

**Ad Hoc Meeting of the Parties to the Noumea Convention to
discuss the Report on the review of the Noumea Convention:
14 - 15 June 2023: Apia, Samoa**

DRAFT

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Session 1: Opening of the meeting

1. The meeting included in person representation from Contracting Parties to the Noumea Convention, namely, Australia, Cook Islands, Federated States of Micronesia, Fiji, New Zealand and Samoa. Virtual attendance included the Cook Islands, Papua New Guinea and the United States of America. The Secretariat opened the meeting with a prayer by the Director of Environmental Monitoring and Governance Programme. All participants were invited to introduce themselves including the consultant¹, and Secretariat staff. The opening remarks were delivered by the Acting Director General, which highlighted the purpose and importance of the Noumea Convention including the review undertaken for Contracting Parties to consider. *Refer to Annex 1 for Acting Director General's opening remarks and Annex 2 for list of participants.*

Session 2: Procedural matters

2. The Secretariat outlined housekeeping matters and the Noumea Convention Rules of Procedure including the process for the election of a meeting convenor. Fiji nominated Australia as the convenor which was seconded by the Cook Islands. The nomination was adopted by the Contracting Parties present.
3. Australia as convenor invited parties to consider the provisional work programme and agenda including any amendments or revisions. The work programme was adopted as presented, by consensus. *Refer to Annex 3 for the work programme.*

Session 3: Overview

4. The Secretariat, through the Director of Environmental Monitoring and Governance Programme, provided an overview of the purpose for convening the ad-hoc meeting, which was based on the decision by the 15th Conference of the Contracting Parties to the Noumea Convention (COP15) to discuss intersessionally the report by the consultant on the review of the Noumea Convention. The primary focus of the meeting for Contracting Parties was to review the consultant's report and to assess and unpack the recommendations.
5. The consultant presented the key findings from the Review of the Noumea Convention conducted in 2021, which was based on interviews with 11 of the 12 Contracting Parties and other relevant stakeholders and partners. The consultant noted that Contracting Parties' comments were detailed and comprehensive.
6. A key question identified in the report included 'Should the Noumea Convention be amended or changed?'. With regard to this question, the report noted that:

¹ Mr David Sheppard of David Sheppard Global Environment Consulting Pty. Ltd.

- a. Article 24 of the Noumea Convention outlines the process for amendment of the Noumea Convention.
 - b. There was divergence from Contracting Parties interviewed as part of the review as to whether to have substantial amendments or not.
 - c. If substantive amendments were made, there are two options presented in Recommendation 4 of the review report.
 - d. Minor amendments, if considered and approved, are to be undertaken as quickly as possible as identified in Recommendation 3.
 - e. The consultant's report suggests the Noumea Convention should be referred to as the SPREP Convention as outlined in Recommendation 5.
7. A key question identified in the report included 'How does the Noumea Convention relate to the SPREP Strategic Plan 2016-2026?' The review suggested that the Noumea Convention is relevant to a number of areas within the SPREP Strategic Plan and that closer linkages should be developed.
 8. Another key question identified in the report included 'How can awareness of the Noumea Convention be increased?'. There was an overall response from Contracting Parties interviewed that there is low awareness of the Noumea Convention and the consultant's report outlined a number of recommendations to address this.
 9. On the question of 'How can coordination and cooperation between stakeholders be increased?'. It was noted in the report that limited membership is a challenge for the implementation and viability of the Noumea Convention. Recommendation 14 of the report suggests that all SPREP Members not currently Contracting Parties to the Noumea Convention be encouraged to join.
 10. On the question of 'How can finance and staff capacity issues be addressed?'. It was noted that payment of contributions by Parties is a strong measure of commitment. Indicative of commitment by parties particularly when all parties have paid their contributions to the Noumea Convention. Recommendations 12 and 13 of the report outlines developing a strategy for staffing and financing, building on MEA projects, secondments, and tailored financing approaches. Other areas under different articles of the Noumea Convention include activities that are also viewed as fundamental in the operation of the Secretariat. The challenge of limited membership is a key constraint to realising the full potential of the Noumea Convention to protect and manage the environment of the Pacific, for the Pacific. It was viewed as important, that SPREP develop a membership strategy to enable non-Parties to join. The importance of the Noumea Convention as a tool for regional cooperation such as in the marine turtle tagging activities, and marine oil spill responses and cooperation was noted.
 11. On the question of 'Is the Secretariat effective in relation to the Noumea Convention?'. Contracting parties noted the hard work and competence of the Secretariat, in their responses to the review, while noting a number of areas for improvement. As outlined in paragraph 100 of the report, it was noted that there has been a shift in functions within the Secretariat, which, as a result, has impacted the Secretariat's performance in areas that could have otherwise been better managed. Recommendations 7 to 13 identify the need to enhance the Secretariat's performance to support regional implementation of the Noumea Convention, including through having a dedicated staff position to be established, as well as strengthened and streamlined reporting.

12. The Secretariat informed the meeting that the next session of the Ad Hoc Meeting will include group work looking at the roadmap and having in-depth discussions on the Noumea Review recommendations.

Sessions 4 and 5: Breakout (working) groups, presentations and feedback.

13. Working Group B consisting of the Cook Islands, New Zealand, Samoa and the United States of America (virtual) discussed the following recommendations under the thematic categories of Strengthening the Secretariat of the Noumea Convention and Financial sustainability. New Zealand presented on behalf of Working Group B and shared the following overview.

- a. **Recommendation 16:** (section 5.3.3) SPREP should consider options to establish a dedicated, permanent staff position for the Noumea Convention including through activities under the ACP MEA 3 project.

Supported in principle. New Zealand noted support but sought more information on the budgetary issues regarding the position. Requested the Secretariat to provide more information about the financial implications of this recommendation to guide the decision making at COP17.

- b. **Recommendation 17:** (section 5.3.3) That clear Terms of Reference be developed for this position, to include, at a minimum, the items mentioned in point 109 of this review.

Supported in principle.

- c. **Recommendation 18:** (section 5.3.3) That relevant staff within SPREP should be encouraged to link their work more clearly with the Noumea Convention.

Supported in principle.

- d. **Recommendation 12:** (section 4.2.4) That a sustainable financing strategy be developed for the Noumea Convention, building on support from the *Pacific Hub Component - Capacity Building Related To Multilateral Environmental Agreements (MEAs) in the African, Caribbean and Pacific (ACP) Countries - Phase III (ACP-MEAs 3)* project, to ensure a more effective implementation of the Noumea Convention.

Supported in principle.

- e. **Recommendation 13:** (section 4.2.4) That the SPREP Secretariat actively approach metropolitan members of the Noumea Convention, and key partners including United Nations Environment Programme (UNEP) and International Maritime Organization (IMO), to seek increased support for the implementation of the Noumea Convention, including through secondments and through targeted support to address specific marine pollution issues and incidents.

Supported in principle.

14. Providing general comments, New Zealand shared that Working Group B supported in principle the recommendations discussed, but suggested that Contracting Parties would need to receive more information about the budgetary implications, funding source and terms of reference of a staff position to inform decision making at the upcoming COP. A key aspect highlighted was sustainability of funding as the current position is funded by the ACP MEA Phase III Project which will conclude in 2024. It was also shared that there must be consistent engagement with Parties to help enhance awareness and not just during times close to the COP meetings. There should also be considerations of how the Noumea Convention would link with other SPREP projects and programmes, to ensure relevance and visibility of the Noumea Convention across the work of SPREP. The importance of strengthening the Noumea Convention linkages with the SPREP Strategic Plan and other relevant global regional and international Action Plans was highlighted.
15. Working Group B also recognised that as international treaties are realised, the Contracting Parties will have to explore how these relate to the Noumea Convention. The Convention may have links to global work on contemporary matters such as deep seabed mining, marine plastic pollution and other areas relevant for the region, however we should aim to work within the existing text of the Convention and not consider significant amendments to the Convention ahead of the conclusion of these global negotiations. The general need to strengthen the links to the Noumea Convention is viewed as important, particularly for the work of SPREP and international reporting. It was also noted that the use of the name “Noumea Convention” created confusion and poor understanding of the Convention.
16. Working Group A consisting of Australia, Fiji, Federated States of Micronesia and the Cook Islands (virtual) discussed the following recommendations under thematic categories: Strengthening internal collaboration and Strengthening the Governance of the Noumea Convention. Fiji reported on behalf of Working Group A and shared the following overview:
- a. **Recommendation 1:** (section 3.1.4) That there should be stronger linkages developed between the Noumea Convention and the SPREP Strategic Plan. These linkages should be communicated by the SPREP Secretariat as a key element of the targeted communication and awareness plan (recommendation 7 of this review)
Supported in principle. Noting this would help support reporting outcomes and raise awareness of the Noumea Convention.
 - b. **Recommendation 2:** (section 3.1.4) That the Noumea Convention be more clearly and explicitly linked with key frameworks, such as the Framework for Nature Conservation and Protected Areas in the Pacific Islands Region and the Cleaner Pacific 2025
Supported in principle. Noting frameworks are timebound, this would involve recognising links to the Noumea Convention in current and future frameworks to better highlight programme level connections with the outcomes of the Noumea Convention.
 - c. **Recommendation 6:** (section 3.3) That the Noumea Convention be used more strategically as the framework for addressing key issues such as Marine Plastic and Deep Seabed Mining, irrespective of whether the Convention text is substantively amended or not.

Supported in principle. Noting that framing discussions on contemporary issues under the Noumea Convention will help to elevate the Convention and seek to align with, rather than duplicate, international treaties on these matters. In supporting this recommendation, the Working Group is not seeking to convey support for recommendations associated with amendments to the convention.

- d. **Recommendation 19:** (section 5.3.3) That opportunities for better linking the work of the SPREP Coastal and Marine Ecosystems (CME) Advisor with the Noumea Convention should be explored between relevant SPREP Divisions and the Advisor.

Supported in principle. Working Group A further supports SPREP pursuing opportunities to better link the work of SPREP's other workstreams with the Noumea Convention.

- e. **Recommendation 3:** (section 3.3) That minor changes to the Noumea Convention be undertaken as quickly as possible.

Supported in principle. Noting minor changes to the Noumea Convention specifically refers to outdated terminology, which will be provided to the next COP for decision.

- f. **Recommendation 4:** (section 3.3) That State Parties of the Noumea Convention be presented with two options for substantive amendment to the Noumea Convention: (a) no substantive changes be made to the Noumea Convention; (b) substantive changes be made. If the latter is chosen then the Secretariat and State Parties need to develop and agree on a process and timeline for this amendment which should include, but not be limited to, the suggested areas in Paragraph 53 of this review.

Supported in principle Recommendation 4 for review at COP17 (as proposed). Propose amendment to recommendations as follows: "If the latter is chosen, the Secretariat will develop a proposed process and timeline as part of the work at Recommendation 20" (if endorsed).

Noting SPREP will provide information to Contracting Parties ahead of COP17 on new and emerging international treaties (e.g. proposed plastics treaty and proposed Marine Biodiversity of Areas Beyond National Jurisdiction treaty), and their relation to the Noumea Convention, to inform and guide decision making at COP17.

Furthermore Recommendation 4b)² to be considered in relation to financial sustainability.

- g. **Recommendation 5:** (section 3.3) That State Parties of the Noumea Convention agree that the Noumea Convention be referred to in all subsequent dealings and matters as the SPREP Convention.

² Substantive changes be made

Supported in principle. The Working Group A understands this to be an informal reference that does not require formal change to the Convention text. Australia acknowledged that this would increase linkages between the Noumea Convention and SPREP but note that SPREP's work is broader than the Noumea Convention.

- h. Recommendation 20:** (section 6.1) That the Road Map for implementation of the Noumea Convention Review, including a Work Plan and Budget for the Convention with clear targets and indicators, be adopted and applied by State Parties and the SPREP Secretariat.

Consider text change. Proposed change to text: "That the Secretariat, in consultation with the Contracting Parties, develop a Work Plan and Budget for the Convention, including clear targets and indicators to implement the recommendations endorsed by the Contracting Parties at COP17, for discussion and endorsement by the Contracting Parties at an intersessional or working group meeting".

- 17.** Australia and New Zealand provided further reflections on the discussion of both working groups, which in essence aligned particularly on the importance of enhancing awareness of the Noumea Convention across the work of SPREP including the Strategic Plan through better internal collaboration. There was also a shared responsibility that Metropolitan Members provide further assistance, where possible and appropriate including through secondments as Australia has done in the past with Australian Maritime Safety Authority (AMSA).
- 18.** Australia and New Zealand noted that at their respective national levels, any significant amendments to the text of the Noumea Convention would require additional resources at both the national and regional levels, including significant time for national processes including at the ministerial level. This being separate to the 90 days written advice in advance of the meeting to deliberate under the Noumea Convention Rules of Procedure, which may be considered through an intersessional meeting or working group arrangement, with the authority to endorse amongst Contracting Parties.
- 19.** Noting the feedback from the working groups, the Secretariat referred to linkages between Noumea Convention provisions on Environmental Impact Assessments (EIAs) which led to the development of the Strategic Environmental Assessment Guidelines to guide SPREP Members, consisting of Parties and non-Parties to the Noumea Convention. The COP14 decision enabled the development of coastal engineering EIA guidelines for the Pacific. One of the key issues identified is that it is difficult for Members to track and report on MEAs, hence the importance of using data management portals such as the Inform portal and having appropriate level of resourcing to enable the Secretariat to provide better support to Members on implementation, monitoring and reporting of the Noumea Convention.
- 20.** The Secretariat further noted its concurrence with the recommendations including on the sustainable finance aspects. The sustainability of the work under the Noumea Convention through the ACP MEA III project is critical noting the project will conclude in 2024. The Secretariat will be developing an organisation-wide sustainable financing strategy and the Noumea Convention may do the same to better support the Convention, in particular, the Secretariat. The recommendation in terms of SPREP work plan and budget will be

explored further. It was acknowledged the need to look into it, identifying specific activities that contribute directly to the Convention and the reporting to the SPREP Meeting through the Performance Implementation Plan, which needs to be strengthened.

21. The Convenor (Australia) thanked the Contracting Parties for their invaluable interventions, which highlighted the importance of the meeting to discuss these pertinent issues regarding the next steps for the Review of the Noumea Convention. Appreciation was conveyed to the consultant and the Secretariat for their guidance and support through the deliberations.
22. The Secretariat through the Director of Environmental Monitoring and Governance provided an update of the programme for Day 2 with the adoption of a meeting report at the conclusion of the meeting. An update was also provided on housekeeping arrangements for Day 2 including participation in the SPREP Open Day programme.

Sessions 6 and 7: Breakout (working) groups, presentations and feedback

23. The Convenor (Australia) provided a brief recap of the Day 1 discussions. The Secretariat provided advice on the consideration of the draft report, which will be presented to the meeting for review and circulated thereafter for the purview of all Contracting Parties for consideration of, and endorsement by the COP17.
24. Noting the importance of group discussions by all Contracting Parties, it was decided that the following recommendations under the thematic categories of Communications and Awareness and Monitoring and Evaluation would be reviewed and discussed together.
 - a. **Recommendation 7:** (section 4.2.2) That the SPREP Secretariat develop a targeted communication and awareness **plan** to raise awareness of the Noumea Convention and to more effectively and widely share information about activities under the Convention **with Contracting Parties, potential members and partners**.

Supported in principle. Suggested text amendment to replace 'campaign' with 'plan' and add 'potential members and partners' in Recommendation 7.
 - b. **Recommendation 8:** (section 4.2.2) That the SPREP Secretariat raise the profile of the Noumea Convention by more clearly linking, or badging, related SPREP meetings with the Noumea Convention, including those relating to marine pollution, ocean conservation and management.

Supported in principle. Recommendation 8 viewed as low risk and pragmatic to implement. Observation shared that this proposal be implemented at the earliest opportunity and included in the workplan.
 - c. **Recommendation 9:** (section 4.2.2) That State Parties should be encouraged to do more to promote the Noumea Convention within their countries to communicate its role, importance and outcomes.

Supported in principle. Observation shared that this be widely encouraged, noting it could be done through low cost mechanisms, such as integrating in existing national campaigns. It was recognised that this recommendation compliments those related to enhancing visibility of the Noumea Convention by the Secretariat. We agree efforts should be made by all Parties to promote the Noumea Convention.

- d. **Recommendation 10:** (section 4.2.2) That the range of activities under the Noumea Convention which are presented to each COP Meeting should be more effectively communicated and promoted to raise its profile and awareness.

Supported in principle. Noted Recommendation 7 is an example of the targeted communications and awareness plan for all stakeholders, complementing existing work including with regional and global action plans.

- e. **Recommendation 11:** (section 4.2.3) That State Parties be encouraged to develop more effective mechanisms for internal cooperation and communication, including ensuring that the Focal Point within countries is directly involved with, and knowledgeable about, the Noumea Convention.

Supported in principle. Noted the link to Recommendation 9. We recognise that Parties have varying financial support and capacity to achieve Recommendation 11.

- f. **Recommendation 14:** (section 4.2.5) That SPREP Members which are currently not Parties to the Noumea Convention should be encouraged to join and that the SPREP Secretariat develop a membership strategy with the aim of progressively increasing the number of State Parties to the Convention.

Supported in principle. It was shared that this is to be considered for early implementation as soon as possible. The Cook Islands shared that this be strongly supported noting the more Parties, the stronger the Convention will become with increased resourcing and enhanced regional collaboration.

The Secretariat also shared that the issue of Territories would also need to be considered, by internal arrangements amongst Contracting Parties.

As identified in the review process the consultant shared that this helps reinforce the linkages with Recommendation 7 on the importance of increased awareness noting the low level of membership, as most countries are not aware of the Noumea Convention, and increased awareness will also enhance interest.

It was also noted by Australia that increased membership will enhance outcomes in Pacific, given many matters are transboundary in nature.

It was also noted that the matter of increasing membership has been previously discussed, and it was suggested by the Secretariat that Contracting Parties consider submission of a working paper with the support of the Secretariat to the 31st SPREP Meeting inviting non-Parties to consider becoming a party to the Noumea Convention.

- g. **Recommendation 15:** (section 5.3.2) That Reporting under the Noumea Convention be strengthened and enhanced, including through implementing

measures (a) to (d) in paragraph 107 of this review, as well as ensuring that improved reporting **and regular review of the reporting process are** key elements included in the Terms of Reference for the SPREP Officer responsible for the Noumea Convention.

Supported in principle. Fiji expressed support on training and capacity initiatives and assisting the streamlining of reporting. The consultant noted the importance of reporting being focussed on concise, outcome reporting, highlighting key lessons and implications, as well as linking the reporting to building awareness. The Cook Islands noted their support particularly regarding in paragraph 107 (a) and (d) regarding outcomes focused reporting capacity support for Contracting Parties.

Contracting Parties further agreed on there being a regular review process to ensure consistent and appropriate reporting that was fit for purpose.

The Working Group further recommends that under paragraph 107 c) *'ensuring that reporting includes the full range of activities linked to the Noumea Convention and undertaken by SPREP, including those relating to the UNEP Regional Seas programme'* to add after *'including'* the text *'but not limited to'*.

Noting this would help support reporting outcomes and raise awareness of the Noumea Convention and inform reporting for the Performance Implementation Plan (PIP) under the SPREP Strategic Plan.

Session 8: Review of the draft report of the Ad Hoc Meeting

25. The Convenor (Australia) facilitated the discussion and consideration by the Contracting Parties present, through consensus, of all of the Noumea Review recommendations including proposed amendments, for circulation to all Contracting Parties and for the consideration of COP17. *Refer to Annex 5 for the full list of recommendations and amendments.*

Session 9: Closing of the meeting

26. The Secretariat conveyed appreciation to all of the Contracting Parties present in person and virtually, particularly to the Convenor (Australia) for ensuring excellent deliberations over the past two days. New Zealand expressed appreciation to the Convenor (Australia) for their leadership, fellow participants for their invaluable inputs, the consultant for their excellent guidance and the Secretariat for their efforts in supporting the meeting and sharing their insights into the Noumea Convention. The Director General delivered the closing remarks in appreciation to all present, highlighting the importance of the Noumea Convention as the founding document for SPREP as its Secretariat, before it became an autonomous entity in 1993. The meeting closed with a prayer from the Secretariat through the Director of Environmental Monitoring and Governance.

Annex 1: Opening Remarks by the Acting Director General of SPREP

Opening Remarks by the Acting Director General of SPREP

Ms. Easter Chu Shing

Distinguished Delegates, Excellencies

Mr. David Sheppard, former SPREP Director General

SPREP Colleagues

Ladies and Gentlemen,

Talofa and Greetings to you all.

On behalf of the Secretariat of the Pacific Regional Environment Program (SPREP), the Director General of SPREP, Mr. Sefanaia Nawadra, the Secretariat of the Noumea Convention I extend to you a warm welcome to this Ad Hoc Meeting of the Contracting Parties to the Noumea Convention.

This year holds special significance for SPREP as we celebrate our 30th anniversary since the signing of the SPREP Treaty. Since its inception, SPREP has played a vital role in promoting sustainable development, protecting biodiversity, and addressing environmental challenges in our region. The Noumea Convention stands as a cornerstone of our collective efforts in addressing the challenges facing our region.

I would like to take this opportunity to recognise your continued support and commitment as Contracting Parties to the Noumea Convention. It is through your dedication and collaboration that we have made significant strides in protecting our shared environment.

In 2019, the Fifteenth Conference of the Contracting Parties to the Noumea Convention mandated the Secretariat to conduct a comprehensive review of the Noumea Convention. The review was aimed at assessing the effectiveness of the Convention and identifying areas where further action is required, highlighting gaps and limitations, examine the role and the effectiveness of the Secretariat in discharging its functions.

Distinguished delegates,

The objectives of this Ad Hoc Meeting are pivotal in charting the way forward for the Noumea Convention. We gather here today with the shared goal of reviewing the findings of the report on the relevance and future direction of the Noumea Convention. As Contracting Parties to the Convention, it is our shared goal to explore opportunities to strengthen the Convention.

At the heart of our discussions lies the profound connection between the Noumea Convention and the rich cultures, heritage, and values of the Pacific. The environment is not just a physical entity; it embodies the essence of who we are as Pacific Islanders. It is embedded and entrenched in our traditions, knowledge systems, and ways of life.

Let us also be reminded of the linkages between the Noumea Convention and key Multi-lateral Environmental Agreements including the Global Biodiversity Framework which was adopted at the CBD CoP15 last year. The Noumea Convention also complements and contributes to the achievement of the 2050 Strategy for a Blue Pacific Continent and the Sustainable Development Goals (SDGs), providing a platform to integrate environmental considerations into broader development agendas.

In your deliberations in the next two days, I encourage you to engage in open and constructive discussions. Let us embrace this opportunity to strengthen our collective membership as Contracting Parties to propose and agree on a clear roadmap for the way forward, equipped with concrete actions and recommendations that will enhance the effectiveness of the Noumea Convention, promote its relevance to the ongoing and present environmental threats and provide direction for the Secretariat in the discharge of its roles and functions.

As Contracting Parties, I also encourage you to reflect on these key questions:

1. In its current state, how can the Convention be improved?
2. Is the Convention still relevant and effective in addressing the present environmental challenges of the Pacific Region?
3. As Parties, what would be the future direction of the Noumea Convention and its Secretariat?

This Ad Hoc Meeting will serve as a catalyst for transformative action. Let us seize this opportunity to shape the future of the Noumea Convention, making it a more robust, inclusive, and responsive framework. Together, we can forge a path towards a region

that is resilient to environmental challenges, prosperous in its sustainable development, and true to its Pacific identity.

With those few remarks, I wish you fruitful discussions, meaningful collaborations, and a successful outcome of this Ad Hoc Meeting. Let us embark on this journey together, united in our vision for “a resilient Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.”

Fa’afetai, Soifua.

DRAFT

Annex 2: List of Participants

LIST OF PARTICIPANTS TO THE AD HOC MEETING OF THE PARTIES TO THE NOUMEA CONVENTION			
	Full name	Country	Mode of participation
1	Susan McErlain	Australia	In-person
2	Ngatupuna Mathew Rima	Cook Islands	In-person
3	Teuru Passfield	Cook Islands	Virtual
3	Kritika Raj	Fiji	In-person
4	Juliet Mathias	Federated States of Micronesia	In-person
5	Veari Kula	Papua New Guinea	Virtual
6	Darren Aukuso Bartley	Samoa	In-person
7	Reece Fitzgibbon	New Zealand	In-person
8	Stephanie Clark	United States of America	Virtual
	Consultant		In-person
9	David Sheppard	David Sheppard Global Environment Consulting Pty. Ltd.	In-person
	SPREP Secretariat		In-person
11	Sefanaia Nawadra	Director General	In-person
12	Easter Chu Shing	Deputy Director General	In-person
13	Jope Davetanivalu	Director, Environmental Monitoring and Governance	In-person
14	Anthony Talouli	Director, Waste Management and Pollution Control	In-person
15	Clark Peteru	Legal Counsel	In-person
16	Juney Ward	Biodiversity Officer	In-person
17	Anastacia Amoa Stowers	Multilateral Environmental Agreements (MEAs) Coordinator	In-person
18	Tavita Sua	Pacific Environment Portal Systems Developer and Analyst	In-person
19	Joshua Sam	Hazardous Waste Management Adviser	In-person
20	Kasaqa Tora	Spatial Analysis Specialist - Protected Areas	In-person
21	Vani Koroisamanunu	Environmental GIS Specialist	In-person
22	Everett Sioa	Legal Officer	In-person
23	Ivan Diarra	PNEA - Technical Support Officer	In-person

24	Lagi Reupena	Environmental Data Officer	In-person
25	Charlie Reid	IT Support Officer	In-person
26	Flavia Vaai	Multilateral Environmental Agreements (MEAs) Support Officer	In-person
27	Faasipa Tinai	EMG Project Assistant	In-person
28	Audrey Brown-Pereira	Executive Officer	In-person
Parties to the Noumea Convention			
1	Australia		
2	Cook Islands		
3	Federated States of Micronesia		
4	Fiji		
5	France		
6	Marshall Islands		
7	Nauru		
8	New Zealand		
9	Papua New Guinea		
10	Samoa		
11	Solomon Islands		
12	United States of America		

Annex 3: Concept Note and Work Programme

1. Background

- 1.1 The Noumea Convention and the related Protocols is a legally binding agreement for Parties to undertake the protection, management and development of the marine and coastal environment of the Pacific region. Its key objective as part of the Regional Seas Programme is to address the accelerating degradation of the world's oceans and coastal areas through prevention, reduction and control of pollution from any source; and ensure sound environmental management and development of natural resources.³ Adopted in 1986, the Convention and its related Protocols entered into force in 1990.
- 1.2 The Noumea Convention was developed on a smaller subset of regional issues to what we face today. Specifically, the Noumea Convention does not specifically make provisions for climate change, deep sea mining, plastic pollution, or marine litter which have become significant threats to our livelihoods, biodiversity and wider environment. Further, the Noumea Convention in its current legal framework have not been able to address many of the emerging and challenging issues, emanating from increased marine pollution, deep seabed minerals exploration and mining, increased pressure on fisheries management systems and stocks, ocean acidification, biodiversity and ecosystem health, climate change including sea level rise, storms, temperatures rising.⁴
- 1.3 The scope of the Noumea Convention is limited when compared to the type and extent of environment issues facing the region today.⁵ As such, this limits the effectiveness of the Noumea Convention as a regional legal instrument to tackle the environmental issues of today.⁶
- 1.4 At the Fifteenth Conference of the Contracting Parties to the Noumea Convention (COP15) in 2019, the conference agreed for the Secretariat to carry out a review of the Noumea Convention based on the following terms of reference:
- (i) Evaluate how the Convention is being implemented at all levels;
 - (ii) Determine whether the objectives of the Convention are being met by the actions of the Parties; and
 - (iii) Evaluate the effectiveness of the Secretariat.
- 1.5 The above review, undertaken in July and August 2019, consisted of a desktop analysis of outputs and achievements under the Convention over the past ten years. The review report contained a series of recommendations for Parties to consider as follows:⁷
- (i) Increased resourcing to administer the Convention;
 - (ii) Greater commitment from Parties to meet the requirements of the Convention;
 - (iii) An award for best project/initiative within the reporting period;
 - (iv) A rotational system for hosting COP meetings that includes field trip of a demonstration project by a host country;
 - (v) Increased scope to include emerging issues such as plastic pollution; and
 - (vi) Amendment procedures to be carried out by tacit acceptance.

2. Objectives

At the Sixteenth Ordinary meeting of the contracting parties to the Noumea Convention discussed working paper on the review of the Noumea Convention. As a result of the discussion on this working paper, the meeting decided as follows:

- Noted the status and progress of the review of the Noumea Convention

³ Review of the Waigani and Noumea Conventions, 17 July 2019

⁴ Opening remarks for the 15th Noumea Convention COP, Director General Kosi Latu

⁵ Annex IV, 14NC/WP.7.11

⁶ Ibid

⁷ Fifteenth Meeting of the Noumea Convention, WP7.2: Review of the Noumea Convention

- Collaborated and supported the Secretariat by providing comments to the consultant undertaking the review, and
- Agreed to discuss intersessionally the findings and recommendations of the review prior to its formal consideration at COP17
- **[Tasked the Secretariat to propose a suitable date for Parties to meet intersessionally to discuss the findings of the review.]**

In accordance with the Noumea Convention COP16, the ad hoc meeting of the Parties to the Noumea Convention intends to focus on the following key objectives:

- 2.1 Strengthen resourcing and financial sustainability
- 2.2 Strengthen the Secretariat of the Noumea Convention
- 2.3 Strengthen the governance of the Noumea Convention (Intergovernmental Negotiating Committee on a new global plastics treaty, Biodiversity Beyond National Jurisdiction, Deep Sea Mining, Marine Spatial Planning)
- 2.4 Strengthen communication and awareness of the Noumea Convention
- 2.5 Approaches to monitoring and reporting.

The above objectives are clustered based on the recommendations from the review.

3. Expected outcomes

The expected outcomes of the ad hoc meeting of the parties are as follows:

- 3.1 Proposed pathway on resourcing and financial sustainability of the Noumea Convention
- 3.2 Proposed strategy on approaches to strengthen the Secretariat
- 3.3 Better linkages to other Regional Seas Conventions
- 3.4 Proposal to develop a communication and awareness plan for the Noumea Convention
- 3.5 Proposal to develop a monitoring and reporting plan for the Noumea Convention.

4. Rules of Procedure

In accordance with Rule 42 of the Noumea Convention Rules of Procedure, contracting parties may convene ad hoc meetings and working groups during or between ordinary meetings, either of representatives of the contracting parties or of experts. The terms of reference of these ad hoc meetings are to be discussed and determined by the contracting parties. For this ad hoc meeting, the decision of the contracting parties at the COP16 stated that the recommendations from the review of the Noumea Convention are to be discussed intersessionally and report back to the COP17.

Rule 24 of the Noumea Convention Rules of Procedures further states that the ad hoc meeting shall elect a Convenor and determine the terms of reference of such ad hoc meeting.

Work Programme

Day 1 Wednesday, 14 June 2023 08:30 – 17:00			
Session 1: Opening of the meeting			
Time	Session	Speaker/Facilitator	Objective
08:30-09:00	Call to order	Secretariat	Formal opening of the Ad Hoc Meeting of the Parties to the Noumea Convention
	Prayer	Secretariat	
	Welcome Remarks	Easter Chu Shing Acting Director General	
09:00 – 09:10 PHOTO			
09:10 – 09:20 MORNING TEA			
Session 2: Procedural matters			
09:20 – 09:30	Housekeeping items	Secretariat	Secretariat to provide participants with general housekeeping information
9:30 – 09:45	Election of a Convenor	Secretariat to facilitate the election	To elect a Convenor of the Ad Hoc Meeting of the Parties
9:45 – 10:00	Adoption of the 1. Draft Work Programme of the meeting	Convenor	To adopt the draft Work Programme
Session 3: Overview			
10:00 - 10:20	Overview of the review of the Noumea Convention	Secretariat	Inform the Parties on the overview of the review conducted for the Noumea Convention
10:20 – 10:45	Presentation on the outcomes of the review of the Noumea Convention	Mr David Sheppard Independent consultant	Inform the Parties on the outcomes and findings of the review of the Noumea Convention
10:45 – 11:00	Questions and Answers	Convenor Secretariat David Sheppard	Questions on the 2 presentations
Session 4: Breakout groups			
11:00 – 11:15	Brief guidance to breakout groups (here the Secretariat introduces the origins of the 6 thematic areas i.e., grouped from the review recommendations) – 15 mins 1. Strengthening internal collaboration 2. Strengthening the Secretariat of the Noumea Convention 3. Strengthening the governance of the Noumea Convention 4. Financial sustainability 5. Communication and Awareness 6. Monitoring and reporting	Convenor Secretariat	For Parties to unpack the recommendations and findings of the review

11:15 – 13:00	Group work and discussions:	Convenor Secretariat	The breakout groups will have 2 separate rooms with online participants joining in the discussions: <ol style="list-style-type: none"> 1. Strengthening internal collaboration 2. Strengthening the Secretariat of the Noumea Convention 3. Strengthening the governance of the Noumea Convention 4. Financial sustainability
13:00 – 14:00 BREAK - LUNCH			
14:00-15:00	Group discussions continue	Convenor Secretariat	
15:00 – 15:20 BREAK – AFTERNOON TEA			
Session 5: Group presentations and feedback			
15:20 – 16:30	Group presentations and presentations Open discussions	Convenor	Groups to provide feedback from their group discussions on unpacking the findings and recommendations
16:30 – 16:45	Wrap up of Day 1	Convenor Secretariat	Summary of Day 1
16:45 – 17:00	Housekeeping items	Secretariat	Inform Parties on the key items for programme on Day 2
Day 2 Thursday, 15 June 2023 09:15 – 17:00			
Time	Session	Facilitator	Objectives
08:30 – 09:15	SPREP Day Opening [Refer to separate programme]	SPREP	Parties are invited to attend the official opening of the SPREP Day.
09:15 - 09:40 MORNING TEA			
Session 6: Breakout groups			
09:40 – 09:50	Recap of Day 1	Convenor Secretariat	To recap on Day 1
09:50 – 10:50	Breakout groups into priorities: <ol style="list-style-type: none"> 5. Communication and awareness 6. Monitoring and reporting 		Parties to resume in group work to unpack the findings and recommendations of the review
Session 7: Group presentation and feedback			
10:50 – 12:00	Group presentation and feedback	Convenor Secretariat	Presentations and feedback from the groups
12:00 – 15:00 LUNCH			
Session 8: Review of the draft report of the Ad Hoc Meeting			
15:00 – 16:30	Parties to review the report of the Ad Hoc Meeting	Convenor Secretariat	Parties to review the report setting out the record of the meeting and agree for the report to be sent to the Noumea Convention COP17
Session 9: Closing of the meeting			
17:00 – 17:30	Closing of the meeting	Secretariat	
	Closing remarks	Sefanaia Nawadra SPREP DG	

	Vote of thanks from the Parties	TBC	
	Closing Prayer	TBC	
17:30	Photo	Parties & Secretariat	
17:30 – 18:30	DINNER / NETWORKING SESSION		

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Annex 4: Annexes to the Annotated Work Programme

ANNEXES TO THE ANNOTATED WORK PROGRAMME

ANNEX I:

1. Strengthening internal collaboration
3. Strengthening the Governance of the Noumea Convention

	Review recommendation	Grouping
1.	That there should be stronger linkages developed between the Noumea Convention and the SPREP Strategic Plan. These linkages should be communicated by the SPREP Secretariat as a key element of the targeted communication and awareness campaign.	Strengthening internal collaboration
2.	That the Noumea Convention be more clearly and explicitly linked with key frameworks, such as the Framework for Nature Conservation and Protected Areas in the Pacific Islands Region and the Cleaner Pacific 2025.	
6.	That the Noumea Convention be used more strategically as the framework for addressing key issues such as Marine Plastic and Deep Seabed Mining, irrespective of whether the Convention text is substantively amended or not.	
19.	That opportunities for better linking the work of the SPREP Coastal and Marine Ecosystems (CME) Advisor with the Noumea Convention should be explored between relevant SPREP Divisions and the Advisor	
3.	That minor changes to Noumea Convention be undertaken as quickly as possible	Strengthening the governance of the Noumea Convention
4.	That State Parties of the Noumea Convention be presented with two options for substantive amendment to the Noumea Convention:(a) no substantive changes be made to the Noumea Convention; (b) substantive changes be made. If the latter is chosen then and State Parties need to develop and agree on a process and timeline for this amendment which should include, but not be limited to, the suggested areas in paragraph 53 of this review.	
5.	That State Parties of the Noumea Convention agree that the Noumea Convention be referred to in all subsequent dealings and matters as the SPREP Convention.	
20.	That the Road map for implementation of the Noumea Convention Review including a work plan and budget for the Convention with clear targets and indicators be adopted and applied by State Parties and the SPREP Secretariat.	

ANNEX II:

2. Strengthening the Secretariat of the Noumea Convention

4. Financial sustainability

	Review recommendation	Grouping
16.	SPREP should consider options to establish a dedicated, permanent staff position for the Noumea Convention including through activities under the ACP MEAs 3 project.	Strengthening the Secretariat of the Noumea Convention
17.	That clear terms of reference be developed for this position to include as a minimum the items mentioned in point 109 of this review.	
18.	That relevant staff within SPREP should be encouraged to link their work more clearly with the Noumea Convention.	
12.	That a sustainable financing strategy be developed for the Noumea Convention building on support from the ACP MEAs 3 project, to ensure a more effective implementation of the Noumea Convention.	Financial sustainability
13.	That the SPREP Secretariat actively approach the metropolitan members of the Noumea Convention, and key partners including UNEP and IMO to seek increased support for the implementation of the Noumea Convention including through secondments and through targeted support to address specific marine pollution issues and incidents.	

ANNEX III:

5. Communications and awareness

	Review recommendation	Grouping
7.	That the SPREP Secretariat develop a targeted communication and awareness campaign to raise awareness of the Noumea Convention and to more effectively and widely share information with State Parties about activities under the Convention	Communication and awareness
8.	That the SPREP Secretariat raise the profile of the Noumea Convention by more clearly linking, or badging, related SPREP meetings with the Noumea Convention, including those relating to marine pollution, ocean conservation and management.	
9.	That State Parties should be encouraged to do more to promote the Noumea Convention within their countries to communicate its role, importance and outcomes	
10.	That the range of activities under the Noumea Convention which are presented to each COP meeting should be more effectively communicated and promoted to raise its profile and awareness	
11.	That State Parties be encouraged to develop more effective mechanisms for internal cooperation and communication, including ensuring that the Focal Point within countries is directly involved with, and knowledgeable about the Noumea Convention.	
14.	That SPREP Members which are currently not Parties to the Noumea Convention should be encouraged to join and that the SPREP Secretariat develop a membership strategy with the aim of progressively increasing the number of State Parties to the Convention.	

ANNEX IV:

6. Monitoring and reporting

	Review recommendation	Grouping
15.	That Reporting under the Noumea Convention be strengthened and enhanced including through implementing measures (a) to (d) in paragraph 107 of this review as well as ensuring that improved reporting is one of the key elements included in the Terms of Reference for the SPREP Officer responsible for the Noumea Convention.	Monitoring and reporting

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**Annex 5: Recommendations from the Ad Hoc Meeting of the Parties
(14 to 15 June 2023)**

The Contracting Parties present, in-person and virtually, agreed to support in principle the findings and recommendations from the review of the Noumea Convention completed in November 2021. Several minor additions to the recommendations are proposed. Together, the proposed recommendations form the basis of the outcomes of the Ad Hoc Meeting of the Parties, which will be presented to the forthcoming Seventeenth Conference of the Contracting Parties to the Noumea Convention (COP17) on 31 August 2023. The COP17 will examine the outcomes by the Ad Hoc Meeting of the Parties and determine the direction for Contracting Parties and the Secretariat.

The recommendations to be presented to COP17 for endorsement are listed in the order of discussion:

Strengthening the Secretariat of the Noumea Convention

Recommendation 16: (section 5.3.3) SPREP should consider options to establish a dedicated, permanent staff position for the Noumea Convention including through activities under the ACP MEA 3 project.

Supported in principle. New Zealand noted support but sought more information on the budgetary issues regarding the position. Requested the Secretariat to provide more information on the financial implications of this recommendation to guide the decision making at COP17.

Recommendation 17: (section 5.3.3) That clear Terms of Reference be developed for this position, to include, at a minimum, the items mentioned in point 109 of this review.

Supported in principle.

Recommendation 18: (section 5.3.3) That relevant staff within SPREP should be encouraged to link their work more clearly with the Noumea Convention.

Supported in principle.

Financial sustainability

Recommendation 12: (section 4.2.4) That a sustainable financing strategy be developed for the Noumea Convention, building on support from the Pacific Hub Component - Capacity Building Related To Multilateral Environmental Agreements (MEAs) In African, Caribbean And Pacific (ACP) Countries - Phase III (ACP-MEAs) 3) project, to ensure a more effective implementation of the Noumea Convention.

Supported in principle.

Recommendation 13: (section 4.2.4) That the SPREP Secretariat actively approach metropolitan members of the Noumea Convention, and key partners including United Nations Environment Programme (UNEP) and International Maritime Organisation (IMO), to seek increased support for the implementation of the Noumea Convention, including through secondments and through targeted support to address specific marine pollution issues and incidents.

Supported in principle.

Strengthening internal collaboration

Recommendation 1: (section 3.1.4) That there should be stronger linkages developed between the Noumea Convention and the SPREP Strategic Plan. These linkages should be communicated by the SPREP Secretariat as a key element of the targeted communication and awareness plan (recommendation 7 of this review)

Supported in principle. Noting this would help support reporting outcomes and raise awareness of the Noumea Convention.

Recommendation 2: (section 3.1.4) That the Noumea Convention be more clearly and explicitly linked with key frameworks, such as the Framework for Nature Conservation and Protected Areas in the Pacific Islands Region and the Cleaner Pacific 2025

Supported in principle. Noting frameworks are timebound, this would involve recognising links to the Noumea Convention in current and future frameworks to better highlight programme level connections with the outcomes of the Noumea Convention.

Recommendation 6: (section 3.3) That the Noumea Convention be used more strategically as the framework for addressing key issues such as Marine Plastic and Deep Seabed Mining, irrespective of whether the Convention text is substantively amended or not.

Supported in principle. Noting that framing discussions on contemporary issues under the Noumea Convention will help to elevate the Convention and seek to align with, rather than duplicate, international treaties on these matters. In supporting this recommendation the Working Group is not seeking to convey support for recommendations associated with amendments to the convention.

Recommendation 19: (section 5.3.3) That opportunities for better linking the work of the SPREP Coastal and Marine Ecosystems (CME) Advisor with the Noumea Convention should be explored between relevant SPREP Divisions and the Advisor.

Supported in principle. Working Group A further supports SPREP pursuing opportunities to better link the work of SPREP's other workstreams with the Noumea Convention.

Strengthening the Governance of the Noumea Convention

Recommendation 3: (section 3.3) That minor changes to the Noumea Convention be undertaken as quickly as possible.

Supported in principle. Noting minor changes to the Noumea Convention specifically refers to outdated terminology, which will be provided to the next COP for decision.

Recommendation 4: (section 3.3) That State Parties of the Noumea Convention be presented with two options for substantive amendment to the Noumea Convention: (a) no substantive changes be made to the Noumea Convention; (b) substantive changes be made. If the latter is chosen the Secretariat will develop a proposed process and timeline as part of the work at Recommendation 20 (if endorsed).

Supported in principle Recommendation 4 for review at COP17 (as proposed). Proposed amendment as above.

Noting SPREP will provide information to Contracting Parties ahead of COP17 on new and emerging international treaties (e.g. proposed plastics treaty and proposed Marine Biodiversity of Areas Beyond National Jurisdiction treaty), and their relation to the Noumea Convention, to inform and guide decision making at COP17.

Furthermore Recommendation 4 b) to be considered in relation to financial sustainability.

Recommendation 5: (section 3.3) That State Parties of the Noumea Convention agree that the Noumea Convention be referred to in all subsequent dealings and matters as the SPREP Convention.

Supported in principle. The Working Group A understands this to be an informal reference that does not require formal change to the Convention text.

Recommendation 20: (section 6.1) *That the Secretariat, in consultation with the Contracting Parties, develop a Work Plan and Budget for the Convention, including clear targets and indicators to implement the recommendations endorsed by the Contracting Parties at COP17, for discussion and endorsement by the Contracting Parties at an intersessional or working group meeting.*

Consider text change. Proposed amendment as above.

Communications and awareness

Recommendation 7: (section 4.2.2) That the SPREP Secretariat develop a targeted communication and awareness *plan* to raise awareness of the Noumea Convention and to more effectively and widely share information about activities under the Convention *with Contracting Parties, potential members and partners.*

Supported in principle. Suggested text amendment to replace 'campaign' with 'plan' and add 'potential members and partners' in Recommendation 7.

Recommendation 8: (section 4.2.2) That the SPREP Secretariat raise the profile of the Noumea Convention by more clearly linking, or badging, related SPREP meetings with the Noumea Convention, including those relating to marine pollution, ocean conservation and management.

Supported in principle. Recommendation 8 viewed as low risk and pragmatic to implement. Observation shared that this proposal be implemented at the earliest opportunity and included in the workplan.

Recommendation 9: (section 4.2.2) That State Parties should be encouraged to do more to promote the Noumea Convention within their countries to communicate its role, importance and outcomes.

Supported in principle. Observation shared that this be widely encouraged, noting it could be done through low cost mechanisms, such as integrating in existing national campaigns. It was recognised that this recommendations compliments those related to enhancing visibility of the Noumea Convention by the Secretariat. We agree efforts should be made by all Parties to promote the Noumea Convention.

Recommendation 10: (section 4.2.2) That the range of activities under the Noumea Convention which are presented to each COP Meeting should be more effectively communicated and promoted to raise its profile and awareness.

Supported in principle. Noted Recommendation 7 is an example of the targeted communications and awareness plan for all stakeholders, complementing existing work including with regional and global action plans.

Recommendation 11: (section 4.2.3) That State Parties be encouraged to develop more effective mechanisms for internal cooperation and communication, including ensuring that the Focal Point within countries is directly involved with, and knowledgeable about, the Noumea Convention.

Supported in principle. Noted the link to Recommendation 9. We recognise that Parties have varying financial support and capacity to achieve Recommendation 11.

Recommendation 14: (section 4.2.5) That SPREP Members which are currently not Parties to the Noumea Convention should be encouraged to join and that the SPREP Secretariat develop a membership strategy with the aim of progressively increasing the number of State Parties to the Convention.

Supported in principle. It was shared that this is to be considered for early implementation as soon as possible. The Cook Islands shared that this be strongly supported noting the more Parties, the stronger the Convention will become with increased resourcing and enhanced regional collaboration.

The Secretariat also shared that the issue of Territories would also need to be considered, by internal arrangements amongst Contracting Parties.

As identified in the review process the consultant shared that this helps reinforce the linkages with Recommendation 7 on the importance of increased awareness noting the low level of membership, as most countries are not aware of the Noumea Convention, and increased awareness will also enhance interest.

It was also noted by Australia that increased membership will enhance outcomes in Pacific, given many matters are transboundary in nature.

It was also noted that the matter of increasing membership has been previously discussed, and it was suggested by the Secretariat that Contracting Parties consider submission of a working paper with the support of the Secretariat to the 31st SPREP Meeting inviting non-Parties to consider becoming a party to the Noumea Convention.

Monitoring and reporting

Recommendation 15: (section 5.3.2) That Reporting under the Noumea Convention be strengthened and enhanced, including through implementing measures (a) to (d) in paragraph 107 of this review, as well as ensuring that improved reporting *and regular review of the reporting process* are key elements included in the Terms of Reference for the SPREP Officer responsible for the Noumea Convention.

Supported in principle. Suggest amendment as above.

Fiji expressed support on training and capacity initiatives and assisting the streamlining of reporting. The consultant noted the importance of reporting being focussed on concise, outcome reporting, highlighting key lessons and implications, as well as linking the reporting to building awareness. The Cook Islands noted their support particularly regarding in paragraph 107 (a) and (d) regarding outcomes focused reporting capacity support for Contracting Parties.

Contracting Parties further agreed on there being a regular review process to ensure consistent and appropriate reporting that was fit for purpose.

The Working Group further recommends that under paragraph 107 c) '*ensuring that reporting includes the full range of activities linked to the Noumea Convention and undertaken by SPREP, including those relating to the UNEP Regional Seas programme*' to add after '*including*' the text '*but not limited to*'.

Noting this would help support reporting outcomes and raise awareness of the Noumea Convention and inform reporting for the Performance Implementation Plan (PIP) under the SPREP Strategic Plan.

Annex 6: Overview of the Review of the Noumea Convention (Separate document)

- Presentation by Mr. Jope Davetanivalu, Director of Environmental Monitoring and Governance Programme, SPREP.

Annex 7: Key outcomes on the review of the Noumea Convention (Separate document)

- Presentation by Mr. David Sheppard of David Sheppard Global Environment Consulting Pty. Ltd

Annex 8: Final Report on the Review of the Noumea Convention, 23 November 2021 (Separate document)

- Prepared by Mr. David Sheppard of David Sheppard Global Environment Consulting Pty. Ltd

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