



SPREP

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The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.

Report of the Fourteenth 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)

14th September 2017
Apia, Samoa



Introduction

1. The Noumea Convention was negotiated under the framework of the United Nations Environment Programme (UNEP) Regional Seas Programme and adopted in 1986. The Convention and its two related Protocols - Protocol for the Prevention of Pollution of the South Pacific Region by Dumping and the Protocol Concerning Cooperation in Combating Pollution Emergencies in the South Pacific Region - entered into force on 22 August, 1990.
2. The 12 Parties to the Convention are Australia, Cook Islands, Federated States of Micronesia, Fiji, France, Republic of the Marshall Islands, Nauru, New Zealand, Papua New Guinea, Samoa, Solomon Islands and United States.

Agenda Item 1: Opening of the Meeting

1. Contracting Parties to the Noumea Convention met for their Thirteenth Fourteenth Ordinary Meeting on 17 14 September, 2015 2017 in Apia, Samoa.
2. Present at the Meeting were representatives from Australia, Cook Islands, Federated States of Micronesia, France, Marshall Islands, New Zealand, Papua New Guinea, Samoa and United States. A full list of participants is contained Annex I.
3. The Meeting commenced with an opening prayer by Dr Frank Griffin of the Secretariat of the Pacific Regional Environment Programme (SPREP).
4. Mr Mike Walsh, representing New Zealand, Chair of the Thirteenth COP Meeting noted the importance of the Noumea Convention as the legally binding document for parties for the environment in the Pacific islands region, further noting that based on the achievements of the parties over the last two years more may be gained through strengthening use of the Noumea Convention as a legally binding instrument for sustaining the region's environment.
5. Ulu Bismarck Crawley, Chief Executive Officer of the Ministry of Natural Resources and Environment of Samoa welcomed all delegates to the Fourteenth Meeting of the Noumea Convention, further thanking the Secretariat and partners for the good work done into coordination of the regionally owned convention geared to meet the needs of the region and the countries.
6. The Director General of SPREP welcomed parties of the Noumea Convention to the Meeting, reflecting on the value and achievements, provided by the Convention with often shoestring budgets, which help tackle and resolve large environment management and pollution control challenges.

Agenda Item 2: Organisation of the Meeting

7. In accordance with the Rules of Procedure of the Noumea Convention, a Chairperson and a Vice Chairperson were elected from the representatives by a simple majority vote. The official languages for the Convention are English and French and the sessions are to be held in plenary
8. The Parties elected Samoa as Chairperson and France as Vice Chairperson.
9. The outgoing Chairperson, representing New Zealand thanked delegates for their support and wished Samoa all the very best and invited Ulu Bismarck Crawley, Representative of Samoa to take over as Chairperson.
10. The incoming Chair thanked Mr Mike Walsh representing New Zealand and delegates for their nomination.

Agenda Item 3: Adoption of the Agenda

11. The Chair noted country reports will be made by Australia, France, New Zealand and Republic of Marshall Islands under Agenda 5.
12. The Parties adopted the proposed Agenda and Working Hours as outlined in Annex II.

Agenda Item 4: Report of the Secretariat

13. In accordance with Rule 12(vi) of the Rules of Procedure of the Noumea Convention, the Secretariat presented its Report on work performed in relation to the Noumea Convention and Protocols during the period July 2015– June 2017.
14. United States, Cook Islands, France and Federated States of Micronesia thanked the Secretariat for the work done.
15. United States recognised the global interest in marine pollution, citing the marine litter capture and work on microplastic and fish in Samoa and Solomon Islands as good initiatives.
16. Cook Islands expressed gratitude for the work of the Secretariat on the guidance provided to Cook Islands on sand mining and the legislation work done on biodiversity.

17. France acknowledged the work undertaken on marine debris and the Pacific Biodiversity Blue Belt in French territories.
18. Federated States of Micronesia sought clarification on the involvement of the agencies of the Council of the Regional Organisation of the Pacific (CROP) in the transboundary movement of nuclear waste within the region citing the discussions in the recent Suva meeting on trying to address safe transport of this waste.
19. The Secretariat informed the Meeting that a risk assessment of the transportation of nuclear wastes in 2003/2004 confirmed that the transport of nuclear wastes is covered by the International Atomic Energy Agency (IAEA). Furthermore, the Secretariat advised that the transporting vessel must be accompanied by security and that coastal states need to be aware of the international requirements.
20. The Deputy Director General noted that the outcomes achieved by the Convention greatly affects the work the parties are doing.
21. The Parties:
 - **noted** the Report of the Secretariat

Agenda Item 5: Country Reports on Implementation of Obligations under the Noumea Convention

22. Country Reports were requested from Members to highlight any activities relevant to their obligations that have taken place since the last Meeting. Country Reports were submitted by Australia, France, New Zealand and tabled at the Meeting.
23. Australia presented their Country Report noting the 2016 State of Environment (SoE) Report was released in 2017 for which key priorities are consistent with the Noumea Convention. The SoE Report is a five-yearly publication.
24. France presented its Country Report noting the amendment of their National Strategic Plan for Environment which encompasses more elements of the Noumea Convention.
25. New Zealand presented their Country Report, inviting Parties to read their comprehensive Country Report, highlighting three key points, one being the amendment of the New Zealand Exclusive Economic Zone Act on 1 June 2017 making changes to the process for decision making on some marine consents and includes new requirements regarding decommissioning offshore petroleum production facilities.

26. The Chair urged other country parties to submit their Reports to the Noumea Convention

27. The Parties:

- **tabled and endorsed** reports on the implementation of their obligations for the past biennium, in particular Australia, France, and New Zealand.

Agenda Item 6: Financial Statements for 2015 and 2016

28. The Secretariat tabled the audited Financial Statements for the Noumea Convention for the 2015 and 2016 financial year. The Financial Statements included a statement from the Director General, Director General's Statement, the Report of the Auditors for 2015 that was tabled at the 27th SPREP Meeting, the Income and Expenditure Statement for 2015, the Report of the Auditors for 2016 that will be tabled at the 28th SPREP Meeting, the Income and Expenditure Statement for 2016, operational expenditure 2015 and 2016, and protocol expenditure report 2015 and 2016.

29. The Secretariat thanked all valued Members and Partners for their support of the Noumea Convention.

30. No comments on the Financial Statements for 2015 and 2016 were forthcoming from the Meeting.

31. The Parties:

- **adopted** the relevant parts of the audited Financial Statements for 2015 and 2016.

AGENDA ITEM 7: DECISION ITEMS

Agenda Item 7.1: UN Oceans Conference: Outcomes and Next Steps

32. The Secretariat presented on the outcomes of the UN Conference to Support the Implementation of Sustainable Development Goal 14 (UN Ocean Conference), SPREP's support to Parties leading up to and during the Conference, and next steps.

33. Australia congratulated SPREP for significant efforts undertaken with positive outcomes, noting the Australian delegation to the UN Ocean Conference made several voluntary commitments at the conference on Pacific initiatives, one with the Forum Fisheries Agency (FFA) to address illegal unreported and unregulated (IUU) fishing with and the second with the Pacific Community (SPC) to continue their work on delineation of maritime boundaries.

34. United States also expressed gratitude to Fiji and Sweden as co-hosts of the UN Ocean Conference, noting the success of the conference was also due to transparency, inclusivity and robust participation.
35. United States noted the focus by the Secretariat on concrete action after the UN Ocean conference and importance of this in moving forward.
36. The Parties:
- **acknowledged** the leadership and effort put forth by Fiji in co-hosting the UN Ocean Conference with Sweden;
 - **noted** with appreciation the support received from Sweden which allowed the Secretariat to support Parties throughout the UN Ocean Conference process;
 - **acknowledged** the logistical support provided by the UN Missions of Fiji and Samoa to SPREP for the UN Ocean Conference;
 - **reaffirmed** our commitment Parties to achieving SDG 14; and
 - **requested** that the Secretariat work with Parties to ensure that we achieve the commitments made during the Conference.

Agenda Item 7.2: Sustainable Development Goals (SDGs)

37. The Secretariat presented on progress in implementing the Sustainable Development Goals.
38. The Parties:
- **noted** regional progress in the implementation of the SDGs ; and
 - **noted** the Secretariat's contribution in assisting with the monitoring and reporting on SDGs.

Agenda Item 7.3: EDF-11 Progress Report

39. The Secretariat updated Parties on progress with Round 11 of the European Union Development Fund (EDF-11).
40. The Parties:
- **noted** that SPREP is a significant beneficiary of the EDF-11 funding round which will be implemented in Member countries, although implementation will only take off in early 2018.
 - **noted** that for Objective 2.1 of EDF-11, SPREP's main engagement will be to develop ways to mitigate the by-catch of threatened species and to improve the state of the biodiversity and the management of coastal ecosystems;

- **noted** that for Objective 2.2 of EDF-11, SPREP engagement will be to implement priority components of the Cleaner Pacific 2015 programme, with partners, to improve management of waste and pollution in the Pacific.
- **noted** that while there will be an OCT component to EDF-11 details of the programme are still in development, although the Secretariat has been providing advice and support to the OCTs on development of the programme, in particular the objectives with an environmental focus; and
- **agreed** to collaborate with SPREP in the implementation of projects to be initiated under EDF-11.

Agenda Item 7.4: Cleaner Oceans for a Cleaner Pacific

41. The Secretariat informed the Parties of the importance of best practice in waste management and pollution control as an effective mechanism for addressing marine pollution, and sought the commitment of Parties to actively participate in these initiatives to sustain the long-term health of the Pacific Ocean and its people.
42. France noted their Call for Action on Plastic Microbeads which will be presented to SPREP Countries for endorsement at the Twenty-Eighth SPREP Meeting. The draft Call for Action can be found at Annex III.
43. The Secretariat noted its support for this Call for Action on Plastic Microbeads
44. Australia sought clarification on the Call for Action on Plastic Microbeads noting this will need to be sought from their respective national agencies prior to endorsement.
45. The Secretariat explained this will be presented at the Twenty-Eighth SPREP Meeting and requested for the Call for action on Plastic Microbeads to be distributed to Parties for review before the twenty-eighth SPREP Meeting.
46. United States thanked the Secretariat for their presentation, noting their work undertaken to address marine debris at national level and across countries to address this international issue.
47. The Parties:
 - **noted** the progress made in waste management and pollution control, a productive collaboration between SPREP, Parties and other partners;
 - **noted** that the success of such activities has been based on strong commitment from participating countries; and
 - **committed** as Parties to act to combat marine pollution, including through waste management and pollution control interventions to stop marine pollution at its source.

Agenda Item 7.5: Sustainable Regional Capacity Building for Improved Decision Making

48. The Secretariat updated the Parties of the planned implementation of sustainable mechanisms for strengthened institutional and human capacity, and sought the commitment of Parties to participate and actively engage in the proposed capacity building initiatives and the collection and submission of data on waste, chemicals and pollutants.

49. The Parties:

- **noted** the development of sustainable capacity building activities and a Regional Waste Monitoring System;
- **noted** that the success of such activities requires strong commitment from participating countries;
- **encouraged** Parties to participate fully in the capacity building initiatives; and
- **encouraged** Parties to designate country counterparts who will be charged with the task of regularly collecting data and submitting them to SPREP for inclusion in a database.

Agenda Item 7.6: Maritime Technology Cooperation Centre in the Pacific

50. The Secretariat presented on the Parties of the Maritime Technology Cooperation Centre in the Pacific (MTCC-Pacific).

51. The Parties:

- **noted and supported** the Maritime Technology Cooperation Centre in the Pacific.

Agenda Item 7.7: International Maritime Organisation (IMO) Conventions

52. The Secretariat informed Pacific islands to encourage Parties to accede to IMO's pollution, liability and compensation conventions as well as the Cape Town Agreement 2012.

53. The Parties:

- **agreed** to work with SPREP to encourage relevant member country departments to understand the importance of ratifying the IMO's pollution, liability and compensation conventions as well as the Cape Town Agreement 2012.

Agenda Item 7.8: Environmental Impact Assessment Guidelines for Coastal Tourism Development in the Pacific Region

54. To seek endorsement of the Environmental Impact Assessment Guidelines for Coastal Tourism Development in the Pacific Region (EIA Guidelines for Coastal Tourism Development)
55. United States noted the need to review the draft guidelines before endorsing.
56. The Parties:
 - **noted** the publication of the EIA Guidelines for Coastal Tourism Development.

Agenda Item 8: Consideration and Adoption of the Core Budget

57. The Secretariat presented the core budget for consideration and adoption by the Meeting, noting that the budget is funded by contributions from the Parties and that funds have traditionally been used for the limited purposes of providing for the next Meeting of the Parties and for the Secretariat providing technical advice.
58. The Secretariat thanked Members and their Partners for their support and contributions.
59. The Parties:
 - **considered and approved** the core budget and contributions for the biennium 2018–2019; and
 - **committed** to urgently clearing outstanding contributions.

Agenda Item 9: Other Business

Agenda Item 10: Date and Venue of Next Meeting

60. Papua New Guinea presented a Country Paper on their work developing their Particularly Sensitive Sea Area, providing lessons learnt in undertaking this initiative.
61. The Secretariat presented an information paper on Strengthening Membership and Effectiveness of the Convention found at Annex IV.
62. The Meeting:
 - **postponed** further action until the Secretariat firstly undertakes further background research and development of future options

Agenda Item 11: Date and venue of the next Meeting

63. The Meeting:

- **agreed** that the next Meeting would be held in Apia, Samoa in 2019 prior to the twenty-ninth SPREP Meeting.

The Fourteenth 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) Meeting closed at: 1.40pm

List of Participants

The Parties to the Noumea Convention are:

Australia, Cook Islands, Federated States of Micronesia, Fiji, France, Marshall Islands, Nauru, New Zealand, Papua New Guinea, Samoa, Solomon Islands and the United States of America.

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23. Ms. Seia Ulaelesi

SAMOA OBSERVER

24. Ms. Aruna Lolani (Samoa Observer)
25. Ms. Talimalie Uta (Samoa Observer)

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26. Ms. Ausa Faamaoni(TVI)
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Agenda

Agenda Item 1: Opening of the Meeting

Agenda Item 2: Organisation of the Meeting

- 2.1 Rules of Procedure
- 2.2 Election of Officers
- 2.3 Organisation of Work

Agenda Item 3: Adoption of the agenda

Agenda Item 4: Report of the Secretariat

- 4.1. Report to the COP on 2015-2016 activities

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

Agenda Item 6: Financial statements

- 6.1 Director General's statement
- 6.2 Auditor's report 2015
- 6.3 Income & Expenditure 2015
- 6.4 Auditors Report 2016
- 6.5 Income & Expenditure 2016
- 6.6 Operational Expenditure 2015/2016
- 6.7 Protocol Expenditure Report 2015/2016

Agenda Item 7: Decision Items

- 7.1 UN Oceans Conference
- 7.2 Sustainable Development Goals
- 7.3 EDF117.4 Cleaner Oceans for a Cleaner Pacific
- 7.5 Sustainable Regional Capacity
- 7.6 Maritime Transport Coordinating Centre (MTCC)
- 7.7 IMO Conventions
- 7.8 EIA Guidelines for Coastal Tourism Development in the Pacific Region

Agenda Item 8: Consideration and adoption of the Core Budget

- 8.1 Core Budget 2018-2019
- 8.2 Status of Contributions

Agenda Item 9: Items Proposed by Member

Agenda Item 10: Other business

Agenda Item 11: Date and venue of the next Meeting

Agenda Item 12: Adoption of the Meeting Record

Agenda Item 13: Closure of the Meeting

Draft Call for action for SPREP countries on plastic microbeads

Context:

Primary micro plastics, such as microbeads, are widely used as abrasive agents and fillers in a wide range of cosmetic products and personal care products, such as facial scrubs and shower gels. These tiny and synthetic non-biodegradable solid plastic particles less than 5 mm in size can be spherical or irregular in shape and produced in a multitude of colors. The types of plastic most commonly used as microbeads are: polyethylene (PE), polymethyl methacrylate (PMMA), nylon, polyethylene terephthalate (PET) and polypropylene (PP). Microbeads were patented in the 1970's, but have only been used as a disposable entity in consumer products recently. Currently there are many hundreds of brand lines worldwide that use plastic for body care cleansing and each year more and more products have plastic microbeads as their main exfoliation ingredient.

These preventable microscopic pieces of plastic are contributing to the fragments of broken down larger pieces of plastic and fibres contaminating our seas, turning them into an unhealthy plastic soup. When used as directed, microbeads are washed down drains and into waste water systems where they are known to pass through these treatment facilities and are consequently flushed out to sea. The total numbers of micro plastics in a typical cosmetic product can be considerable; for example, it has been estimated that 4600 –94 500 microbeads may be released per application of a skin exfoliant¹.

Whilst cosmetic micro plastics are far from the largest micro plastic source, they are still significant and contribute up to 4.1%² this is estimated to be between 10,900 and 38,300 tons³ entering the global marine environment every year. So, plastic microbeads are a primary source of pollution, which could be avoided, as natural alternatives exist. A major concern with microbeads is that because of their small size, they have a large surface area by volume, so as a consequence of their use, huge numbers of readymade, highly efficient toxic accumulators are being intentionally released into the environment. Micro plastics in the marine environment are known to accumulate toxic contaminants-persistent organic pollutants (pesticides, flame retardants, PCBs).

Moreover, negative impacts of these microbeads on marine species and habitats are now demonstrated. New scientific research is continuing to find more and more examples of plastic inside all kinds of sealife. But it's not just marine life, a recent study showed that 90 per cent of birds have plastic in their stomachs too. Microbeads end up in humans through toothpaste and through eating seafood that has ingested micro plastics and the toxins that come with them.

¹ Napper and al., 2015.

² *Study to support the development of measures to combat a range of marine litter sources*, Report for European Commission DG Environment, 29th January 2016, http://ec.europa.eu/environment/marine/good-environmentalstatus/descriptor-10/pdf/MSFD_Measures_to_Combat_Marine_Litter.pdf

³ *Study to support the development of measures to combat a range of marine litter sources*, Report for European Commission DG Environment, 29th January 2016, http://ec.europa.eu/environment/marine/good-environmentalstatus/descriptor-10/pdf/MSFD_Measures_to_Combat_Marine_Litter.pdf

A 2013 study⁴ found that phytoplankton and zooplankton at the base of the food chain can ingest micro plastic particles. The plastic in the diet of marine life could “negatively impact” their health, the study concluded. In 2015, a study conducted by James Cook University⁵, in Australia, demonstrated that coral reefs of Great Bareer Reef do ingest microparticles of plastic.

Peer-reviewed research and reports, including by the United Nations Environment Program, have cast light on the effects of microbeads. In the United States, the Microbead Free Waters Act (2015) has banned the sale of personal care products containing plastic microbeads. Other countries, such as Australia and several European countries also encourage phase outs or bans of plastic microbeads, with France⁶ and the United Kingdom⁷ prohibiting the use of microbeads in cosmetics and similar measures being prepared for at the level of the whole European Union.

We, the representatives of Pacific States, meeting in Apia from 18th to 21st of September 2017 at the 28th SPREP meeting of officials, recognize that the presence of plastic microbeads in our oceans represent an issue of global concern that needs a global response.

We recognize that they contribute to the increasing flow of plastic into our oceans and have negative impacts on marine species and habitats, especially coral reef and associated ecosystems.

We recall resolution 11 on marine plastic litter and micro plastics and resolution 12 on sustainable coral reefs management by the second session of the United Nations Environment Assembly; and the Recommendation to reduce plastic microbeads pollution in marine environment adopted during the 31st International Coral Reef Initiative (ICRI) General Meeting.

We also recall the communique adopted by the governments of Pacific Islands countries at the 48h Pacific Islands Forum on the 8th of September 2017, especially its paragraph 8.

We are convinced that the use of plastic microbeads could be easily avoided, as natural alternatives do exist and are easily available.

We therefore affirm our will to fight against this source of pollution in marine environment.

We commit to take measures to ban the use of plastic microbeads in our countries.

We also commit to advocate with other States for such bans.

We resolve to promote exchanges of expertise, best practices and lessons learned regarding the measures we take.

⁴ Matthew Cole, Pennie Lindeque, Elaine Fileman, Claudia Halsband, Rhys Goodhead, Julian Moger, and Tamara S. Galloway, Microplastic Ingestion by Zooplankton, in Environmental Science & Technology, May 2013.

⁵ N.M. Hall, K.L.E. Berry, M.O Hoogenboom, College of Marine and Environmental Science, James Cook University, Townsville, Australia

⁶ Law on Biodiversity (8th August 2016): to restrict the marketing of microbeads in rinse-off cleaning and cosmetic products (at last 1 January 2018)

⁷ Plastic microbeads to be banned by 2017, UK government pledges, <http://www.bbc.com/news/uk-37263087>



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Fourteenth meeting of the Noumea Convention

Fourteenth 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
 14 September 2017

Information Paper: Strengthening Membership and Effectiveness of the Convention Purpose

1. To present to the Conference of the Parties options for discussion and decision on strengthening effectiveness of the Convention.

Background

2. The Noumea Convention provides a legally binding document for parties to undertake action for the environment in the Pacific islands region. The Convention was established in 1986 and entered into force in 1990. However a number of factors currently limit the effectiveness of the Convention in addressing the increased the scope of environment issues in the region today.
3. The scope of the Noumea Convention text is limited when compared to the type and extent of environment issues facing the region today. This limits the effectiveness of the Noumea Convention in providing the legal foundation for action on the environment issues of today.
4. Current issues covered by the convention include ship sourced marine pollution including dumping of land waste at sea, environment impact assessments, mining and coastal erosion, sea-bed and sub-soil activities, storage of toxic and hazardous wastes including radioactive wastes, and testing of nuclear devices.
5. The Meeting could look at whether the current scope of the Convention is adequate in providing the legal foundation for the broader issues of today and how the Convention can be used to better address issues already covered by the Convention.
6. The following options are proposed for consideration by the Parties:
 - a) Articulating purpose and benefits of the Convention: eg, international legal backing to national actions on the environment; access to export markets that abide by the Convention and related Protocols; hooks the region (including non-signatory countries) into UN programmes such as the Regional Seas Programme

and CBD Sustainable Oceans Initiative; access to resources that other conventions do not provide.

- b) Assist Parties with legal interpretation and use of the convention document in national legislation and policy.
- c) Increasing membership of the Convention. Increasing membership, to increase the number of countries legally committed to addressing environment issues, would give the Convention an important additional strength to policies, governance mechanisms and actions taken across the region;
- d) Broadening the scope of the Convention text to better reflect the range of environment issues facing the region today;
- e) Development of new Protocols under the Convention. Protocols under the convention enable more specific actions. Formal recognition and adoption of the Framework for a Pacific Oceanscape under the Convention;
- f) Modify the Convention text to capture additional environment issues addressed under the SPREP Agreement and the SPREP Meeting; and
- g) Taking no action or a limited set of the above options. There are real and practical limitations to the capacity of Pacific small island states to administer existing regional Conventions and Agreements. Expanding the Noumea Convention Articles and Protocols further would place further administrative burdens that might not be feasible for the Parties at this time, compared to the potential benefits of building the scope of the Convention text.
- h) Postpone further action until the Secretariat firstly undertakes further background research and development of future options.

Recommendation

7. The Parties are invited to:

- **consider and discuss** the above options.
 - **decide and** recommend suggested next steps.
-