

SOPAC

GOVERNING COUNCIL 37th SESSION

Funafuti, Tuvalu
22-30 October 2008

AGENDA ITEM	TITLE
10	ESTABLISHMENT AND ADMINISTRATION
10.1	Paragraphs 251 and 252 – Proceedings of AS36 (RIF)
10.1 Supplementary 1	Governing Body Decisions of the PIF Leaders; SPREP and SPC

Purpose

This paper provides SOPAC Council with the outcomes and decisions taken at the meetings of the Council and Committees of the Pacific Islands Forum (PIF), Pacific Regional Environment Programme (SPREP) and the Pacific Community (SPC) on the matter of the Regional Institutional Framework Review in 2008, all of which convened in advance of the 37th SOPAC Governing Council Session.

I) Pacific Islands Forum (PIF)

Forum Leaders met in Niue in August 2008 and in paragraph 20 of their 2008 Communiqué articulated their recommendations in respect of the regional institutional framework review.

Leaders:

- a. **recalled** their 2007 decision on the rationalisation of SOPAC functions into SPC and SPREP, without any substantive diminution in SOPAC functions, and the merger of South Pacific Board for Educational Assessment (SPBEA) with SPC;
- b. **expected** that all work to define the new institutional arrangements, as well as plans for implementing those arrangements, will be finalised and jointly agreed by the CEOs of the relevant agencies for presentation to Leaders at the 2009 Leaders' meeting; and
- c. **directed** their representatives on the Governing Councils of the SPC, SOPAC, SPREP and SPBEA in 2009 (and prior to the Leaders' meeting) to take all the final decisions on the new institutional arrangements and implementation plans, with implementation to commence immediately after the Governing Council meetings and no later than 1 January 2010.

II) Pacific Regional Environment Programme (SPREP)

The SPREP Council met in the Federated States of Micronesia in September 2008 and considered both the 2007 Pacific Island Forum Leaders' Communiqué, Para. 19b and the 2008 Pacific Island Forums Leaders' Communiqué Paragraph 20; and at the 19SM Informal Session on 7 September 2008 decided as articulated below.

Decision by the 19SM on the Regional Institutional Framework (RIF)

The Meeting:

- **considered** the information provided on the RIF review and its reports;

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- **took into account** the 2007 and 2008 Forum Leaders' decisions on the RIF review (outlined above);
- **considered** the opportunities to strengthen the region's environment organisation that would be provided by rationalization of SOPAC functions, in whole or part, into SPREP;
- **recognised** the need to consider the legal, financial, administrative, and programmatic implications for absorbing SOPAC and/or its functions, in whole or in part, within SPREP,
- **directed** the Director of SPREP to engage *collaboratively* with the CEOs of SOPAC and SPC immediately following the 2008 SOPAC Council Meeting to determine and jointly identify proposed institutional arrangements based on an analysis of:
 - a. synergies and linkages between programs
 - b. optimising service delivery
 - c. organisational capacities
 - d. maintaining the integrity of the applied science and technical services
- **directed** that the Director of SPREP, in collaboration with the CEOs of SOPAC and SPC, jointly commission an independent analysis of the legal, financial, administrative, and programmatic implications of their proposed institutional arrangements;
- **directed** the Director of SPREP to propose to the other CEOs that the proposed institutional arrangements and analysis of implications are circulated to all member focal points of SPREP, SPC and SOPAC with an invitation for a representative from each Member country to attend a meeting of all countries and territories for consideration by May 2009;
- **directed**, subject to the guidance of the above-referenced meeting, the Director of SPREP to work collaboratively with the CEOs of SOPAC and SPC to finalise and jointly recommend new institutional arrangements and implementation plans, to be provided to Members by July 2009, for consideration and decision by their respective Governing Bodies in 2009;
- **agreed** that the SPREP Meeting meet to consider the institutional arrangements and implementation plan recommended by three CEOs before the next Pacific Islands Forum Leaders' meeting in 2009;
- **directed** the Director of SPREP in his deliberations on new institutional arrangements to take account of the ICR recommendations and implementation;
- **directed** the Director of SPREP to propose to the other CEOs to provide a joint quarterly update on progress and to seek and share the views of, and give due consideration to, all members of SPREP, SPC and SOPAC.

III) The Pacific Community (SPC)

The CRGA of SPC met in New Caledonia in October 2008 and

- **noted** the excellent progress achieved during 2008 in responding to the Regional Institutional Framework review and decisions related to rationalising the activities of regional organisations;
- **noted** that the CEOs of SPC and SPBEA have agreed on the process for developing an implementation plan for the merger between the two organisations;
- **endorsed and adopted** the approach agreed by the SPREP meeting with regard to the RIF process; and
- **directed** the Director-General to implement the decision of CRGA38 as set out in Annex 3 of SPC/CRGA 38 (08)/Paper 4.2/Addendum

Decision by the CRGA38 on the Regional Institutional Framework (RIF)

1. At its 38th meeting held in Noumea, New Caledonia from 13th to 16th October 2008:
 - **recalling** the decision made by the 5th Conference of the Pacific Community on the RIF in Apia in November 2007,
 - **noting** the decision by the SPREP meeting at its recent meeting on the RIF,
 - **wishing** to establish one mechanism between SPC, SPREP and SOPAC to respond to the RIF review PIF Leaders' decision on the regional institutional arrangements
 - **noting** that the SOPAC Governing Council will meet after CRGA,
2. CRGA:
 - a. **endorsed** the process contained in the SPREP decision,
 - b. **added** three more parameters to the analysis proposed in the SPREP decision, including two that were approved by the 5th Conference of the Pacific Community in Apia in 2007.
3. CRGA also:
 - a. **directed** the Director General of SPC to engage collaboratively with the CEOs of SOPAC and SPREP immediately following the 2008 SOPAC Council Meeting to determine and jointly identify the new proposed institutional arrangements based on:
 - a. transparency and timeliness with respect to the process, and effective involvement of stakeholders
 - b. cost effectiveness, and
 - c. analysis of the core function of each SOPAC programme to assess whether it is primarily (a) an environmental programme or (b) an economic development programme
 - d. synergies and linkages between programs
 - e. optimising service delivery
 - f. organisational capacities
 - g. maintaining the integrity of the applied science and technical services
 - b. **directed** that the Director General of SPC, in collaboration with the CEOs of SOPAC and SPREP, jointly commission an independent analysis of the legal, financial, administrative, and programmatic implications of the proposed new institutional arrangements;
 - c. **directed** the Director General of SPC to propose to the other CEOs that the proposed institutional arrangements and analysis of implications are circulated to all member focal points of SPREP, SPC and SOPAC with an invitation for a representative from each Member country to attend a meeting of all countries and territories for consideration by May 2009;
 - d. **directed**, subject to the guidance of the above-referenced meeting, the Director General of SPC to work collaboratively with the CEOs of SOPAC and SPREP to finalise and jointly recommend new institutional arrangements and implementation plans, to be provided to Members by July 2009, for consideration and decision by their respective Governing Bodies in 2009;
 - e. **agreed** that the 39th meeting of the CRGA and the 6th Conference of the Pacific Community in 2009 will consider the institutional arrangements and implementation plan recommended by three CEOs before the next Pacific Islands Forum Leaders' meeting in 2009;
 - f. **directed** the Director General of SPC to propose to the other CEOs to provide a joint quarterly update on progress and to seek and share the views of, and give due consideration to, all members of SPREP, SPC and SOPAC.

- g. **noted** the instruction by the SPREP meeting to the Director of SPREP in his deliberations on the new institutional arrangements to take account of the ICR recommendations and implementation; and
 - h. **agreed** that an independent external consultancy would be commissioned and if necessary, to assist the three CEOs to achieve the objective of paragraph 3 (a) additional resources would need to be sought.
4. To ensure the three governing bodies and their respective CEOs work together using one mechanism, CRGA requested the Chairperson of CRGA38 to write to respective Chairpersons of the SPREP meeting and the SOPAC Council to inform them that CRGA has endorsed the process contained in the SPREP decision as outlined above.

IV) Pacific Islands Applied Geoscience Commission (SOPAC)

The progress report of the SOPAC Committee Council-of-the-Whole (SCW) provides an update of the work completed by them in progressing the decision of the 36th SOPAC Governing Council (as articulated in paragraph 251 and 252 of the Summary Record of the meeting) as well as recommendations for a way forward for Council consideration. The SCW was able to consider the 2008 Forum Communiqué and the 19SM decisions in respect of the RIF when finalising their progress report to the SOPAC Council and in their recommendations invite Council to:

- 1) **take** into account the 2007 and 2008 Forum Communiqués relating to the RIF review.
- 2) **take** into account the 2008 SPREP Council and Pacific Community CRGA decisions on the RIF.
- 3) **recognise** the need to consider the legal, financial, administrative, and programmatic implications for absorbing SOPAC functions into SPREP and SPC.
- 4) **direct** the Director of SOPAC to engage collaboratively with the CEOs of SPREP and SPC immediately following the 2008 SOPAC Council Meeting to determine and jointly identify proposed institutional arrangements based on an analysis of:
 - (a) synergies and linkages between programs
 - (b) optimizing service delivery
 - (c) organizational capacities
 - (d) maintaining the integrity of the applied science and technical services
- 5) **direct** the Director of SOPAC to work with the other CEOs to provide joint, formal quarterly updates on progress and to seek and share the views of, and give due consideration to all members of SPREP, SPC and SOPAC.
- 6) **encourage** the Director of SOPAC to provide regular briefings to members with Suva-based representation, as well as regular email updates to all members.
- 7) **direct** that the Director of SOPAC in collaboration with the CEOs of SPREP and SPC, jointly commission an independent analysis of the legal, financial, administrative and programmatic implications of their proposed institutional arrangements, avoiding duplication of work already undertaken.
- 8) **direct** the Director of SOPAC to work with the other CEOs to ensure that the proposed institutional arrangements and analysis of implications are circulated to all member focal points of SPREP, SPC and SOPAC with an invitation for a representative from each Member country to attend a meeting of all countries and territories for consideration by May 2009.

- 9) **direct**, subject to the guidance of the above-referenced meeting, the Director of SOPAC to work collaboratively with the CEOs of SPREP and SPC to finalise and jointly recommend new institutional arrangements and implementation plans, to be provided to Members by July 2009, for consideration and decision by their respective Governing Bodies in 2009.
- 10) **agree** that it will meet to consider the institutional arrangements and implementation plan recommended by the three CEOs before the next Pacific Islands Forum Leaders meeting in 2009.