Regional Co-operation for the Protection of Environment in the South Pacific*

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Most countries and territories in the South Pacific, except Australia, New Zealand and Papua New Guinea, are composed of small islands, being geographically dispersed and separated by vast expanses of the sea. Their development has been hampered by the very fact of decentralization and isolation of their island societies. At the same time, most countries in this region, except Australia and New Zealand, are newly independent and other territories there are under administration of Metropolitan Powers. Both of them lack capitals, skills and technologies, and infrastructure necessary for economic development. In order to achieve their development and welfare, it is necessary to pool and utilize the natural and human resources of the region by promoting regional co-operation in various fields. Two regional organizations, the South Pacific Commission (SPC) and the South Pacific Bureau for Economic Co-operation (SPEC), were established in the region to fulfill the stated objective.

Ever since so-called environmental problems appeared in the

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South Pacific region, SPC and SPEC have been concerned with them in their own capacities. Environmental problems in the region have a common feature to other developing countries. They are how to satisfy the basic needs of people, such as food, shelter and education, and how to prevent the degradation of the distinctive natural environment of the region resulting from development activities.

This paper intends to review experiences of the regional cooperation for the protection of environment, particularly the nature conservation and the protection of marine living resources, and find out what lessons to be learned from it.

In the following chapter, institutional framework and powers and functions of the two regional organizations are to be examined at first.

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In February 1947, representatives of the Metropolitan Governments of Australia, France, the Netherlands, New Zealand, the United Kingdom and the United States of America signed the Agree-

(1) In 1962 the Netherlands withdrew from the Commission, since they ceased to administer their last colony in the South Pacific, Dutch New Guinea, which is now known as West Irian.

(2) The 1947 Agreement has been amended several times subsequently by the following documents: Agreement Extending the Territorial Scope of the South Pacific Commission which was signed on November 7, 1951 and entered into force on that date; Agreement Relating to the Frequency of Sessions of the South Pacific Commission which was signed on April 5, 1954 and entered into force on July 1, 1954; Agreement Amending the Agreement Establishing the South Pacific Commission which was signed on October 6, 1964 and entered into force on July 15, 1965; and Annex to the Agreement Establishing the South Pacific Commission, published as Annex II to the Proceedings of the 35th Session
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ment Establishing the South Pacific Commission commonly known as the Canberra Agreement. The aim of the Commission was "to encourage and strengthen international co-operation in promoting the economic and social development and welfare and advancement of the peoples of the non-self-governing territories in the South Pacific region administered by them". (Preamble of the Agreement) According to the Agreement, the said Metropolitan Powers are referred to as "the participating Governments". With the passage of time, newly independent island countries have acceded to the Agreement and have been admitted to membership of the Commission as "participating Governments". Right now SPC has nine participating Governments: Australia, Fiji, France, Nauru, New Zealand, Papua New Guinea, the United Kingdom, the United States of America and Western Samoa.

As the attached area-map of SPC shows, the region includes Guam and the Trust Territory of the Pacific Islands, and all the Pacific islands south of the Equator from Papua New Guinea eastwards. The region extends over some 30 million square kilometers,

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3. "The Agreement" includes the 1947 Agreement incorporating all Amendments up to and including the Amendment which entered into force on July 15, 1965 and modifications agreed to at the 35th Session of the South Pacific Commission, October 1972.

4. The Dominion of Fiji became a member in May 1971.

5. The Republic of Nauru became a member in July 1969.


7. Western Samoa became a member in October 1965. The Kingdom of Tonga, who used to be a British-protected State since 1900 and gained independence in 1970, is not a participating Government but has always worked in close relationship with the Commission by, for instance, making a voluntary contribution to the Commission.
MAP SHOWING
AREA OF
SOUTH PACIFIC COMMISSION
TERRITORIES WITHIN THE SOUTH PACIFIC
COMMISSION AREA.
less than two per cent of which is land. There are approximately 4.5 million people living in this region.

Territories within the Commission’s region are American Samoa, Cook Islands, Fiji, French Polynesia, Gilbert Islands, Guam, Nauru, New Caledonia, New Hebrides, Niue, Norfolk Island, Papua New Guinea, Pitcairn Island, Solomon Islands, Tokelau, Tuvalu, Kingdom of Tonga, Trust Territory of the Pacific Islands, Wallis and Futuna Islands and Western Samoa. (8)

The Commission is composed of two Commissioners appointed by each of the participating Governments (Article III). Within the Commission each participating Government is entitled to one vote in respect of itself and one in respect of each territory administered by it. (9)

As an advisory body auxiliary to the Commission, the South Pacific Conference is established in order to provide an opportunity for representatives from the Pacific territories to make known to the participating Governments their special needs and problems (see

(8) American Samoa, Guam and Trust Territory of the Pacific Islands are administered by the United States, Norfolk Island by Australia, French Polynesia, New Caledonia and Wallis and Futuna Islands by France, Tokelau by New Zealand, and Gilbert Islands and Pitcairn Island by the United Kingdom. The New Hebrides is a Condominium jointly administered by France and the United Kingdom. The Cook Islands and Niue are no longer territories of New Zealand but self-governing territories. The Solomon Islands and Tuvalu are no longer territories of the United Kingdom but have gained independence recently in July and October of 1978 respectively.

(9) Australia used to have two votes, Fiji one vote, the French Republic four votes, Nauru one vote, New Zealand four votes, Papua New Guinea one vote, the United Kingdom three votes, the United States four votes and Western Samoa one vote (Article V).
Article IX). Delegates who attend the Conference are appointed for each territory within the scope of the Commission and the maximum number of delegates for each territory is determined by the Commission—at least two delegates for each designated territory in general (Article XI). According to Article XII, functions of the Conference is to discuss such matters of common interest as fall within the competence of the Commission and to make recommendations to the Commission on any such matters.

On October 2, 1974, representatives of the eight participating Governments signed a Memorandum of Understanding(10) which provides that SPC and the South Pacific Conference meet once a year in a joint session to be known as the South Pacific Conference. This new South Pacific Conference examines and adopts the Commission's work programme and budget for the coming year and discuss any other matters within the Commission's competence. Each Government and each Territorial Administration are entitled to send to the Conference a Representative and alternates, each of whom has the right to speak. Each Representative, or in his absence, an alternate, has the right to cast one vote on behalf of the Government or Territorial Administration which he represents.

As to the Commission's powers and functions, Article IV provides that the Commission is a consultative and advisory body to the participating Governments in matters affecting the economic and social development of the territories within the scope of the Commission and the welfare and advancement of their peoples. It also pro-

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provides that the Commission has the following powers and functions:

(a) to study, formulate and recommend measures for the development of, and where necessary the co-ordination of services affecting, the economic and social rights and welfare of the inhabitants of the territories within the scope of the Commission, particularly in respect of agriculture (including animal husbandry), communications, transport, fisheries, forestry, industry, labour, marketing, production, trade and finance, public works, education, health, housing and social welfare;

(b) to provide for and facilitate research in technical, scientific, economic and social fields in the territories within the scope of the Commission and to ensure the maximum co-operation and co-ordination of the activities of research bodies;

(c) to make recommendations for the co-ordination of local projects in any of the fields mentioned in the previous subparagraphs which have regional significance and for the provision of technological assistance from a wider field not otherwise available to a Territorial Administration;

(d) to provide technical assistance, advice and information (including statistical and other material) for the participating Governments;

(e) to promote co-operation with non-participation Governments and with non-governmental organizations of a public or quasi-public character having common interests in the area, in matters within the competence of the Commission;

(f) to address inquiries to the participating Governments on matters within its competence;

(g) to make recommendations with regard to the establishment and activities of auxiliary and subsidiary bodies.
Finally, regarding the Commission's finances, the annual budget is derived from proportional contributions from the participating Governments and voluntary contributions from territorial administrations and governments, and international organizations and institutions working in the Pacific region. The said agreed proportions are: Australia 33.6%, New Zealand 18%, U. S. 17%, U. K. 14%, France 14%, Fiji, Nauru, Papua New Guinea and Western Samoa 0.85% each. The Commission's total budget for 1978 is estimated at Aust. $3,157,696.

SPEC, on the other hand, was established in 1973 by the South Pacific Forum, a diplomatic conference of the heads of governments of the independent and self-governing countries of the South Pacific. The governments of Australia, the Cook Islands, Fiji, Nauru, New Zealand, Tonga and Western Samoa signed in 1973 the Agreement Establishing the South Pacific Bureau for Economic Co-operation. Niue, Papua New Guinea and the Gilbert Islands have since joined it. The Solomon Islands, a newly independent country, and Tuvalu will soon complete membership formalities. As is commonly known, these twelve countries are all English speaking countries, comprising the Commonwealth. They have been under the administration of either England, Australia or New Zealand.

The basic objective of SPEC is "to facilitate continuing cooperation and consultation between members on trade, economic development, transport, tourism, and other related matters" (Article III). What is more important, such objective is implemented in a close partnership with the more developed countries of the region, Aus-

(11) SPC, Regional Co-operation in the South Pacific, 1977, p. 3.
(12) ibid., p. 4.
Australia and New Zealand. As is shown in the Preamble of the Agreement, the removal of barriers to trade between member states and establishing a free trade seem to be the two main incentives for setting up SPEC.

SPEC has an executive board to be known as the South Pacific Committee for Economic Co-operation and a Secretariat (Article II). The Committee is composed of representatives of each of the members of SPEC (Article V). According to the same provision, the Committee has the following powers and functions:

(a) to consult with the Director in the preparation of the annual budget for submission to the Forum;
(b) to recommend to the Forum amendments to the Annex to this Agreement;
(c) to approve the annual or interim report of the Director on the operation of the Bureau and transmit such report to the member governments;
(d) to make recommendations to the member governments;
(e) to lay down staff establishment and salary scales;
(f) to give general directions to the Bureau.

On the other hand, the Secretariat consisting of a Director and Deputy Director and staff appointed by the Director, subject to the direction of the Committee, may:

(a) prepare studies in order to identify opportunities for a modification of present trade patterns in the South Pacific region, and between the region and other countries, having in mind the objectives of regional trade expansion;
(b) carry out necessary investigations in connection with development of free trade among the Island members of the Bureau;

(c) prepare studies of the development plans and policies of member governments in an effort to promote co-operation in the region; and investigate the scope for regional development planning aimed among other things at a rationalization of manufacturing and processing industries and the achievement of economies of scale in certain regional enterprises;

(d) establish an advisory service on sources of technical assistance, aid and investment finance, both official and private, that are available to members;

(e) undertake studies of regional transport, as necessary and help co-ordinate action, both government and private, in this sector;

(f) advise and assist member governments with the operation of a regional trade and tourist promotion service;

(g) provide a means of regular and rapid consultation among the Islands on the region's import requirements to enable the bulk ordering of essential imports by official agencies;

(h) act as a clearing house for information on trade, production, and economic development in the region and in areas outside the region which are of interest to members;

(i) carry out research and statistical studies on production and trade on a continuing basis as requested by Committee;

(j) prepare reports, studies and working papers;

(k) establish means for the collection, dissemination and exchange of information and statistics;

(l) co-operate with member governments in research projects
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and the obtaining and collating of statistics and other information;

(m) co-operate and co-ordinate its work with that of other international and regional organizations;

(n) undertake such activities as the Committee may from time to time consider necessary for the attainment of the Bureau's purpose.

The annual budget is borne by member governments in the shares set out in the Annex to the 1973 Agreement, subject to review from time to time. According to the Annex, scale of contribution to the budget is as follows: Australia 1/3, New Zealand 1/3, Cook Islands, Fiji, Nauru, Tonga and Western Samoa 1/15 each. A total budget for 1977 was Fijian $435,027.\(^{13}\)

It is commonly said that these two regional organizations were originally established to facilitate economic development among the members of the region, but are now realizing the importance of abatement of the existing environmental pollution and prevention of a new environmental pollution from arising in the future.

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SPC and SPEC have either jointly or separately launched the following regional activities or programmes which are concerned with the nature conservation and the protection of marine living resources.

SPC launched the Special Project on Conservation of Nature and Natural Resources in July 1974, with the appointment of Dr. [Name]

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\(^{13}\) SPEC, *Director's Annual Report* 1976-77, p.50.
Arthur L. Dahl, formerly of the Smithsonian Institution, as Regional Ecological Advisor. In close working relationship with the International Union for Conservation of Nature and Natural Resources (IUCN) and the United Nations Environment Programme (UNEP), this project resulted in producing in 1976 the Convention on Conservation of Nature in the South Pacific and the Comprehensive Environmental Management Programme.

(A)

With respect to the conservation of nature, members of SPC concluded on July 12, 1976, the Convention of Nature in the South Pacific in order to take harmonious action within their own countries for the conservation and protection of nature and irreplaceable resources for the benefit of present and future generations in the face of rapid development and degradation of the nature resulting therefrom. Parties agree to encourage the creation of protected areas (national parks and reserves) to safeguard representative samples of natural ecosystems, superlative scenery, striking geological formations and regions and objects of aesthetic, historic, cultural or scientific value (Article II, III & IV). Regarding indigenous fauna and flora that are threatened with extinction, Parties agree to establish and maintain a list of their species in their own countries and give such species as complete protection as possible (Article V). In both cases, Parties shall notify the body charged with the continuing bureau duties under the Convention of the establishment of any protected areas and the list of indigenous species.

Parties agree to conduct research relating to the conservation

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of nature and cooperate in the exchange of information on the results of such research and on the management of protected areas and of protected species (Article VII). What is more important, cooperation in the interchange and training of personnel for the conservation of nature is anticipated.

The conclusion of this Convention was followed by a Regional Symposium on Conservation of Nature in the South Pacific organized by SPC and IUCN, at which the Regional Ecological Advisor, Dr. Dahl, presented the results of a Regional Ecosystems Survey concluded earlier in 1976 with the financial support of UNEP and IUCN under their Global Conservation Project.

Apart from the 1976 Convention, there is a significant movement in the South Pacific region toward establishing a World Marine Park. The Government of the Cook Islands offered to IUCN (International Union for Conservation of Nature and Natural Resources) one of its remarkable atolls, Nanuae (Hervey Islands) for the benefit of science and conservation. And the Government of French Polynesia endorsed that the island of Taiaro (W. A. Robinson Sanctuary) shall be established as a scientific reserve to serve the cause of scientific research at an international level.

(B)

Soon after launching the Special Project on Nature and Natural Resources, SPC began discussions with UNEP on possible support for regional environmental activities, which culminated in a UNEP request in October 1975 for the development of a compre-

hensive programme for environmental management in the region. In March 1976, SPC submitted to UNEP a preliminary proposal for a five-year programme, and in response to it UNEP encouraged further development of the comprehensive programme concept in December 1976. Meanwhile, the 7th South Pacific Forum of SPEC and the 16th South Pacific Conference of SPC, being held in July and October of 1978 respectively, decided to prepare jointly for a comprehensive environmental management programme for the Pacific Islands.

At the request of SPEC and the Government of Papua New Guinea, SPC organized a Comprehensive Environmental Management Programme Planning Meeting in March 1977, which culminated in producing recommendations that the Regional Ecological Advisor draft the programme documents, that after approval by SPEC and SPC he prepare a detailed programme proposal and that the South Pacific Ecodevelopment Fund be established. In May 1977 the Regional Ecological Advisor submitted the Comprehensive Environmental Management Programme (hereinafter referred to as CEMP) to SPC and SPEC.

CEMP provides for the sound management of the Pacific islands environment so that it will be capable of providing a present and future resource base able to support the needs and maintain the quality of life of the people of the region.

The basic philosophy of CEMP is termed “ecodevelopment” founded on the following principles:

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(17) ibid., p. 7.
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(a) Priority should be given to the basic real needs of people, such as food, pure water and shelter;
(b) Development should aim for self-reliance rather than increasing dependence on outside groups or countries;
(c) There must be a harmonious relationship between people and their environment that respects the requirements of human cultures and of the ecological systems upon which natural productivity is based and that keeps options open for future generations.\(^{(18)}\)

CEMP helps each government to define its own environmental policy and to make resources available (expertise, information, training and material support) to implement that policy. The funding for CEMP projects will be sought from UNEP and other sources outside the region and a South Pacific Ecodevelopment Fund will be established to support CEMP with assistance of Mr. Maurice Strong in raising funds for that purpose.

As for the institutional arrangements, a new organization will not be set up to implement CEMP, but SPC and SPEC will be joint executing agencies for CEMP.

Priority areas for action during CEMP are defined under three broad headings: human settlement, marine ecosystems and land-based ecosystems.\(^{(19)}\) In terms of the nature conservation and the protection of marine living resources, the second and third categories may be subdivided into the following items respectively:

\(^{(18)}\) ibid., pp. 3-4.
\(^{(19)}\) ibid., pp. 8-20.
Marine ecosystems:
(a) management of fisheries in the framework of a regional fisheries agency,
(b) conservation of the genetic and biological diversity of marine environment and maintenance of their quality for the local people and as a tourist and recreational resources,
(c) management of coastal zones ecosystems and coastal resources,
(d) disaster protection from hurricanes and tidal waves,
(e) prevention of localized pollution of coastal waters and degradation of near shore marine environment by oil, industrial or urban effluents, agricultural chemicals, dredging, soil erosion, mining drainage and waste disposal.

Land-based ecosystems:
(a) assessment of effects of shifting agricultural systems and large-scale agriculture upon soil erosion and depletion of soil fertility,
(b) environmental and technical assessment for the mining and major engineering works,
(c) environmentally sound forest management and exploitation.

Activities to be incorporated in, supported, or co-ordinated by CEMP include surveys and research, information services, pilot projects, education, planning, legislation, administration, and national, regional and international co-ordination.
Almost all countries and territories in the South Pacific are small islands with limited land resources and can only hope to expand their economy by the exploitation of the ocean resources, and therefore it is natural that much weight be placed upon the conservation and rational utilization of marine living resources in this region. SPEC, in co-operation with SPC, has already taken steps to establish a South Pacific Fisheries Agency in order to cope with problems which will arise by creating 200-mile exclusive economic zones. Creation of 200-mile zones, once established, increases for the individual countries the necessity to control over harvesting of the living resources, to promote optimum resource utilization from these zones and to conserve the living resources in such vast expanses of the sea. Particularly highly migratory species, such as skipjack tuna, which is a major resource of the region, freely travels from the waters of one coastal state to those of others and can not be conserved by fragmental measures by individual coastal states. Hence it is thought desirable that a single fishery agency for the South Pacific region should be set up to deal with specific problems which can be solved only on the basis of regional cooperation.

The South Pacific Meeting on the Law of the Sea convened by SPEC in Suva in October, 1976, decided to establish a South Pacific Fisheries Agency to promote the conservation and rational utilization of the fish stocks of the region. It also requested the Director of SPEC to prepare proposals for the establishment and operation of...
of an Agency in consultation with the Secretary-General of SPC. Consultations were held in May, 1977 and further discussions have been arranged subsequently.

According to the preparation and discussions which have been made so far, an Agency will discharge such proposed functions and powers as resource assessment, economic appraisal of the fisheries, management of fisheries resources including the conservation of fish stocks, and surveillance and policing.

It is agreed that an Agency will play an active role in the field of conservation of marine living resources by making scientific research of the fish stocks and populations, collecting data thereon, assessing such data and formulating conservation measures in order to maintain stocks at levels which support optimum yields. There is, however, difference of views among member states of the region whether an Agency functions as an advisory body or as an executive body, whether an Agency will be designated power to determine the allowable and surplus catch and issue fishing licenses to foreign vessels based on such determined data or each coastal state will do so based on the data received from an Agency, whether or not an Agency will have power to redistribute revenues derived from the resources within the region but outside the 200-mile zones, whether non-Forum countries such as Japan and the United States which do not recognize the region’s claim that the coastal states have jurisdiction over highly migratory species within the 200-mile economic zone are to be admitted as members of an Agency or not, and so forth. As to the surveillance and policing, a system of satellite

surveillance of fishing vessels and reporting system of offenders to the respective contracting parties are now in consideration.

The above-mentioned experiences of the regional co-operation for the protection of environment in the South Pacific region may be summarized as follows: (1) Most countries and territories in the region are in the early stage of development. They have not encountered serious pollution problems yet. But there is a fear that they will. Because of the fear that their distinctive natural environment of tourist, scientific and recreational value will be deteriorated by environmentally unsound development and living resources will be depleted by mismanagement, they are ready to learn lessons of the experiences of developed countries and to take initiative in formulating environmentally sound development; (2) International organizations, such as UNEP and IUCN, have contributed a lot in preparing regional programmes for the protection of environment in the South Pacific. UNEP gave its knowledge and expertise in formulating CEMP, while IUCN prepared a Convention on Conservation of Nature in the South Pacific, co-sponsored regional technical meetings on parks and conservation with SPC and advised governments on national parks and conservation programmes; (3) Big brothers in the region, Australia and New Zealand, are helpful in giving their knowledges, expertise and finance to the small islands countries through two regional organizations; (4) Two regional organizations, SPC and SPEC, can discharge such functions in order to conserve nature and marine living resources as scientific research, exchange of information and expertise, education, training, financing and so forth; (5) Experiences of the South Pacific region will not be automatically
applied to other regions of the world, but will be a world-leading model of environmentally sound development.

References:
SPC, Regional Co-operation in the South Pacific, 1977.