

Twelfth meeting of the Noumea Convention

Twelfth ordinary meeting of the contracting Parties to the Convention for the protection of the natural resources and environment of the South Pacific Region and related protocols (Noumea Convention)

Majuro, Marshall Islands 26 September 2014

Agenda Item 1: Opening of the Meeting

1. The Noumea Convention was negotiated under the framework of UNEP's Regional Seas Programme and adopted in 1986. The Convention and its two related Protocols (Protocol for the Prevention of Pollution of the South Pacific Region by Dumping; Protocol concerning Co-operation in Combating Pollution Emergencies in the South Pacific Region) entered into force on 22 August 1990.
2. Contracting Parties to the Noumea Convention met for their 12th Ordinary Meeting on 26th September, 2014 in Majuro, Republic of the Marshall Islands. The twelve (12) Parties to the Convention are Australia, Cook Islands, Federated States of Micronesia (FSM), Fiji, France, Republic of the Marshall Islands (RMI), Nauru, New Zealand, Papua New Guinea (PNG), Samoa, Solomon Islands and United States of America (U.S.A.).
3. Australia, Cook Islands, FSM, France, New Zealand, RMI, Samoa and USA attended. A list of participants is contained in Annex I.
4. The meeting commenced with a prayer by Mr Vaitoti Tupa of Cook Islands.
5. Mr Clark Peteru welcomed Parties and Observers and invited those not yet Parties to consider ratifying the Convention.
6. Mr Bruce Kijiner welcomed delegates on behalf of RMI President, Mr Christopher Loek, and wished everyone a pleasant stay in RMI.
7. Mr Kosi Latu, Deputy Director General of SPREP, welcomed Parties and Observers and stressed the importance of dialogue and openness during the meeting. He noted with pleasure that a quorum was present and viewed this as an indication of the continued support of the Parties for the Convention. Mr Latu highlighted the importance of the ocean and its resources as an issue under the Convention. He further noted the issues of marine debris, shipping, waste management and ocean acidification for discussion during the meeting.

8. Monsieur Jean-Luc Fauré-Tournaire of France, Chair of the 11th Noumea COP, acknowledged the significance of the Noumea Convention and of the issues identified for discussion. France highlighted climate change and its consequences as shared concerns of SIDS and observed that for low lying island countries such as RMI, the direct threats of climate change are evident. France noted that it is in this spirit of shared concerns that France is preparing for the 2015 Paris Conference of Climate. France is doing this by taking part in meetings such as this COP. Mr Fauré-Tournaire thanked the Secretariat for its work in waste management in particular, noting that this is a big challenge in the region. As the outgoing Chair, France thanked RMI for hosting the meeting.

Agenda Item 2: Organisation of the Meeting

9. In accordance with the Rules of Procedure of the Noumea Convention, a Chair and Vice-Chair were elected from the Parties by a simple majority vote. RMI was elected Chairperson and FSM was elected Vice-Chairperson.
10. The Chair with the agreement of the Parties, invited observers from New Caledonia, JICA and SPC to participate in the meeting.

Agenda Item 3: Adoption of the agenda

11. The proposed agenda and working hours were adopted and are contained in Annex 2.

Agenda Item 4.1: Report of the Secretariat on work performed during the period January 2012 to July 2014 (Noumea Convention and Protocols)

12. In accordance with Rule 12(vi) of the Rules of Procedure of the Noumea Convention, the Secretariat presented its report on work performed in relation to the Noumea Convention and Protocols during the period January 2012 to July 2014.
13. At the 11th Noumea Convention COP, held in Noumea in 2012, the Parties directed the Secretariat to develop a list of outputs for prioritisation by Parties, to be carried out using the operating funds of the Convention. A list of activities was developed by the Secretariat, circulated for comment and, using a consensus approach, a final list of activities to be funded during the 2013-2014 Convention term was established. The Report of prioritised activities, with funds expended during 2013 and current status of outputs is contained in Working Paper 4.1.
14. Australia, Cook Islands, France and New Zealand thanked the Secretariat for the comprehensive report, noting the significant work undertaken over the past two years.
15. New Zealand welcomed in particular, the work on environmental impact assessment.

16. France stressed the impact of waste as a substantial priority for the Pacific as well as the work to simplify shipping and transport in the region.
17. Cook Islands welcomed the work on EIA and Seabed Mining Guidelines and Marine Protected Areas but noted that more funds were needed if these initiatives are to be strengthened.

The Meeting:

- **noted** the Report (WP.4.1) of the Secretariat.

Agenda Item 5: Country Reports on the implementation of obligations under the Convention

18. Reports were requested from Parties to highlight any related activities completed over the last two years. Australia was the only Party to have submitted its report.
19. Cook Islands noted that there are several agencies responsible for reporting on Convention related issues and are hoping to coordinate these agencies into preparing a written report. Cook Islands highlighted that the Sea Bed Mining Authority and the Ports Authority would be preparing separate reports that could feed in to the Convention reporting.
20. France advised that it is present in the Pacific through its three territories and it is currently in the process of drafting its report. France noted that the Oceania 21 Summit in New Caledonia highlighted the importance of Marine Protected Areas and that substantial progress had been made in this area.
21. New Zealand, RMI and Samoa committed to providing reports either for this COP or at the next one.

Agenda Item 6: Financial statements

22. The Secretariat tabled the independently audited Financial Statements for the 2012 and 2013 financial years.
23. The Secretariat acknowledged with gratitude the recent financial contribution from the United States.

The Meeting:

- **adopted** the audited Financial Statements for 2012 and 2013.

Agenda Item 7: Decision Items

7.1: Timing of Noumea COP-13 to align with timing of Waigani COP-8

24. The Secretariat noted that since 2002, the Noumea Convention and Waigani Convention meetings have been held back to back on a biennial basis with the SPREP Meeting. For strategic reasons, the next Waigani Convention meeting is scheduled for 2015, which does not coincide with the next Noumea Convention meeting.
25. The Secretariat proposed that it would be advantageous over the long term to keep the Noumea and Waigani COPs and SPREP Meetings together for reasons of financial efficiency. It therefore recommended that the next Conference of the Parties to the Noumea Convention be held in September 2015, prior to the SPREP meeting, rather than 2016 as currently scheduled. Thereafter, the COP meetings would be held every two years prior to the SPREP meeting.

The Parties:

- **endorsed** the recommendation of the Secretariat to hold the next Conference of the Parties to the Noumea Convention in September 2015; and
- **directed** the Secretariat to commence preparations to convene the Noumea Convention “COP-13” in September 2015.

7.2: Prioritisation of activities under the operating funds

26. The Secretariat advised that it had developed a list of priority activities for the 2015-2016 biennium and had requested the Parties to prioritise and suggest additional potential activities. After receiving comments, five activities were identified for implementation with currently available funds during the 2015-2016 biennium. The prioritised activities were presented by the Secretariat and are included in WP7.2 Annex 1.
27. Australia, Cook Islands and France endorsed the recommendations.
28. Australia advised that it considered marine debris to be a critical issue facing the Pacific region and had prioritized this in national policy. Australia was pleased to see that some of the key priorities highlighted by Australia had been included in the list of five priorities and suggested that, where possible, the Secretariat seek to link the marine debris issues to other existing programmes, such as the UNEP Global Partnership for Marine Litter.
29. France supported the proposals and highlighted Activity 8, which links Cook Islands and New Caledonia in terms of management and protection of the Natural Park of the Coral Sea (Le Parc Naturel de la Mer de Corail). New Caledonia advised that in the spirit of stewardship, New Caledonia and Cook Islands had agreed to develop a mechanism that would lead to more effective management of their marine protected areas. To this end there is a focus on conducting a stock-take of available data in the Cook Islands and carrying out marine spatial planning within the MPA to help identify key gaps and needs. In turn, this would help guide the development of a joint action plan for the two countries.

30. Cook Islands noted that they were working closely with New Caledonia on this.

The Parties:

- **approved** the list of prioritised activities compiled by the Secretariat.

7.3: Regional Reception Facilities Plan

31. The Secretariat advised that the *International Convention for the Prevention of Marine Pollution from Ships (MARPOL)* places an obligation on all Parties to provide adequate ship's waste reception facilities for ships calling at their ports. For some Parties meeting this obligation is an issue. For non-Party countries it may prevent accession to MARPOL.
32. An amendment to MARPOL in 2012 allows Small Island Developing States to establish regional arrangements for port reception facilities where the MARPOL obligations cannot otherwise be met. To this end, the Secretariat, in partnership with the Australian Maritime Safety Authority (AMSA) conducted five analyses of international shipping hub ports to determine the adequacy of waste reception facilities provided at these five selected hub ports. Details are provided in WP 7.3.
33. Australia noted that this initiative would allow countries to demonstrate their ability to meet their obligations under MARPOL. Australia added that the gap analyses reports also highlight some initiatives already being undertaken by countries to address waste reception issues and further noted that the amendment to MARPOL was through the initiative of the Pacific countries and that actions such as this would encourage better management of ship based waste.
34. RMI requested additional time to study the plan and observed that the current five proposed waste reception facilities would not be close enough to RMI and other north Pacific countries to allow international vessels access to waste disposal facilities.
35. The United States also requested additional time to review the Plan.
36. The Secretariat advised that at the Noumea COP11, the ports identified for auditing included Guam. However, at the time of the gap analysis, Guam declined to be part of the regional reception facilities plan. This would be revisited in line with RMI's comments. The Secretariat further advised that these five hub ports are part of an ongoing plan and that it is hoped to increase the number of hubs in the future and with the North Pacific being part of the next gap analysis. The Pacific Regional Reception Facilities Plan would be the first to be taken to the MARPOL Convention. The Secretariat hoped to take this to the IMO in April next year but this would require twelve (12) weeks lead time. The Secretariat requested whether it would be possible to have members review the document by the end of November to enable consolidation of comments and still meet the April deadline.

37. Cook Islands endorsed the Plan but requested that RMI be included in the next gap analysis.
38. Australia noted that they had seen the draft report and suggested that one of the key objectives is to identify those ports that can act as regional hubs and have the capacity to manage ships waste and thus in some respects, countries with more land mass would be more suited for this.

The Parties:

- **endorsed** the Regional Reception Facilities Plan developed by the Secretariat, and requested that other countries provide additional comments by the end of November 2014.

7.4: PICs and territories - Tier 3 response capability

39. The Secretariat referred to the PACPLAN 2013 document noting that it provides a framework for cooperation between Pacific island countries to respond to Tier 3 Spills (major spills). However, it was noted that foundation activities are needed to enable an effective response. These are outlined in WP 7.4.
40. Australia advised that it was pleased to have worked with the Secretariat on this initiative and noted the importance of the framework. Australia suggested that there may be opportunities within regions and with close neighbours to consider what resources are available nearby. Australia had updated its own National Plan this year and integrated several considerations. The revised plan is available on the AMSA website.
41. Cook Islands, France and RMI noted the importance of planning and preparation for all levels of oil spills and potential marine pollution and the additional assistance in this area.
42. France commented that much work has been done in this area for its three Territories.

The Meeting:

- **noted** the PACPLAN 2013 as the framework for regional oil spill and hazardous and noxious substances spill response spill response; and
- **noted** the current status of respective countries' current Tier 3 response capabilities and commitment to providing assistance, resources and information as required.

7.5: Regional EIA Guidelines for Coastal Tourism Development

43. The Secretariat advised on progress in the development of the Regional Guidelines for Environmental Impact Assessment and the Regional EIA Guidelines for Coastal Tourism Development. The Regional EIA Guidelines for Coastal Tourism Development will provide sector-specific guidance to Pacific island environmental managers and other stakeholders for the environmental impact assessment of tourism sector coastal development.

44. The Secretariat further advised that SPREP has also been collaborating with the SPC-EU Deep Sea Minerals (DSM) Project on a Regional Environmental Management and Monitoring Framework that will include EIA guidance for the mining of seafloor massive sulfides, manganese nodules and cobalt-rich crusts; and scientific research. This work has relevance to the tourism sector as future deep sea mining is likely to impact, to some degree, on coastal tourism.
45. A Workplan was presented for consideration and approval to allow the Secretariat to progress the work in this biennium. Details are provided in WP7.5.
46. Australia advised that they had undertaken assessment of the Great Barrier Reef and regarded these guidelines as important. Australia added that the use of a strategic approach is important and encouraged use of the guidelines at the regional level to achieve planning objectives. Proper implementation of this would allow for optimal balance between development activities and protection of the environment.
47. RMI advised that it has a preliminary assessment process for EIA in RMI including those for small developments in the country. RMI further requested that RMI be included in the regional consultation process if the plans had not yet been finalised.
48. France underscored the importance of ecotourism to France and noted that French Polynesia had submitted a proposal for this work area and has been included amongst the list of priority projects. France added that even if this had not been supported by the Noumea Convention funds, it was still considered important and of high relevance to the entire region.

The Meeting:

- **noted** the progress on Regional EIA Guidelines for Coastal Tourism Development;
- **endorsed** the revised workplan and budget; and
- **called on** members' active engagement with the development of the Regional EIA Guidelines for Coastal Tourism Development and other related initiatives.

7.6: Oceanscape and the role of SPREP

49. The Secretariat presented and sought continued support for the Oceanscape framework which was initiated four years ago and has since become a globally significant initiative fully supported by SPREP Member countries. Oceanscape provides a framework for implementing management efforts that reflect the ecological connectivity across Pacific island countries and territories, and allows sharing of resources and cross-learning from marine management efforts, in the establishment and effective management of marine and coastal areas.
50. Australia highlighted the value of Oceanscape and expressed support and commitment towards the implementation of the framework, through their Enhancing Pacific Ocean Governance Programme. Their commitment also extends to multi-year regional support for fishery activities and aquaculture.

51. Federated States of Micronesia looked forward to new approaches by SPREP for sustainable development through climate change mitigation. They considered the framework as very valuable since the ocean is regarded as the basis for livelihoods in Micronesia.
52. Cook Islands expressed support to the Oceanscape framework and its guidelines and recommendations.
53. France expressed appreciation of the Secretariat's effort to promote the framework and recalled the efforts undertaken in MPA in New Caledonia in respect of MPAs, details of which are presented in several website. ([www.affmar.gouv.nc/portal/affmar/peche/presentation/Le projet de parc marin de la mer de corail](http://www.affmar.gouv.nc/portal/affmar/peche/presentation/Le%20projet%20de%20parc%20marin%20de%20la%20mer%20de%20corail); www.province-sud.nc/dispositif/TOUR_PAR_03; and aepcn.weebly.com/province-nord.html)
54. New Zealand also affirmed support to the Oceanscape framework which they noted had provided a platform for Pacific island delegations at global oceans meetings including a standalone Sustainable Development Goal (SDG) for Oceans at the UNGA.

The Meeting:

- **noted** the importance of the Pacific Oceanscape Framework for the Region; and
- **endorsed** continuation of support for its use to guide the *Framework for Pacific Regionalism*.

7.7: Marine Plastic Litter

55. The Secretariat advised that it had entered into a contract with the University of Auckland to develop a regional marine litter research programme and management intervention outline. A literature review titled *Literature Review on Marine Debris Pollution in the Pacific* has been completed. Two sequential grants of USD20K (total USD40K) will support two areas of work that have management benefits for the Pacific. These are outlined in WP7.7.

The Meeting:

- **Endorsed** the *Literature Review of Marine Debris Pollution Report in the Pacific* compiled by the Secretariat; and
- **Noted** the current status of implementation and **committed** to providing future assistance, resources and information as required.

Agenda Item 8: Consideration and adoption of the Core Budget

8.1: Core Budget 2015-2016

56. The Secretariat presented the core budget for the 2015-2016 biennium (WP.8.1) prepared in accordance with the Financial Regulations of the Convention. The budget is funded by contributions by the Parties. These funds have traditionally been used for the limited purposes of providing for the next Meeting of the Parties and for the Secretariat providing technical advice.

8.2: Status of Contributions

57. The Secretariat provided the status of Parties' contributions to the Convention as at December 2013 provided as a revised document (WP.8.2_Rev).
58. Samoa urged other members to clear their outstanding contributions.
59. Cook Islands advised that it agreed with the status of contributions and that they needed to wait till a stable government was in place before it could make its payment.
60. RMI undertook to follow up on its payments.

The Parties:

- **considered** and **approved** the core budget and contributions for the biennium 2015 – 2016; and
- **committed** to urgently clearing outstanding contributions.

Agenda Item 9: Other business

9.1: Noumea Protocol Expenditure Report 2012&2013

61. The Secretariat tabled the audited Financial Statements for the Noumea Protocol for the 2012 and 2013 financial years.

The Meeting:

- **noted** the Noumea Protocol Expenditure for 2012 and 2013.

Agenda Item 10: Date and venue of the next Meeting

62. The Secretariat advised that the actual dates of the 26th SPREP Meeting would be finalized at the conclusion of the 25th SPREP Meeting next week.
63. France advised that if the Noumea COP Meeting takes place in August 2015 (due to SPREP Meeting occurring in the first week of September), the level of representation by France would be limited due to this being a holiday period in France.

The Meeting:

- **agreed** that the next Meeting would be held in Samoa prior to the 26th SPREP Meeting, with dates to be determined at the 25th SPREP Meeting.

ANNEX 1: Participants List

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ANNEX II: Agenda

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Agenda Item 2: Organisation of the Meeting

Rules of Procedure
Election of Officers
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Agenda Item 4: Report of the Secretariat

4.1. Report

Agenda Item 5: Country Reports on the implementation of obligations under the Convention

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6.3 Income & Expenditure 2012
6.4. Auditor's report 2013
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7.2 Prioritization of activities under the operating funds
7.3 Regional Reception Facilities Plan
7.4 PICs and territories - Tier 3 response capability
7.5 Regional EIA Guidelines for Coastal Tourism Development
7.6 Oceanscape
7.7 Marine Plastic Litter

Agenda Item 8: Consideration and adoption of the Core Budget

8.1 Core Budget 2015-2016
8.2 Status of Contributions

Agenda Item 9: Other business

9.1. Noumea Protocol Expenditure Report 2012&2013

Agenda Item 10: Date and venue of the next Meeting

Agenda Item 11: Adoption of the Meeting Record

Agenda Item 12: Closure of the Meeting