



1st Meeting of the SOPAC Council Committee of the Whole (SCW) on the Regional Institutional Framework

SOPAC Secretariat
Wednesday, 19 March 2008

AGENDA ITEM	TITLE
1	ADOPTION OF AGENDA
1.1.1	Provisional Annotated Agenda

Provisional Annotated Agenda for SCW1

SCW1.1 Adoption of Agenda

Draft agenda as circulated:

- 1 Adoption of Agenda
- 2 Documentation
- 3 Actions since Council Meeting
- 4 Purpose of the SCW
- 5 Terms of Reference for the work of the SCW
- 6 Institutional Arrangement Options
- 7 Timelines and Constraints
- 8 SOPAC Director Work Programme
 - Initial Tasks to be Completed
- 9 Proposed Schedule of Committee Meetings and Reporting

SCW1.2 Documentation

Members should have at their disposal either as a result of circulation by email or by distribution upon arrival at the meeting the following documents:

- Annotated Agenda for SCW1 prepared by the Secretariat with the intention to facilitate progress with the meeting. The Annotated Agenda includes information, guidance and commentary from the Secretariat.
- Draft Summary Record, which includes the Council Outcome Statement on the RIF (Agenda Item AS36 11.1). *email 10 December 2008*
- Verbatim Report from Council on Agenda Item AS36 11.1. *email 19 February 2008*
- Relevant correspondence from the Chair and Secretariat.

Members may wish to have access to other documentation, such as the:

- The SPC-SOPAC Integration Study Report (August 2000)
- Record of Council consideration of the SPC-SOPAC Integration Study Report
- Those documents pertaining to the RIF process throughout 2006 and 2007.

Note: all documents were circulated to Members as attachments under relevant agenda items on the RIF for the 35th and 36th SOPAC Governing Council Sessions and these will be provided upon arrival at the SCW1, for information and reference.

SCW1.3 Actions since 36th Annual Session of the SOPAC Governing Council

The Council decision contained several matters that required immediate follow-up. The Director will provide a brief summary of actions taken by the Chair and the Secretariat.

Members may also wish to comment on matters they consider relevant to this item.

SCW1.4 Purpose of the SCW

Prior to commencing the work of the SCW, Members may wish to reflect on the purpose of the SCW to ensure there is a common understanding.

It is the Secretariat's view that the Council decision to establish the SOPAC Council Committee of the Whole (SCW) is about "ownership" by SOPAC member countries. Furthermore, the island members of Council are the direct beneficiaries of the work carried out by the Commission.

In order to address Para 19(b) of the 2007 Leaders' Communiqué there are significant task(s) to be carried out. Equally clear is the fact that there are significant implications for SOPAC, through the intent of "the need to rationalise its functions" and with the view to "absorbing those functions" into SPC and SPREP.

It is therefore appropriate that Council, as the body vested by its members with the responsibility for the Commission take the initiative to carry out the task(s) required in order to respond to the Leaders communiqué. Section 11 Paragraph 11.1 of the agreed minutes of the 36th Annual Session of the SOPAC Governing Council refers.

SCW1.5 Terms of Reference for the work of the SCW

A draft Terms of Reference (TOR) for the SOPAC Council Committee of the Whole was circulated by the Secretariat at the Council meeting in Tonga. It was not discussed. It was circulated to members by the Secretariat in mid-February seeking comments. The comments received will be available for this item for consideration and agreement.

The draft TOR as circulated is as follows:

To establish an open-ended Committee of the SOPAC Council as a Whole, with a core of Suva-based members supported by the Director to:

- *Work within the framework of the Pacific Plan, objectives of the Regional Institutional Framework Review, and the recent Forum decision, yet bearing in mind the independence of other regional organisations.*

- *Examine the work programme of SOPAC with a view to identifying which activities they consider may be absorbed within SPC and/or SPREP.*
- *Examine how these activities of priority to the island member states may be delivered more effectively and efficiently, including governance and funding aspects should absorption take place.*
- *Prepare a draft roadmap and possible timetable for implementation.*
- *Report to Council at its next session.*

The SCW needs to finalise its TOR.

SCW1.6 Institutional Arrangement Options

From the Council record it is clear that Members agree the current SOPAC work programme and its delivery are good, thus the Leaders' decision to consider "rationalisation" and "absorption" into SPC and/or SPREP must not result in a deterioration of service, but rather be able to demonstrate that service delivery and effectiveness will be enhanced.

However, at the outset it is useful to explore the likely range of options from which Council will have to decide provides the optimum future institutional arrangement that best responds to the Leaders' decision, and is acceptable to the full membership of both SPC and SPREP governing bodies.

It is suggested that the following five options be assessed:

- **Option 1 – Fragmentation**

In effect a process not unlike an auction, implicitly ad hoc, and with the possibility that elements of the work programme will be lost. The record of the Council discussion clearly indicates that this option must not emerge.

- **Option 2 – SOPAC work programme absorbed fully into SPC**

This option of course was considered at length in 1999-2000, and the outcome at that time was in effect the status quo.

In the interim institutional arrangements have changed in both organizations, for example SOPAC Council now has a well-developed Strategic Plan 2005-09 and new work programme structure.

It is timely to review this option picking up from where the 1999-2000 left off.

- **Option 3 – SOPAC work programme absorbed fully into SPREP**

This option has never been considered at length and clearly this task must be undertaken before the Committee can complete its work.

- **Option 4 – SOPAC work programme absorbed substantively into either SPC or SPREP with the balance into the other**

Clearly, arrangements to bring into effect this option will emerge as a result of the outcome of consideration of Options 2 and 3.

- **Option 5 – SOPAC work programme remains stand alone**

Clearly, arrangements to bring into effect this option will emerge as a result of the outcome of consideration of Options 2 and 3 and may provide the opportunity to rationalize the services of all three technical organizations.

In order to examine these options, and thus determine a strategic approach to addressing the “rationalization” issue, it is suggested that a sensible way forward would be to consider Options 2 and 3 as these two options are generic to the other options.

Why is this approach strategic?

Members will recall that during the recent Council Session and discussion on the RIF several members articulated that the SOPAC work programme had developed recognition and elements of it are well integrated. Therefore Option 2 or Option 3 has the distinct benefit that the SOPAC work programme will remain intact under the umbrella of a single institution.

If the SCW, after due consideration, sees merit in this suggestion a first and essential step will be for the SOPAC Director to have bilateral discussions with her counterpart in SPC and in SPREP.

The outcome of these discussions to be completed for the next SCW Meeting must be two reports, each of which records fully the considerations undertaken in these bilateral meetings together with a single executive summary, which indicates the likelihood of either Option 2 or 3 being the preferred future institutional arrangement from a work programme perspective.

These reports must describe clearly what improved service delivery and effectiveness will ensue. Preferably some commentary on the likely cost-effectiveness is desirable, but it is understood that further work will almost certainly be required on this issue.

“Improved service delivery and effectiveness”.

In order to guide the Director, the SCW may wish to have a discussion on the issue of “improved service delivery and effectiveness”.

What do Members expect? Firstly, from SOPAC island Members as the principal beneficiaries and secondly from Australia and New Zealand as SOPAC Members and as traditional donors.

Embedded in the SOPAC Strategic Plan are two important issues related to this question.

- Firstly, in regard to work programme priority setting, outputs and outcomes, and means of delivery, there is a clear distinction made between outputs and outcomes. *“The Secretariat delivers outputs, whereas delivery on outcomes requires action by the recipient Member government. For example, the Secretariat carries out field surveys for which the output is a document with recommendations and map products, whereas the outcome requires the Member to use these products in a manner that contributes to sustainable development”* (p15 of SOPAC Strategic Plan 2005-2009).
- Secondly, *“each Member of the SOPAC Governing Council recognizes that as owners of the Commission, in order to fully capitalize on the work programme. We have a responsibility to work with the Secretariat to ensure that the scientific and technical interventions carried out are translated into meaningful development results and outcomes for our people”* (Chairs Foreword to the SOPAC Strategic Plan 2005-2009).

Depending on whether improved service delivery and effectiveness is targeted at the outputs or outcomes level different consequences emerge. The impression gained from the Council discussion is implicitly, if not explicitly, that the improved service delivery is targeted at the outputs level; that is the work programme produces more products and better products. On the other hand doing more work with existing resources.

Whilst this may satisfy a donor perspective, ironically for the intended beneficiary this will not necessarily translate into what is surely the intention which is a real and tangible improvement in service delivery of meaningful developmental results for the people of the region. To achieve this outcome level improvement in service delivery the capacity of the Member must be taken into consideration.

SCW1.7 Timelines and Constraints

The Council record shows that there are some key timelines and constraints that need to be recognized and accepted. Key is the schedule of the planned next meetings in 2008 of the relevant regional organisations; the Forum, the SPREP and SPC governing bodies and SOPAC Council. At the moment it is expected they will be sequenced as they were in 2007, in the second half of the year.

August 2008:	Forum Meeting
September 2008:	SPREP Meeting (2007 Forum Communiqué to be considered)
Early October 2008:	SPC Meeting
Late October 2008:	SOPAC Meeting

Evidently this is not the best sequencing for the purpose of moving things forward on the RIF, but clearly and realistically any substantive changes may not be possible, and additional meetings unlikely as they will be prohibitively expensive and time consuming.

Thus it emerges that:

- Forum 2008: Leaders must receive an update on progress to date. This requires that the work of the SCW must have progressed substantively by July-end in order that a progress report is available for information to Leaders.
- SPREP 2008: Will be the first opportunity for this body to consider the 2007 Forum Communiqué and the decision related to the RIF. At the same time it can be informed of the work of the SOPAC SCW and deliberate accordingly. Until this meeting has taken place it is understood that the Director of SPREP participates as and when he is able, in good faith, but with no capacity to make commitments.
- SPC 2008: Will be the second opportunity for this body to consider the 2007 Forum Communiqué and the decision related to the RIF. It can be informed not only by the SOPAC SCW, but also directly by the Director General of SPC who has been tasked to report back.
- SOPAC Council 2008: Will of course consider the report of its SCW, and be informed of the outcomes of the above meetings. Hopefully its decisions on further work of the SCW in 2009 will emerge with a clear indication of either a bilateral way forward, or the need for substantive trilateral considerations.

It can be reasonably concluded that the recommendation on the future institutional arrangements for the current SOPAC, SPC and SPREP work programmes will be ready for endorsement by the relevant meetings in the second half of 2009. At that time it may be considered timely to have a "joint meeting" of governing bodies at ministerial level, prior to implementation commencing by 2010.

Any timetable compressing the above is simply unrealistic, and possibly damaging to the challenge and opportunity that the current circumstances provide.

SCW1.8 SOPAC Director Work Programme /Initial Tasks to be Completed

The Director will hold substantive bilateral consultations with SPC and SPREP in March and April 2008 and, report to the SCW2 Meeting.

Subsequently, it is expected these bilateral consultations will continue, and a trilateral (SOPAC/SPC/SPREP) consultation is anticipated at which the PIFS Secretary General will be present. This trilateral consultation can most cost-effectively held in conjunction with the CROP Meeting which is usually scheduled around mid-year.

Leading up to the SCW3 Meeting it is anticipated some initial work will be completed in regard to the legal implications of the emerging preferred institutional arrangement. This work must address both the regional organizational legal instruments issues as well as examine the requirements of individual Members, in particular those that are currently not Members of all 3 organisations.

Also leading up to the SCW3 Meeting it is anticipated some initial work will be completed in regard to matters associated with geographic location, staffing, and related "one off" and emerging recurrent costs.

Also leading up to the SCW3 Meeting it is anticipated some initial work will be completed by the Director and the Chair of STAR in regard to finding a mechanism that will enable the benefits of STAR to be continued.

From August until SOPAC Council meets in November, depending on progress, and the emergence of a preferred future institutional arrangement, it is anticipated that the SCW will be in a position to ask the Director to continue with necessary background work whilst the respective governing bodies consider their position in regard to the way forward.

SCW1.9 Proposed Schedule of Committee Meetings and Reporting

SCW 1	19 th March, report circulated to Members
SCW 2	mid-May, report circulated to Members
SCW 3	mid-July, report circulated to Members, and subsequently a Progress Report submitted by the SOPAC Chairs of the Forum, SPC and SPREP.
37AS Council	late October.