firm foundation on which to build many other necessary activities in SPREP. He pledged the support of SPEC in achieving the goal of environmental protection in the South Pacific (see Annex III).

2.5. Dr Stjepan Keckes, Director of the Regional Seas Programme Activity Center, United Nations Environment Programme, pointed out that environment protection in the South Pacific may best be achieved through the fulfilment of the region's development goals. Under-development and poverty, he observed, do not contribute to the protection of the environment. To this end the value of the regional approach to marine and coastal environment problems has been successfully demonstrated in the past years and actively promoted through the UNEP Regional Seas Programme. Ten regional action plans similar to SPREP are in operation and 117 states around the globe participate in them. He stressed the need to bear in mind global agreements when preparing the final Convention, particularly the London Dumping Convention and the recently signed Law of the Sea Convention. His statement is attached as Annex IV.

2.6. The final Opening Statement was given by Mr Toshiro Kojima, Environmental Legislation Expert, Economic and Social Commission for Asia and the Pacific. He reviewed the activities of ESCAP in the field of environment protection. He suggested that the successful progress of SPREP would lead to similar initiatives in Asia, and consequently ESCAP placed great importance on its support for the Programme. The Convention, if adopted, would provide the legal framework which would strengthen the legislation and administrative measures at national level and harmonize the environmental policy at international level. A copy of his statement is attached as Annex V.

3. Election of Chairman, Vice-Chairman and Drafting Committee

3.1. The delegate for Tonga, Mr Tevita Tupou, and Mr Selwyn Leodoro, of Vanuatu, were unanimously elected Chairman and Vice-Chairman respectively. A Drafting Committee comprising representatives of Australia, Fiji, France, French Polynesia, New Zealand, Solomon Islands, United Kingdom and United States of America was appointed by the meeting. It was resolved that all Drafting Committee meetings would be open to members of other delegations. The delegate of French Polynesia, M. Patrick Galenon, was elected as Chairman of the Drafting Committee. The Fiji Delegate later announced that he had been instructed to withdraw from the Drafting Committee by his Government.

4. Adoption of the Agenda

4.1. It was agreed that Item 4 of the Agenda be extended to include provision for general statements by delegations, the Co-ordinating Group and observers. Concern was expressed by one delegation regarding the inclusion of Item 5 - "Consideration of Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region" and Item 7 - "Consideration of Draft Protocol concerning Co-operation in Combating Oil Pollution in Emergencies in the South Pacific Region" in the Provisional Agenda. It was contended that the Twenty-Second South Pacific Conference decisions did not provide a mandate for the discussion of these Agenda Items. Item 6, on the other hand - "Consideration of Draft Protocol for the Prevention of Pollution of the South Pacific Region by Dumping", was an appropriate issue for discussion by the meeting because it was referred to by the Rarotonga Plan of Action and the relevant resolutions of the Twenty-Second Pacific Conference on the need to combat dumping and to conclude a regional agreement under Article VIII of the London Dumping Convention.

4.2. In response the Chairman of the Co-ordinating Group and the SPREP Secretariat outlined the Thirteenth South Pacific Forum decision, the Twenty-Second South Pacific Conference decision, the SPREP Progress Report submitted to that conference and the SPREP Action Plan which lists the priority activities and objectives and drew attention to the language of the London Dumping Convention. Following statements by representatives of a number of participating Governments, who were in favour of examining Items 5 and 7, the meeting adopted the Agenda which is attached as Annex VI.

5. General Statements by Delegations, the Co-ordinating Group and Observers

5.1. Most delegations took the opportunity of making general statements and all gave their support in principle to the Draft Convention and its Protocols subject to detailed discussions on the drafts. Many delegations provided examples of their governments' firm commitment to furthering, within their own boundaries, the environment protection objectives agreed to at the Conference on the Human Environment in the South Pacific.

5.2. The need to promote the ratification procedures for thirty-one other international conventions relevant to the region was stressed and the difficulty in achieving broad base participation in many of these was noted. A number of delegates indicated that their governments would oppose any proposed weakening of the Draft Convention Provisions relating to the prohibition of nuclear testing and dumping of radioactive wastes. The need for additional provisions requiring monitoring sites and the control of dumping from aircraft and contamination due to satellite activity was identified by one delegate.

5.3. It was suggested by one delegation that Article 11 concerning the prohibition of nuclear testing pre-empts the report of the SPREP Technical Group on Radioactivity and is a matter for the discussions continuing in the relevant bodies of the United Nations. For these reasons this provision is not relevant to this Convention and cannot be accepted.

5.4. One delegate asked the Expert Meeting to bear in mind that the "Convention Area" did not, as drafted by the Consultants, include the high seas within the South Pacific region and some countries who had not signed the Law of the Seas Convention might not be inclined to respect the EEZ of South Pacific countries in regard to dumping. A number of delegates expressed the wishes of their governments that the Convention Area be extended to include the high seas.

5.5. Reference was made to the December 1982 amendment, to the United States Marine Protection, Research, and Sanctuaries Act which imposes a two-year moratorium on ocean dumping of nuclear wastes by the United States.

5.6. One delegation stressed the importance of obligations under the Convention giving appropriate weight to scientific considerations.

5.7. The Draft Convention and its Protocols was considered to be a major step forward in the realization of the "South Pacific Declaration on Natural Resources in the Environment", and for SPREP. If adopted the Convention would be the first legal instrument developed under SPREP. Even though the initial emphasis had been given to marine dumping, it was appropriate for a general legal framework to form the basis for regional commitment to environmental protection. Few countries of the region had adequate legislation to protect and conserve the environment. If given the appropriate assistance, the Convention would facilitate and guide national initiatives to introduce environmental legislation. The Convention could provide the foundation stone for sound environmental management within the region.

6. Consideration of Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region

6.1. The meeting reviewed Articles 1 to 32. The meeting did not have time to consider the Preamble or the Annex on arbitration. The revised texts of these Articles appear as Annex VII. Where there was no consensus the text has been bracketed. Alternatives were proposed for some of the Articles and these are included in the revised Draft.

6.2. There were divergent views on Article 2(a). These concerned whether or not to include high seas areas beyond 200 nautical miles in the definition of Convention Area. A number of definitions were proposed, but no consensus reached. In addition a question was raised about the advisability of extending the Convention Area to internal waters of Contracting Parties.

6.3. The first option for Article 2(b) relating to the definition of "pollution" is based on that adopted by the Law of the Sea Convention. The second option is the GESAMP definition of "Marine Pollution".

6.4. The source for the wording of Article 4.4 is Principle 21 of the Stockholm Declaration on the Human Environment 1972.

6.5. In reference to Article 5 in this Convention the experts agreed that "Ship" means "a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and fixed or floating platforms" as adopted in the International Convention for the Prevention of Pollution from Ships 1973, as modified by the 1978 Protocol relating thereto MARPOL 73/78.

6.6. It was agreed by the Plenary that Article 8 should be understood to include pollution from the operational discharges of aircraft.

6.7. Regarding the proposed Solomon Islands amendment to Article 10 which had been presented in the course of endeavours to solve the difficulties over Articles 10 and 11, the latter being unacceptable to France, the French delegation expressed the view that this proposal represented a positive gesture towards a compromise and stated that it would submit it to the French authorities.

6.8. Regarding Article 11 the United States Delegation wished to note for the record that the second option given in Annex VII, as proposed by Vanuatu, would limit traditional navigational freedoms guaranteed in customary international law. No other regional seas convention contained this limit on these traditional freedoms and it was well known that the U.S. finds such limits unacceptable.

6.9. The Australian delegate expressed concern at the implications that any reference to "carriage" in Article 11 would have for obligations under existing international agreements such as the London Dumping Convention, to which Australia was about to become a party.

6.10. The United Kingdom delegate expressed the view that it was inappropriate to deal with the distinct issues of radioactive wastes and nuclear weapons testing within the same Article. It, therefore, reserved its position on this matter in each of the alternative versions of Articles 10 and 11 until the next meeting of experts.

6.11. In discussing Articles 10 and 11, the IAEA observer pointed out that the term "disposal" in international usage includes dumping, effluent discharges into rivers, coastal areas and the atmosphere, disposal on land, and possibly seabed disposal. Therefore, if the word "disposal" was used, it was not necessary to include "dumping".

6.12. In response to questions concerning the adoption of financial rules, as required under Article 21.1(h), the Secretariat undertook to provide a paper on the financial and procedural implications of the Convention and its Protocols.

7. Consideration of Draft Protocol for the Prevention of Pollution of the South Pacific Region by Dumping

7.1. Time did not permit the consideration of this Item at the meeting.

8. Consideration of Draft Protocol concerning Co-operation in Combating Oil Pollution Emergencies in the South Pacific Region

8.1. Discussion of this item was also deferred for lack of time.

9. Recommendations for Future Steps leading to Adoption of Convention and Protocols

9.1. It was agreed that the meeting would be reconvened for a period of up to ten working days in the latter part of November 1983 in order to reach agreement on the Draft Convention and Protocols for later consideration at a plenipotentiary meeting. The Secretariat undertook to inform participants of the actual dates for the reconvened meeting following consideration of this matter by the SPREP Co-ordinating Group at its meeting the following week.

10. Other Business

No other business was discussed.

11. Adoption of the Report

The meeting adopted its report.

12. Conclusion

12.1. The meeting expressed its appreciation to the Chairman, Mr Tevita Tupou, for the efficient manner in which he conducted the meeting and expressed the hope that the Government of Tonga would consider the possibility of Mr Tupou continuing his role as Chairman for the reconvened meeting to be held in November 1983.

ANNEX I

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT
OF THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24 - 28 January 1983)

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ANNEX II

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF
THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24-28 January 1983)

OPENING STATEMENT

BY

Acting Secretary-General
South Pacific Commission (SPC)

It is my pleasure to welcome you all to this meeting, and to the South Pacific Commission Headquarters. I would particularly like to welcome Dr Keckes, Director of the Regional Seas Programme Activity Centre, United Nations Environment Programme; Mr Toshiro Kojima, Environmental Legislation Expert, Economic and Social Commission for Asia and the Pacific; and my colleague Dr Peter Adams, Deputy Director of the South Pacific Bureau for Economic Co-operation.

As you will know, the South Pacific Regional Environment Programme is jointly administered by the South Pacific Bureau for Economic Co-operation, the South Pacific Commission, the Economic and Social Commission for Asia and the Pacific and the United Nations Environment Programme, and the Chairmanship of the Co-ordinating Group is provided by SPEC. The Co-ordinating Group provides policy guidance on the implementation of the programme to the SPC Secretariat. I would like to make special mention of the invaluable contribution that UNEP has provided to the South Pacific Regional Environment Programme. In the first phase of the programme they provided 61% of the funding, and have pledged similar contributions for the second phase. In addition to their financial contributions, UNEP has provided expert assistance through Dr Keckes, Mr Ian Baumgart and Ms Bliss-Guest. It is through the funds provided by UNEP that the programme has been able to sponsor a participant from each of the island countries and territories attending this meeting.

At the ministerial level Conference on the Human Environment in the South Pacific, held in Rarotonga in March 1982, widespread concern was expressed at proposals to dump large quantities of low-level nuclear waste in the Pacific Ocean, and use Pacific islands for high-level waste storage.

The action plan for managing the natural resources and the environment of the South Pacific region which was adopted by that Conference provided that, in understanding the environmental assessment component of the South Pacific Regional Environment Programme, studies would be carried out on the impact of natural and artificial radioactivity on people and on the environment, including in particular the effects of nuclear testing and the potential dangers to the region of the storage and dumping of hazardous wastes, particularly nuclear wastes, anywhere in the Pacific.

The Conference adopted a resolution on the prevention of storage and disposal of nuclear waste which reads as follows:

"In furtherance of its declared policy on the prevention of the storage or disposal of nuclear waste in the Pacific region, the Conference resolves that the following action should be taken:

- (1) The Japanese, United States and other governments should be requested to abandon their studies of specific proposals to store or dispose of nuclear waste in the Pacific regional environment. They should be strongly urged to research alternative methods of disposal outside the region.
- (2) Each country and territory of the region should be requested to accede to the London Dumping Convention. A regional meeting should be held preferably before the end of 1982 so that these countries and territories can prepare a common regional agreement. This would enable them to invoke the provisions of Article VIII of the London Dumping Convention, and thus ensure that the regulatory framework of the Convention incorporates the prohibition on storage and disposal which has been adopted as a policy of the South Pacific Regional Environment Programme (SPREP).
- (3) The Co-ordinating Group should include follow-up activities in the work plan including the presentation of the regional agreement to the meeting of parties to the London Dumping Convention in February 1983, and notification to all interested governments and international agencies of the common policy of SPREP participants. The Group should facilitate actions by individual countries and territories to this end."

The Co-ordinating Group therefore commissioned three studies:

- (1) A study to review existing international and regional legal agreements and to prepare a draft regional convention on the protection of the environment with Protocols on the storage, disposal and dumping of hazardous wastes and on action in pollution emergencies;
- (2) A study to review the sources and levels of natural and artificial radioactivity in the Pacific region; and
- (3) A study to review hazardous wastes already stored or dumped, planned storage or dumping, and the possible environmental effects.

Unfortunately, it was not possible for the technical group reviewing natural and artificial radioactivity to meet until last week, but one of the five members of that group, Dr T.A. Rafter of New Zealand, is here with us, and will be available to outline the work that the group has embarked upon. The overview study on storage and dumping of hazardous wastes is being undertaken by Dr Richard Golob, Director of World Information Systems, U.S.A., and will be distributed as soon as it is received.

The legal study including the Draft Convention and Protocols, which is the prime focus of this meeting, was prepared by Ms Mere Pulea and Mr Saleimoa Va'ai. Basic documentation for their work was provided by Ms Bliss-Guest of UNEP. We are indebted to them for the work that they have carried out, and I am happy to welcome them to this meeting.

In closing, I would like to refer to the resolution adopted by the Twenty-Second South Pacific Conference in relation to the matters to be addressed by the meeting. That Conference noted the concern of many member countries in respect of nuclear weapons and the storage and dumping of nuclear waste in the South Pacific region and encouraged member countries to consider early accession to the London Dumping Convention and to work under Article VIII of the Convention towards a regional agreement regarding nuclear waste disposal in the region.

It is the Secretariat's hope that this Expert Meeting on a Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region will reach substantive agreement on such a draft convention by the end of this week. Such agreement will not only allow a plenipotentiary meeting later in the year to be convened in order to sign the Convention, but it will also establish firm foundations on which the governments represented here could base their approach to the consultative meeting of parties to the London Dumping Convention next month. The position of the region on the matters before you could therefore be clearly stated in international forums and conferences.

ANNEX III

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

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(Noumea, New Caledonia, 24 - 28 January, 1983)

OPENING STATEMENT

BY

Dr Peter Adams
South Pacific Bureau for
Economic Co-operation (SPEC)

Acting Secretary-General,
Distinguished Delegates,

I should like to make a short statement on behalf of the South Pacific Bureau for Economic Co-operation which chairs the Co-ordinating Group of the South Pacific Regional Environment Programme.

The Director of SPEC, Mr Mahe Tupouniua, who has recently reassumed the Directorship, is unable to be present for this meeting. I would like to extend greetings to all participants and best wishes for a productive and successful meeting on his behalf.

I should also like to express appreciation to the SPC for the organizational effort which has gone into preparing the documentation and the convening of this meeting.

The SPREP is one of the increasing number of areas where SPEC and SPC are working as partners in regional co-operation on behalf of our respective memberships. Having successfully moved in recent years to eliminate any areas of duplication between their work programmes, our two organizations are now seeking positively to co-operate together and combine to best effect our different roles, responsibilities and resources. The SPREP is an excellent example of this co-operation. We also have the benefit of UNEP and ESCAP's assistance in that program and I would like to endorse the words of the Acting Secretary-General with regard to UNEP's role.

Member Governments have now approved Phase II of SPREP. An essential and important element in the Phase II Work Plan is the drafting and adoption of a regional agreement against pollution and dumping under the London Dumping Convention in accordance with Resolution No. 1 of the Rarotonga Conference on the Human Environment.

The 13th South Pacific Forum, at Rotorua, New Zealand, last August specifically endorsed the preparation of this draft regional agreement even though it was not in a position to endorse the rest of Phase II at that stage. Thus, it is as a result of the Forum's decision to proceed, followed by the South Pacific Conference's decision a few months later, that we are here today, with an important task in front of us. That task is the finalization of the Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific region. It is important because the region has signalled its intention to take concerted steps to eliminate and prevent pollution of all kinds in the South Pacific.

The conclusion of such a Convention and its adoption by all Governments represented here will greatly strengthen our efforts towards that objective. It will provide a firm foundation on which to build many other necessary activities in the SPREP. Time is short; present and threatened pollution must be counteracted, and our Pacific environment safeguarded: SPEC stands ready to assist to the best of its ability in the achievement of this goal.

ANNEX IV

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT
OF THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24-28 January 1983)

OPENING STATEMENT

BY

Dr Stjepan Keckes
Director, Regional Seas Programme
United Nations Environment Programme (UNEP)

Ladies and gentlemen,

It is a pleasure to address you on behalf of the Executive Director of UNEP and convey to you his best wishes for a successful meeting.

UNEP attaches great significance and importance to the protection of the South Pacific environment, and we fully share your views that this protection may best be achieved through the fulfilment of your development goals. Under-development and poverty do not contribute to the protection of the human environment.

In less than a year after the action plan for the South Pacific Regional Environment Programme was adopted in Rarotonga, you are meeting again to consider a treaty that should provide the legal framework for the programme adopted in Rarotonga. The meeting has been organized as a direct follow-up to the recommendations made at Rarotonga, in accordance with a programme of work endorsed by both the South Pacific Forum and the South Pacific Conference.

The value of the regional approach to marine and coastal environment problems has been successfully demonstrated in the past years. UNEP has actively promoted this approach through the Regional Seas Programme. As a result, today there are ten regional action plans similar to SPREP. One hundred and seventeen States around the globe participate in them.

Five of these action plans are supported by, or based on, signed regional conventions, similar to the draft text you will examine these days. We expect that a convention will be signed in March of this year in Colombia for the Caribbean region and, once signed, your convention will be the seventh regional agreement whose development was sponsored by UNEP as part of the Regional Seas Programme.

In reviewing and redrafting the proposed text you should primarily keep in mind the needs of your region, the South Pacific region, and the socio-economic aspirations of your people. However, there is only one, indivisible earth, more today than ever. Therefore, when preparing the final draft you should also keep in mind its relationship to global environment agreements. Through becoming parties to those global agreements you will be better able to ensure that non-Pacific States endeavour to respect the specific provisions of your regional agreement. The London Dumping Convention and the recently signed Law of the Sea are in particular relevant in that respect.

Ladies and gentlemen, I would like to conclude my address by reconfirming UNEP's interest to co-operate with the South Pacific Commission, with the South Pacific Bureau for Economic Co-operation and with ESCAP in the further development of the action plan adopted at Rarotonga, including the successful negotiation of your legal agreement.

ANNEX V

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF
THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24-28 January 1983)

OPENING STATEMENT

BY

Mr Toshiro Kojima
Environment Legal Expert,
Economic and Social Commission for
Asia and the Pacific (ESCAP)

Distinguished participants,
Ladies and Gentlemen,

It gives me great pleasure to address this Expert Group Meeting on a Convention for the Protection and Development of the Natural Resources and the Environment of the South Pacific region.

ESCAP has four priority areas in the field of environment. Two of them are related to supporting measures: the promotion of environmental awareness and institutional and legislative frameworks for environmental protection and management.

The other two concern specific environmental issue: management of terrestrial ecosystems and protection of the marine environment and related ecosystem.

In order to improve environmental awareness, we are now preparing for a state of the environment report for the ESCAP region including the South Pacific. The draft paper will be available at the end of this year.

Preparatory to this work, we published a brief summary entitled "Review and Appraisal of Environmental Situation in the ESCAP region".

In order to develop methodologies and standards for effective environmental management, we organized an expert group meeting on industrial pollution control of agro-based, agro-allied and small-scale industries; namely, fertilizer, sugar, brewery and distillery, palm oil, tapioka, electro-planting, tanning and fish processing.

As a series of guidelines, we have published "An overview of agro-based, agro-allied and small-scale industries", "Fertilizer industries", "Brewery and distillery" and "Tapioka industry".

In the area of environmental legislation, we are planning on study and assessment of institutional and legislative frameworks in the field of environment, focusing on the ministerial-level meeting on environment for Asia in 1985. An expert group meeting on this subject will be held in June 1984 and the intergovernmental meeting will follow this meeting.

Success of the South Pacific Environmental Programme may ensure the success of similar activities in Asia. ESCAP supports the efforts of the South Pacific countries. "The South Pacific Declaration on Natural Resources and the Environment" in 1982, clearly states the political will of improvement of the environment in the South Pacific region. And, immediately following the success of the Conference on the Human Environment in the South Pacific at Rarotonga in 1982, activities to realize the Declaration and Action Plan have been taken.

As written in the draft, this Convention and Protocols will guide countries and territories of the South Pacific in managing their environment within the jurisdiction. This legal framework will strengthen the legislation and administrative measures at national level and harmonize the environmental policy at international level.

At the same time or after of these elaborations, it will also be necessary that some sort of action is taken to protect the environment in areas of the high seas.

I am sure that this expert group meeting will produce fruitful results. It represents a significant step forward for SPREP. ESCAP will continue to support these activities.

Thank you.

ANNEX VI

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF
THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

(Noumea, New Caledonia, 24-28 January 1983)

AGENDA

1. Opening of the Meeting.
 2. Election of Chairman, Vice-Chairman and a Drafting Committee.
 3. Adoption of the Agenda.
 4. General Statements by Delegations, Co-ordinating Group and Observers.
 5. Consideration of Draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific region.
 6. Consideration of Draft Protocol for the Prevention of Pollution of the South Pacific region by Dumping.
 7. Consideration of Draft Protocol concerning Co-operation in Combating Oil Pollution Emergencies in the South Pacific region.
 8. Recommendations for future steps leading to adoption of Convention and Protocols.
 9. Other Business.
 10. Adoption of the Report.
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ANNEX VII

SOUTH PACIFIC REGIONAL ENVIRONMENT PROGRAMME

EXPERT MEETING ON A CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF
THE NATURAL RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

DRAFT CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF THE NATURAL
RESOURCES AND ENVIRONMENT OF THE SOUTH PACIFIC REGION

Preamble - to be considered.

Article 1

GEOGRAPHICAL COVERAGE

1. This Convention shall apply to the South Pacific Region, hereafter referred to as "the Convention Area" as defined in paragraph (a) of Article 2.
2. /Except as may be otherwise provided in any Protocol to this Convention, the Convention Area shall not include internal waters of the Contracting Parties./

Article 2

DEFINITIONS

For the purposes of this Convention:

- (a) /The "Convention Area" shall be comprised of the marine environment, coastal zones and internal waters falling within the jurisdiction of the States of the South Pacific, which have become Contracting Parties to this Convention./

[The Convention Area shall be comprised of the area of responsibility of the South Pacific Commission as described in Annex A, and those areas of Pacific Ocean within the 200 nautical miles from baselines established in accordance with international law of countries and territories within the South Pacific Commission area of responsibility. Any party which is a member of the South Pacific Commission may add areas under its jurisdiction to the Convention Area.]

[The 'Convention Area' shall be composed of coastal areas and areas of the Pacific Ocean within 200 nautical miles from baselines, established in accordance with international law, of:

American Samoa	Northern Mariana Islands
Cook Islands	Palau
Federated States of Micronesia	Papua New Guinea
Fiji	Pitcairn Island
French Polynesia	Solomon Islands
Guam	Tokelau
Kiribati	Tonga
Marshall Islands	Tuvalu
Nauru	Vanuatu
New Caledonia	Wallis and Futuna
Niue	Western Samoa

The Contracting Parties shall use their best endeavours to ensure that the implementation of this Convention shall not result in an increase in pollution in the marine environment outside the 'Convention Area'.]

(b) ["Pollution" means the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.]

["Pollution" means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, resulting in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities including fishing, impairment of quality for use of sea water and reduction of amenities.]

(c) "Organization" means the body designated as responsible for carrying out secretariat functions pursuant to Article 20 of this Convention;

- (d) "Director" means the Director of the South Pacific Bureau for Economic Co-operation;

Article 3

GENERAL PROVISIONS

1. The Contracting Parties shall endeavour to conclude bilateral or multilateral agreements, including regional or sub-regional agreements, for the protection, development and management of the marine and coastal environment of the Convention Area. Such agreements shall be consistent with this Convention and in accordance with international law. Copies of such agreements shall be communicated to the Organization and through it to all contracting parties to this Convention.
2. Nothing in the Convention or Protocols shall be deemed to affect obligations assumed by a Contracting Party under agreements previously concluded.
3. The present Convention and the Protocols shall be construed in accordance with international law relating to their subject matter.
4. Nothing in this Convention and its Protocols shall prejudice the present or future claims and legal views of any Contracting Party concerning the nature and extent of maritime jurisdiction.

Article 4

GENERAL OBLIGATIONS

1. The Contracting Parties shall endeavour either individually or jointly to take all appropriate measures in conformity with international law and in accordance with the Convention and those Protocols in force to which they are party to prevent, reduce and control pollution of the Convention Area, from any source, and to ensure sound environmental management and development of natural resources, using for this purpose the best practicable means at their disposal, and in accordance with their capabilities. In doing so the Contracting Parties shall endeavour to harmonise their policies at the regional level.

2. In addition to the Protocol for the Prevention of Pollution of the South Pacific Region by Dumping and the Protocol concerning Co-operation in Combating Oil Pollution Emergencies in the South Pacific Region, the Contracting Parties shall co-operate in the formulation and adoption of other Protocols prescribing agreed measures, procedures and standards to prevent, reduce and control pollution from all sources or promoting environmental management in conformity with the objectives of this Convention.

3. The Contracting Parties shall, taking into account existing internationally recognised rules, standards, practices and procedures, co-operate with competent global, regional and sub-regional organisations to establish and adopt recommended practices, procedures and measures to prevent, reduce and control pollution from all sources and to promote sustained resources management and to ensure the sound development of natural resources in conformity with the objectives of the present Convention and its Protocols, and to assist each other in fulfilling their obligations under the present Convention and its Protocols.

4. The Contracting Parties have the sovereign right to exploit their own natural resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.

5. The Contracting Parties shall endeavour to establish laws and regulations for the effective discharge of the obligations prescribed in this Convention. Such laws and regulations shall be no less effective than international rules, standards and recommended practices and procedures.

Article 5

POLLUTION FROM SHIPS

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area caused by discharges from ships, and to ensure the effective application in the Convention Area of the internationally recognised rules and standards relating to the control of pollution from ships.

Article 6

POLLUTION FROM LAND-BASED SOURCES

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources in their territory.

Article 7

POLLUTION FROM SEA-BED ACTIVITIES

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area resulting directly or indirectly from exploration and exploitation of the sea-bed and its subsoil.

Article 8

POLLUTION FROM OR THROUGH THE ATMOSPHERE

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area resulting from discharges into the atmosphere from activities under their jurisdiction.

Article 12

MINING AND COASTAL EROSION

The Contracting Parties shall take all appropriate measures to prevent, reduce and control environmental damage in the Convention Area, in particular coastal erosion caused by coastal engineering, mining activities, sand removal, land reclamation and dredging.

Article 13

SPECIALLY PROTECTED AREAS

The Contracting Parties shall, individually or jointly, take all appropriate measures to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered flora and fauna in the Convention Area. To this end the Contracting Parties shall establish protected areas, such as parks and reserves, and prohibit or regulate any activity likely to have adverse effects on the species, ecosystems or biological processes that such areas are designed to protect.

Article 14

CO-OPERATION IN COMBATING POLLUTION IN CASES OF EMERGENCY

1. The Contracting Parties shall co-operate in taking all necessary measures to deal with pollution emergencies in the Convention Area, whatever the cause of such emergencies, and to prevent, reduce and control pollution or the threat of pollution resulting therefrom. To this end, the Contracting Parties shall develop and promote individual contingency plans and joint contingency plans for responding to incidents involving pollution or the threat thereof in the Convention Area.

2. When a Contracting Party becomes aware of a case in which the Convention Area is in imminent danger of being polluted or has been polluted, it shall immediately notify other countries and territories it deems likely to be affected by such pollution, as well as the Organization. Furthermore it shall inform, as soon as feasible, such other countries and territories and the Organization of any measures it has itself taken to minimize or reduce pollution or the threat thereof.

Article 9

POLLUTION CAUSED BY DUMPING

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area caused by dumping from ships, aircraft, or man-made structures at sea, including the effective application of the relevant internationally recognised rules and procedures relating to the control of dumping of wastes and other matters.

Article 10

POLLUTION FROM RADIOACTIVE WASTES AND NUCLEAR TESTING

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area resulting from the storage and disposal of radioactive wastes or other radioactive matter and the testing of nuclear devices.

The Contracting Parties shall take all appropriate measures to prevent the storage, disposal and dumping of radioactive wastes in the Convention Area and to prevent, reduce and control pollution in that Area resulting from the testing of nuclear devices.

Article 11

TESTING OF NUCLEAR DEVICES AND DUMPING OF RADIOACTIVE WASTES

The Contracting Parties shall take all appropriate measures to prohibit the testing of nuclear devices and the dumping of radioactive matters in the Convention Area.

The Contracting Parties shall prohibit the storage, disposal, carriage and dumping of radioactive matters and the testing of nuclear devices in the Convention Area.

Article 15

ENVIRONMENTAL ASSESSMENT

1. The Contracting Parties shall, with the assistance of competent global, regional and sub-regional organisations as required develop techniques, guidelines and legislation which will facilitate balanced development of natural resources by giving adequate emphasis to environmental and social factors in the planning, execution and subsequent management of development projects.

2. Each Contracting Party shall endeavour to consult with and inform other Contracting Parties and as appropriate the Organization on any development project which has significant potential to disrupt or damage the environment of the Convention Area beyond the area of jurisdiction of the Contracting Party.

Article 16

SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION

1. The Contracting Parties shall co-operate either directly or with the assistance of competent regional, sub-regional, and global organisations, in scientific research, monitoring, and the exchange of data and other scientific and technological information related to the purposes of the Convention.

2. In addition, the Contracting Parties shall develop and co-ordinate research and monitoring programmes concerning pollution and natural resources and co-operate as far as possible in the establishment and implementation of regional, sub-regional and international research programmes for the purposes of this Convention.

Article 17

TECHNICAL AND OTHER ASSISTANCE

The Contracting Parties undertake to co-operate, directly and when appropriate through the competent global and regional organisations, in the provision to other Contracting Parties of technical and other assistance in fields relating to pollution and sound environmental management of the Convention Area, taking into account the special needs of the Island developing countries and territories.

Article 18

TRANSMISSION OF INFORMATION

The Contracting Parties shall transmit to the Organization information on the measures adopted by them in the implementation of this Convention and of Protocols to which they are Parties, in such form and at such intervals as the Contracting Parties may determine.

Article 19

LIABILITY AND COMPENSATION

The Contracting Parties shall co-operate in the formulation and adoption of appropriate rules and procedures in conformity with international law in respect of liability and compensation for damage resulting from pollution of the Convention Area.

Article 20

INSTITUTIONAL ARRANGEMENTS

1. The Contracting Parties designate the South Pacific Commission as the Secretariat of the Convention to carry out the following functions:
 - (a) to prepare and convene the meetings of Contracting Parties;
 - (b) To transmit to the Contracting Parties notifications, reports and other information received in accordance with this Convention and its Protocols;
 - (c) to perform the functions assigned to it by the Protocols to this Convention;
 - (d) to consider enquiries by, and information from, the Contracting Parties and to consult with them on questions relating to this Convention and its Protocols;
 - (e) to co-ordinate the implementation of co-operative activities agreed upon by the Contracting Parties;

- (f) to ensure the necessary co-ordination with other competent regional, sub-regional and global bodies;
- (g) ~~to~~ enter into such administrative arrangements as may be required for the effective discharge of the secretariat functions;⁷
- (h) to perform such other functions as may be assigned to it by the Contracting Parties;
- (i) to transmit to the South Pacific Commission and the South Pacific Forum the reports of ordinary and extraordinary meetings of the Contracting Parties.

2. Each Contracting Party shall designate an appropriate national authority to serve as the channel of communication with the Organization for the purposes of this Convention.

Article 21

MEETINGS OF THE CONTRACTING PARTIES

1. The Contracting Parties shall hold ordinary meetings once every year(s). Ordinary meetings shall review the implementation of this Convention and its Protocols and, in particular, shall:
- (a) assess periodically the state of the environment in the Convention Area;
 - (b) consider the information submitted by the Contracting Parties under Article 18;
 - (c) adopt, review and amend as required annexes to this Convention and to its Protocols, in accordance with the provisions of Article 24;
 - (d) make recommendations regarding the adoption of any Protocols or any amendments to this Convention or its Protocols in accordance with the provisions of Articles 22 and 23;
 - (e) establish working groups as required to consider any matters concerning this Convention and its Protocols;

- (f) consider co-operative activities to be undertaken within the framework of this Convention and its Protocols, including their financial and institutional implications and to adopt decisions relating thereto;
- (g) consider and undertake any additional action that may be required for the achievement of the purposes of this Convention and its Protocols;
- (h) adopt financial rules, and make recommendations to the South Pacific Forum and the South Pacific Conference on their financial participation in the co-operative activities undertaken for the purposes of the Convention.

2. The Organization shall convene the first ordinary meeting of the Contracting Parties not later than one year after the date on which the Convention enters into force in accordance with Article 30.

3. The meeting shall establish its own rules of procedures for ordinary and extraordinary meetings.

4. Extraordinary meetings shall be convened at the request of any Contracting Party or upon the request of the Organization, provided that such requests are supported by at least of the Contracting Parties. It shall be the function of an extraordinary meeting of the Contracting Parties to consider those items proposed in the request for the holding of the extraordinary meeting and any other items agreed to by all the Contracting Parties attending the meeting.

Article 22

ADOPTION OF PROTOCOLS

1. The Contracting Parties, may at a Conference of plenipotentiaries adopt Protocols to this Convention pursuant to paragraph 2 of Article 4.

2. If so requested by of the Contracting Parties, the Organization shall convene a Conference of plenipotentiaries for the purpose of adopting Protocols to this Convention.

Article 23

AMENDMENT OF THE CONVENTION AND ITS PROTOCOLS

1. Any Contracting Party may propose amendments to this Convention. Amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of of the Contracting Parties.

2. Any Contracting Party to this Convention may propose amendments to any Protocol. Such amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of ... of the Contracting Parties to the Protocol concerned.

3. Any amendment to this Convention shall be adopted by \sqrt{a} majority vote of \sqrt{b} the Contracting Parties to the Convention which are represented at the Conference of plenipotentiaries and shall be submitted by the Depositary for acceptance by all Contracting Parties to the Convention. Amendments to any Protocol shall be adopted by \sqrt{a} majority vote of \sqrt{b} of the Contracting Parties to the Protocol which are represented at the conference of plenipotentiaries and shall be submitted by the Depositary for acceptance by all Contracting Parties to the Protocol.

4. Instruments of ratification, acceptance or approval of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraph 3 shall enter into force between Contracting Parties having accepted such amendments on the thirtieth day following the date of receipt by the Depositary of the instruments of at least of the Contracting Parties to this Convention or to the Protocol concerned, as the case may be. Thereafter the amendments shall enter into force for any other Contracting Party on the thirtieth day after the date on which that Party deposits its instrument.

5. After the entry into force of an amendment to this Convention or to a Protocol, any new Contracting Party to the Convention or such protocol shall become a Contracting Party to the Convention or Protocol as amended.

Article 24

ANNEXES AND AMENDMENT OF ANNEXES

1. Annexes to this Convention or to any Protocol shall form an integral part of the Convention or such Protocol respectively.

2. Except as may be otherwise provided in any Protocol with respect to its annexes, the following procedures shall apply to the adoption and entry into force of any amendments to annexes to this Convention or to annexes to any Protocol:
 - (a) any Contracting Party may propose amendments to the annexes to this Convention or annexes to any Protocol;

 - (b) such amendments shall be adopted by a majority vote of the Contracting Parties to the instrument in question;

 - (c) the Depositary shall without delay communicate the amendments so adopted to all Contracting Parties;

 - (d) any Contracting Party that is unable to approve an amendment to the annexes to this Convention or to annexes to any Protocol shall so notify in writing to the Depositary within a period determined by the Contracting Parties concerned when adopting the amendment. A Contracting Party may at any time substitute an acceptance for a previous declaration of objection, and the amendment shall thereupon enter into force for that Contracting Party;

 - (e) the Depositary shall without delay notify all Contracting Parties of any notification received pursuant to the preceding sub-paragraph;

 - (f) on expiry of the period referred to in sub-paragraph (d) above, the amendment to the annex shall become effective for all Contracting Parties to this Convention or to the Protocol concerned which have not submitted a notification in accordance with the provisions of that sub-paragraph.

3. The adoption and entry into force of a new annex shall be subject to the same procedure as that for the adoption and entry into force of an amendment to an annex as set out in the provisions of paragraph 2 of this Article, provided that, if any amendment to the Convention or the Protocol concerned is involved, the new annex shall not enter into force until such time as that amendment enters into force.

4. Amendments to the annex on arbitration shall be considered to be amendments to this Convention or Protocols and shall be proposed and adopted in accordance with the procedures set out in Article 23.

Article 25

SETTLEMENT OF DISPUTES

1. In case of a dispute between Contracting Parties as to the interpretation or application of this Convention or its Protocols, they shall seek a settlement of the dispute through negotiation or any other peaceful means of their own choice.

2. If the Parties concerned cannot settle their dispute through the means mentioned in the preceding paragraph, the dispute shall upon common agreement be submitted to arbitration under conditions laid down in the Annex to this Convention.

Article 26

RELATIONSHIP BETWEEN THE CONVENTION AND ITS PROTOCOLS

1. No Government may become a Contracting Party to this Convention unless it becomes at the same time a Contracting Party to at least one Protocol. No Government may become a Contracting Party to a Protocol unless it is, or becomes at the same time, a Contracting Party to this Convention.

2. Decisions concerning any Protocol pursuant to Articles 21, 23 and 24 of this Convention shall be taken only by the Parties to the Protocol concerned.

Article 27

SIGNATURE

This Convention and any Protocol thereto shall be open for signature at _____ from _____ to _____ by Governments which have authority and competence to enter into international agreements relating to the subject matter of this Convention and its Protocols and which have been invited to participate in the Conference of Plenipotentiaries held at _____ from _____ to _____.

Article 28

ACCESSION

1. This Convention and any Protocol thereto shall be open to accession by the Governments referred to in Article 27 as from the day following the date on which the Convention or Protocol concerned was closed for signature.

2. Any government not specified in paragraph 1 of this Article with the requisite competence and authority may accede to the Convention and to any Protocol subject to prior approval by three-fourths of the Contracting Parties to the Convention or the Protocol concerned.

Article 29

RATIFICATION, ACCEPTANCE OR APPROVAL

This Convention and any Protocol thereto shall be subject to ratification, acceptance or approval by Governments referred to in Article 27. Instruments of ratification, acceptance, approval or accession shall be deposited with the Director who shall assume the functions of Depositary.

Article 30

ENTRY INTO FORCE

1. This Convention shall enter into force on the day following the date of deposit of at least instruments of ratification, acceptance, approval or accession by the Contracting Parties referred to in Article 27.

2. Any Protocol to this Convention, except as otherwise provided in such Protocol, shall enter into force on the day following the date of deposit of at least instruments of ratification, acceptance, or approval of such Protocol, or of accession thereto, by the Parties referred to in Article 27.

3. Thereafter, this Convention and any Protocol shall enter into force with respect to any Government referred to in Articles 27 and 28 on the day following the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 31

DENUNCIATION

1. At any time after years from the date of entry into force of this Convention with respect to a Contracting Party, that Contracting Party may denounce the Convention by giving written notification to the Depositary who shall thereupon inform the Contracting Parties.

2. Except as may be otherwise provided in any Protocol to this Convention, any Contracting Party may, at any time after years from the date of entry into force of such Protocol with respect to that Contracting Party, denounce the Protocol by giving written notification to the Depositary who shall thereupon inform the Contracting Parties.

3. Denunciation shall take effect days after the date on which notification of denunciation is received by the Depositary.

4. Any Contracting Party which denounces this Convention shall be considered as also having denounced any Protocol to which it was a Contracting Party.

5. Any Contracting Party which, upon its denunciation of a Protocol, is no longer a Party to any Protocol to this Convention, shall be considered as also having denounced this Convention.

Article 32

RESPONSIBILITIES OF THE DEPOSITARY

1. The Depositary shall inform the Contracting Parties, as well as the Organization:

- (a) of the signature of this Convention and of any Protocol thereto and of the deposit of instruments of ratification, acceptance, approval, or accession in accordance with Article 30;
- (b) of the date on which the Convention and any Protocol will come into force in accordance with the provisions of Article 30;
- (c) of notification of denunciation made in accordance with Article 31;
- (d) of the amendments adopted with respect to the Convention and to any Protocol, their acceptance by the Contracting Parties and the date of their entry into force in accordance with the provisions of Article 23;
- (e) of the adoption of new annexes and of the amendments of any annex in accordance with Article 24.

2. The original to this Convention and of any Protocol thereto shall be deposited with the Depositary who shall send certified copies thereof to the Signatories, the Contracting Parties, to the Organization and to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the United Nations Charter.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Convention.

DONE at on in a single copy in the English and French languages, the two texts being equally authentic.