

Fifteenth meeting of the Noumea Convention

Fifteenth 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)

Apia, Samoa
29 August 2019

REPORT OF SECRETARIAT OF WORK PERFORMED IN THE PERIOD JULY 2017 – JUNE 2019 IN RELATION TO THE NOUMEA CONVENTION AND ITS PROTOCOLS

INTRODUCTION

1. Implementation of the Noumea Convention over the recent two years since CoP-14 (2017 and 2018) has been carried out under the following areas:
 - marine and coastal conservation work as part of the Biodiversity and Ecosystem Management Programme,
 - environmental impact assessment (EIA) work as part of the Environmental Monitoring and Governance Programme, and
 - marine pollution work as part of the Waste Management and Pollution Control Programme.
2. Legal advice, as a cross-programme service, is provided following requests from countries. Strong linkages are seen to efforts aligned to the Pacific Oceanscape Framework, and the Secretariat is an active member of the CROP agency Marine Sector Working Group, working to advance integrated land and sea management.
3. Implementation of the two Convention Protocols on Dumping and Oil Spills has been carried out by the Pollution Adviser with funding mainly from the International Maritime Organisation which is primarily focused on ship-sourced marine pollution.
4. Over the past biennium there has been a significant focus on the implementation of the Sustainable Development Goals (SDGs), particularly support in addressing marine litter and plastic pollution through the development of the Pacific Regional Marine Litter Action Plan 2018-2025.
5. The Noumea Convention has two main sources of funding comprising:
 - a. contributions from Parties (which support the biennial Conference of the Parties); and
 - b. an operating budget for activities under the Convention (which largely consists of an annual contribution to the Convention through contributions to the Secretariat from the United States of America).
6. SPREP continues to collaborate with UN Environment Pacific sub-regional office, particularly on marine pollution and marine debris, as well as marine and coastal ecosystem-based planning and management, and environmental governance, including strengthening EIA.
7. The report on work performed under the Noumea Convention is set out below under the relevant articles of the Convention and its protocols.

Article 6: Pollution from vessels

8. In the 2017 and 2018 biennium the Pacific completed two regional workshops to address ship sourced pollution made possible with financial assistance from the International Maritime Organization (IMO). The Regional MARPOL Annex V and Port Reception Facilities Workshop was held in July 2017 in Majuro Marshall Islands hosted by the Government of the Marshall Islands. The regional workshop was attended by 31 participants from 8 Pacific island countries (PICs). The workshop provided a forum for discussions and learning on MARPOL Annex V (Garbage) and the completion of Majuro Port waste reception facility gap analysis. The Regional Cape Town Agreement 2012 Workshop was held in September 2017 in Rarotonga, Cook Islands co-facilitated by the IMO and FAO and hosted by the Government of the Cook Islands. The regional workshop was attended by 30 participants from 10 PICs. The workshop provided an opportunity to address maritime safety issues with fishing vessels as well as discuss issues of ship safety, vessel safety, safety of lives at sea and marine pollution particularly marine plastic pollution.
9. Addressing marine litter and plastic pollution was a highlight for the region with the adoption of the Pacific Regional Marine Litter Action Plan 2018-2025 (PMLAP 2025) at the 1st SPREP Executive Board Meeting in September 2018. The PMLAP 2025 addresses plastic pollution as an 'islands to islands' issue highlighting 11 pillars. The Pacific region was also very instrumental in its support for the adoption of an IMO Marine Litter Action Plan by co-sponsoring IMO submission led by Vanuatu. The Forum Fisheries Agency members led by RMI adopted a WCPFC Conservation Management Measure 2017-04 on Marine Pollution addressing MARPOL compliance and enforcement for fishing vessels that came into effect on the 1st January 2019.

Article 7: Pollution from land based sources

10. In 2017 and 2018 the region continued to implement the *Pacific Regional Waste and Pollution Management Strategy 2016-2025 (Cleaner Pacific 2025)* addressing waste and pollution management issues through the implementation of the hazardous waste management projects *GEF UPOPS* project addressing used oil and *EDF10 PacWaste* project addressing asbestos, e-waste, medical waste and atoll waste management. The PacWaste Project was completed early 2018 and the GEF UPOPS project finishes in 2019. The JPRISM2 JICA funded project addressing solid waste management in the region is being implemented by the JPRISM2 project team working closely with SPREPs WMPC team.

Article 8: Pollution from sea-bed activities

11. SPREP, on invitation from the Samoa Ministry of Justice, made a presentation to the Pacific Judges during the Pacific Judicial Conference on September 2018 to raise awareness on emerging environmental threats within the Pacific island region. The presentation underlined the importance of adopting proper environmental management and planning processes supported by appropriate policy tools such as Environmental Impact Assessment (EIA). These planning processes and policies exist to ensure safeguards are in place and that we apply the precautionary approach on environmental and social impacts from major developments, such as mineral prospecting and sea bed mining. There is interest from mining companies and governments to explore the potential commercial benefits from seabed resources however, it is also important to note that the deep-sea ocean floor is home to a diversity of marine life which is critical to the health of the ocean of which Pacific livelihoods depend on. The presentation raised the level of awareness of judges on some of the emerging environmental threats currently facing the Pacific.

12. SPREP has been an active member of the CROP technical team that provided technical advice on the Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). With the leadership of the Pacific Island Forum Secretariat (PIFS), SPREP provided technical advice to CROP and member countries on the application of the EIA process on sea-bed activities.

Article 10: Disposal of wastes

13. The Secretariat in 2017 and 2018 did not receive any information regarding the disposal of waste at sea.

Article 11: Storage of toxic and hazardous wastes

14. The Secretariat in 2017 and 2018 did not receive any further information regarding the stockpiles of toxic and hazardous wastes. The Secretariat has information on stockpiles of used oil, asbestos, e-waste, medical waste, and other toxic and hazardous waste products such as DDT.

Article 13: Pollution from mining and coastal erosion

15. SPREP's Regional Environment Impact Assessment Guideline for the Pacific Island Countries and Territories has contributed much to the raising of awareness and capacities for member countries in respect of Environment Impact Assessment. It is an instrument and tool for planning, assessment of, and managing development projects such as sand mining and land minerals mining. Training delivered for member countries has helped them understand the importance of the EIA processes and how it can contribute to better decision making for such project developments. A specific example is the EIA training delivered in the Solomon Islands in 2018 where 38 participants participated. There were representatives from the mining industry and one of the outcomes is a plan to deliver a specific EIA training aimed at the mining sectors in the Solomon Islands.
16. The Environmental Impact Assessment Guidelines for Coastal Tourism Development in Pacific Island Countries and Territories (hereby referred to as the Coastal Tourism EIA Guidelines) were developed by SPREP in partnership with the South Pacific Tourism Organization (SPTO). The Guidelines were launched during the 2018 SPTO Board of Directors Meeting, with the 28th meeting of the Council of Ministers of Tourism acknowledging the importance of the partnership between SPREP and SPTO. The Guidelines have now been published in English and French.
17. The development of the Guidelines was based on the decision made at the 12th Meeting of the Parties to the Noumea Convention. The Guidelines provide guidance to member countries and EIA officers, environmental managers and others involved with planning, assessing and managing coastal tourism operations to promote integrated coastal zone planning and management with the goal of achieving better environmental outcomes for the tourism sector to protect its assets.
18. The work by SPREP on the development of the State of Environment (SoE) report and National Environment Management Strategies (NEMS) for member countries is also a way to inform member countries about the impact of development pressures on the environment that can result in pollution and coastal erosion and how these matters can be addressed through the development of planning processes, such as environment impact assessment and national environment management strategies. During the reporting period, Cook Islands completed

their SoE report, the Marshall Islands and Niue completed the SoE report and NEMS, and Nauru completed an National Integrated Environment Policy (NIEP). SPREP is currently working with Tonga, the Federated States of Micronesia, and the Solomon Islands on their respective SoE reports and NEMS.

Article 14: Specially protected areas and protection of wild fauna and flora

19. Ocean and island ecosystems

SPREP has undertaken a number of initiatives to address Ocean and Island ecosystems particularly the following:

- Partnerships with Members to provide support that enabled better management of ocean domains and protected areas.
- Advocacy and support for better ocean management as key agenda for PICs under the Blue Pacific Strategy.
- Support for the 7th Ramsar Oceania Regional Meeting and its outcomes including:
 - identification of Members' priorities under the Regional Wetlands Action Plan;
 - planning CoP14 draft resolutions on Blue Carbon, Culture & Wetlands; and
 - developing a proposal for an Oceania Ramsar Regional Initiative.
- Assisting regional and international experts to recommend 18 areas in the Pacific as having Important Marine Mammal Areas (IMMA) status, with a further five areas proposed as candidate IMMAs.

20. Threatened and migratory species

SPREP has undertaken a number of activities in respect of threatened and migratory species in the reporting period, including:

- Appointment of a shark research assistant; continued shark work in relation to CITES and CMS continues until December 2019.
- SPREP convened an Oceania CITES pre-COP 18 meeting in Samoa to assist members to prepare for CITES COP 18 in March 2019.
- SPREP also convened a national CITES workshop in Tonga in collaboration with the CITES Secretariat and Tongan Government.
- SPREP supported Samoa and Vanuatu at the CMS Meeting of the Signatories (MOS3) in December 2018 for the Shark MOU in Monaco. This was to assist Samoa with their proposal to list blue sharks in Appendix II, which was endorsed at the CMS COP-12 (note the blue shark proposal was not endorsed by Signatories and will be discussed again at MOS4)
- SPREP in collaboration with Australian Institute of Marine Science and Samoa MNRE under the Global FinPrint Project undertook a baseline survey of sharks and rays at selected sites in Samoa.
- SPREP supported by Pew Charitable Trusts convened a Pacific Ministerial Shark Symposium in March 2018 in Samoa, attended by Cook Islands, Fiji, FSM, Kiribati, New Caledonia, Niue, Palau, Samoa, Tuvalu and Vanuatu. This culminated in the signing of a Declaration on the Conservation of Sharks and Rays in the Pacific.
- The Prime Minister of Samoa announced Samoa's EEZ as a sanctuary for whales, sharks and rays, dolphins and turtles, resulting in a new Marine Wildlife Protection Regulation 2018.
- SPREP convened and ran a National Enforcement Workshop in March 2018 to raise awareness of the amended Marine Wildlife Protection regulation in relation to the provision for sharks and rays.

- SPREP convened a national workshop in Fiji to assist with strengthening the implementation of CITES marine species lists in Fiji.
- SPREP representative attended the CITES Animal Committee in July 2018 in Geneva to provide updates on activities with Pacific partners to assist with implementation of CITES obligations; also provided a report on activities carried out in the Pacific to the CITES standing committee.
- SPREP representative attended the 1st Conservation of Sea Turtles of Oceania workshop in July 2018 in Fiji, in collaboration with the IUCN Species Survival Commission, Marine Turtle Specialist Group, and presented the draft Sea Turtle Action Plan for discussion.
- SPREP has developed terms of reference for the upgrade of the TREDIS database to a web based platform and will be completing this during 2019.
- SPREP with MNRE in October 2018 conducted a Humpback whale survey in Samoa and provided information for a large whale stranding to Cook Islands; SPREP also conducted a 1-day whale stranding training for Samoa MNRE.
- SPREP, SPC, FFA and USP signed a landmark agreement in 2018 with the European Union and launched the Pacific-European Union Marine Partnership Program (PEUMP). The Bycatch and Integrated Ecosystem Management Project Inception meeting (SPREP's component) was launched in Nadi last week and the MSP component, being managed by IUCN in Fiji, has been underway since November 2018.

21. **Invasive species**

During the reporting period, SPREP invasive species focused activities have largely concerned the preparation for new projects which have just begun their implementation stage. These include the PROTEGE EDF11 invasive species component (EUR 5million) in support of the French territories (French Polynesia, New Caledonia, Pitcairn Island and Wallis and Futuna), and the GEF 6 funded project "Strengthening national and regional capacities to reduce the impact of Invasive Alien Species on globally significant biodiversity in the Pacific" (US\$ 6,252,489) in support of the countries (Marshall Islands, Niue, Tonga and Tuvalu) and a significant regional component. These projects will be implemented over the next four and five years respectively and will deliver significant outcomes for protected areas. In addition:

- (a) The Pacific Regional Invasive Species Management Support Service (PRISMSS) has been established under the regional GEF 6 component. The PRISMSS will deliver assistance to on-the-ground invasive species management initiatives throughout the Pacific beginning with a Programme Management Course held in late 2019.
- (b) During this period SPREP has also established the first GBIF Internet Publishing Tool (IPT) in the Pacific to facilitate the sharing of invasive species and biodiversity data.

Article 15: Cooperation in combating pollution in emergency situations

22. The secretariat had recorded two PACPLAN response incidents in the 2017 and 2018 biennium:
 - 2017 – MV Southern Phoenix incident in Suva Fiji; and
 - 2018 – MV Kea Trader in Noumea New Caledonia.
23. PACPLAN was activated in both these incidents with New Zealand responding to the request from the Fiji Government in response to the MV Southern Phoenix incident. The MV Kea Trader the ship owner contracted AMSA to manage the response in Noumea, New Caledonia.
24. The PACPLAN review commenced in 2018 with a PACPLAN workshop in June in Brisbane Australia organized and funded by Australia for its PACPLAN countries.

Article 16: Environmental impact assessment

25. The Coastal Tourism EIA Guidelines, discussed above under Article 13, represent the first sector specific EIA tools in the region and specifically focus on coastal tourism due to the industry's significant interplay with the resources of the Pacific islands. Tourism is an important and growing economic sector within the Pacific island region with many Pacific Island Countries and Territories promoting development in this area. Tourists are coming to see the beautiful coastal regions and culture of the Pacific. The same drawcards that bring tourists to Pacific, the biologically productive and ecologically diverse flora and fauna dependent on the reefs, mangroves, seagrass and shorelines, also sustain the islands' livelihoods. Therefore, tourism opportunities pose some challenges as the majority of developments are located in coastal areas, resulting in coastal erosions and increased pollution.
26. The partnership between SPREP and SPTO enhances conservation efforts for sustainable tourism development supporting an inclusive approach for Pacific island communities to benefit more from these types of developments. The launching of the Coastal Tourism EIA Guidelines is an important tool for promoting mitigation and adaption to climate change impacts and waste management that threaten our fauna and flora and reinforces the leaders theme of the meeting "Protecting our Blue Pacific, Our Livelihood and our Home". The Coastal Tourism EIA Guidelines are promoted by the SPTO for use by tourism developers and SPREP are working with SPTO to arrange specific EIA training and capacity-building across the region.
27. Along with the Coastal Tourism EIA Guidelines, SPREP is continuing to promote best practice in EIA through the delivery of EIA awareness in-country training workshops and technical advisory support to member country environmental regulators for EIA.
28. In 2017 SPREP delivered EIA training workshops in the Commonwealth of the Northern Mariana Islands (15 participants); Cook Islands (12 participants); Federated States of Micronesia, Kosrae (11 participants) and Pohnpei (22 participants). In 2018 EIA training workshops were delivered in Nauru (9 participants); Tuvalu (14 participants); Solomon Islands (38 participants) and SPREP delivered an introduction to EIA and mitigation hierarchy tool as part of the SPREP PEBACC and SPC Restoration of Ecosystem Services and Adaptation to Climate Change (RESCCUE) project workshop in Vanuatu Tanna Island (18 Participants) and Port Vila (21 Participants). In 2019 to date, EIA training workshops have been delivered in Kiribati (36 participants); the Federated States of Micronesia, Chuuk State (12 participants) and Yap State 37 participants undertook EIA training and Strategic Environmental Assessment exercises along with development of environmental (impact) mitigation plans.
29. Typically, SPREP's EIA training workshops:
 - Have included a range of government agencies, to emphasise that EIA responsibilities often extend beyond the department/ministry of environment to other areas of government (e.g. lands and planning, energy, water, health, climate change, transport, cultural affairs, tourism, law enforcement, mining, forestry, fisheries as well as local/provincial/outer island government). Cultural groups, NGOs and, where appropriate, private sector consultants have also attended the training workshops.
 - Include a field visit to a proposed development location or construction site as an important component of the training to encourage participants to use their new EIA knowledge to assess existing developments and related environmental issues.
 - Emphasise the importance of effective EIA implementation to help countries meet their commitments and responsibilities under the Multilateral Environmental Agreements they are party to, including the Noumea Convention.

30. Key outcomes from the training have included:
- increased awareness and understanding of the EIA process across a range of government agencies in the targeted countries; the development of EIA Guidelines in Vanuatu and Tuvalu, guided by EIA capacity-building, SPREP's Regional EIA Guidelines, and direct review comments from SPREP; and
 - the development of an EIA flowchart and EIA awareness poster for Tuvalu Department of the Environment, to be used as a communication/education tool with government and public stakeholders to promote awareness of and compliance with the EIA process.
31. In addition to EIA training, SPREP has continued to provide technical back-stopping for countries for key steps of the EIA process, particularly the development of terms of reference for EIA reports, and the review of EIA reports. The EIA training, in combination with direct technical-backstopping, has helped to improve countries' confidence with EIA administration and oversight. There are, nonetheless, ongoing challenges with EIA implementation in the Pacific including insufficient quality control exercised over EIA reports, weak compliance monitoring and enforcement, and low levels of public engagement and participation in EIA. SPREP is working with member countries and partners to identify ways of addressing these challenges such as:
- encouraging EIA administrators to establish networks with other government agencies and regional partners to help strengthen their compliance monitoring and enforcement efforts, and
 - emphasising opportunities for public involvement in key steps of the EIA process such as screening, scoping and EIA report review.
32. In 2018 SPREP drafted the regional Strategic Environmental Assessment (SEA) guidelines for the Pacific Island Countries and Territories, which were circulated in April 2019 to the member countries for comment and inputs. The SEA guidelines complement and build on the Regional EIA Guidelines, with an aim of providing strategic planning and policy guidance to the Pacific for sustainable development. The SEA guidelines will be presented at the 2019 29th SPREP meeting.
33. As a complement to its EIA work, SPREP has contributed to the component of SPC's RESCCUE project for progressing the mitigation hierarchy and offsets in the Pacific. The mitigation hierarchy and offsets are tools that can be implemented as part of the EIA process to help manage and mitigate project impacts. SPREP has also been working in partnership with the Asian Development Bank (ADB), World Bank, and Pacific Region Infrastructure Facility, on the development of Environmental and Social Safeguards (ESS) capacity-building across the region. This work has now expanded into a collaboration that includes the University of the South Pacific to form the Pacific Learning Partnership (PLP-ESS) a collaborative agreement that was signed by all four parties during 19th international conference of the International Association for Impact Assessment in Brisbane, 2019. This partnership brings together key skills, funding, and practical experience to support the Pacific in ensuring that the environmental and social risks of needed infrastructure are managed effectively, to enhance the economic development and the sustainable future of communities across the Pacific region. Key to the outcomes of this partnership will be the establishment of capacity building pathways between SPREP, USP, and others to develop and shape the environmental and social impact assessment profession in the Pacific region.
34. The PLP-ESS aims to have the partners collaborating to foster training, knowledge exchange, technical expertise and capacity building related to environmental and social safeguards and standards in the Pacific region and to respond to specific requests from Pacific member countries to support the capacity building by providing logistical support to carry out trainings

and mentoring of trainees, developing curricula, providing venues, supplying trainers and assistance related to EIA, SEA and ESF. SPREP and its partners will be jointly running a side event during the 29th SPREP meeting to raise the profile of the partnership and to inform member countries on the ESS capacity building activities that are planned to be strengthened in the region.

35. As an accredited entity to the Green Climate Fund and Adaptation Fund, and Executing agency for the Global Environment Facility, SPREP now has its own Environmental and Social Management System and ESS framework, which are important tools for the sound implementation of SPREP projects throughout the region, to ensure that all potential environmental and social risks are effectively managed.

Protocols to the Convention: Refer to Article 6, 10 and 15 above.