

University of Wollongong
Research Online

Faculty of Law, Humanities and the Arts -
Papers

Faculty of Arts, Social Sciences & Humanities

2009

Implementing Oceans Governance in the Pacific Islands Region - Regional Solutions to National Challenges

Quentin Hanich
University of Wollongong, hanich@uow.edu.au

Follow this and additional works at: <https://ro.uow.edu.au/lhapapers>



Part of the [Arts and Humanities Commons](#), and the [Law Commons](#)

Recommended Citation

Hanich, Quentin, "Implementing Oceans Governance in the Pacific Islands Region - Regional Solutions to National Challenges" (2009). *Faculty of Law, Humanities and the Arts - Papers*. 1668.
<https://ro.uow.edu.au/lhapapers/1668>

Research Online is the open access institutional repository for the University of Wollongong. For further information contact the UOW Library: research-pubs@uow.edu.au

Implementing Oceans Governance in the Pacific Islands Region - Regional Solutions to National Challenges

Abstract

The Pacific islands region encompasses a unique grouping of some of the world's smallest countries surrounded by a vast maritime estate. The combined exclusive economic zones (EEZs) of the Pacific island States are home to the world's richest and largest tuna fisheries. The significance of these EEZs, and the rights and responsibilities attributed to coastal States by the Law of the Sea, assign a critical role to Pacific island States in the development and implementation of oceans governance throughout this region.

The Pacific island States have established a number of cooperative agreements and institutions to support the management and conservation of these tuna fisheries and are a critical membership bloc of the Western and Central Pacific Fisheries Commission (WCPFC). Despite these arrangements overfishing and overcapacity now threaten the long term sustainability of some of these tuna fisheries and significantly lower the benefits available to coastal and distant water fishing States.

These sustainability and economic concerns require national and regional policy and regulatory responses that are challenging to conceptualise, negotiate and implement. While regional arrangements are inherently necessary due to the migratory nature of tuna stocks, effective implementation primarily falls to the coastal and flag State governments. This requires effective institutions and governance at the national level and the political will to implement, at times, contentious and difficult decisions.

The sustainable management and profitable development of the region's tuna fisheries is the key ocean governance challenge for the Pacific islands region in the short and medium term. Resolving these challenges is fundamental to the long term future of the region and its ability to implement oceans governance across all resource and conservation concerns.

This paper identifies some key implementation challenges facing Pacific island States and proposes a comprehensive new sub-regional approach to cooperative management that will be ultimately required for the Pacific islands States to effectively implement their coastal State obligations and sustainably manage fishing for tuna within their EEZs.

Disciplines

Arts and Humanities | Law

Publication Details

Q. A. Hanich, 'Implementing Oceans Governance in the Pacific Islands Region - Regional Solutions to National Challenges' (Paper presented at the Proceedings of International Symposium of Islands and Oceans, Tokyo, Japan, 22-23 January).

Proceedings of International Symposium on Islands and Oceans



January 22 & 23, 2009

Ocean Policy Research Foundation

This publication was carried out under the patronage of
the Nippon Foundation from the proceeds of motorboat racing.

Proceedings of International Symposium on Islands and Oceans

March 2009

Published by: Ocean Policy Research Foundation

15-16, Toranomon 1-chome, Minato-Ku, Tokyo, 105-0001, Japan

TEL 03-3502-1828 FAX 03-3502-2033

<http://www.sof.or.jp> E-mail info@sof.or.jp

ISBN 978-4-88404-217-2

©The various contributors, March, 2009

All right reserved

No part of this book may be used or reproduced in any manner without written permission
except in the case of brief quotations embodied in critical articles and reviews.

Foreword

Based on its philosophy of 'coexistence between mankind and the ocean' the Ocean Policy Research Foundation (OPRF) seeks to address a broad range of ocean problems from a global and comprehensive perspective. We foster interdisciplinary cooperation and build networks among social and natural scientists, work to achieve a balance between ocean use and the need to conserve the marine environment, and carry out a variety of research on the new order taking shape on the oceans.

Since 2005, one focus of OPRF's activities has been to address the problems of the maintenance and revitalisation of Okinotorishima, the southernmost island of the Japanese archipelago, from a technical as well as a legal viewpoint. One of the lessons learned from the process is that we should not treat the issue solely as a domestic one, but invite the consideration of the Pacific Island states, Australia, New Zealand and international society at large and carry out joint research in the search for solutions.

As a result, on January 22-23, 2009, OPRF, with the cooperation of ANCORS and SOPAC, held the 'International Symposium on Islands and Oceans' in Tokyo, so as to share and discuss issues related to conservation, revitalisation and management of islands and surrounding ocean areas. Eighteen experts, both national and international, from various social and natural scientific disciplines gathered and made informative presentations on their current research in order to exchange knowledge and opinions on the development of ocean governance.

We are happy to have published the proceedings from the 'International Symposium on Islands and Oceans'. They include the collection of all the papers presented by the invited experts as well as general information on the symposium. Each paper has insightful perspectives and unique arguments, and are written in a way that enables interdisciplinary discussion, which, we believe, leads to integrated and sustainable approaches for ocean governance. It is OPRF's pleasure to announce that these proceedings will serve as the basis for our future research on islands and oceans and demonstrate the beginning of our future international collaboration.

Ocean Policy Research Foundation

Acknowledgement

The International Symposium on Islands and Oceans was made possible by the generous support of The Nippon Foundation from the proceeds of motorboat racing. We would like to express our sincere gratitude for this support and also acknowledge the Foundation's concern for an understanding of marine and land environmental issues and the life of people living on islands.

Brief Overview

Symposium

International Symposium on Islands and Oceans

Date

January 22-23, 2009

Venue

Nippon Foundation Building (Akasaka, Tokyo, Japan)

Language

English-Japanese simultaneous interpretation

Theme

The "International Symposium of Islands and Oceans" was held to discuss issues on 1) Island conservation and revival initiatives, 2) islands and the problem of sea level rise due to climate change and 3) management of islands and surrounding ocean areas.

Host

Ocean Policy Research Foundation

Co-Organizers

Australian National Centre for Ocean Resources & Security

(ANCORS, University of Wollongong)

Pacific Islands Applied Geoscience Commission (SOPAC)

Programme

January 22, 2009

Day 1

- 9:30 **Opening**
- 9:30-9:40 **Opening Address**
Mr. Masahiro AKIYAMA, Chairman, OPRF
- 9:40-10:25 **Keynote Speech**
Mr. Hiroshi TERASHIMA, Executive Director, OPRF
- Remarks by Co-organizers**
Prof. Martin TSAMENYI, Director, ANCORS
Dr. Arthur WEBB, Manager - Ocean and Islands Programme, SOPAC
-
- 10:25-10:40 Coffee Break
-

Session I

Island Conservation and Revival Initiatives

This session will discuss technical efforts to protect islands exposed to the elements from natural threats and to facilitate revitalization. In particular, it reviews island preservation, maintenance and revitalization efforts such as bank protection against shore erosion as well as new technologies on island creation using corals and foraminifers.

Chair: Prof. Makoto OMORI (Akajima Marine Science Laboratory)

Presentations

- 10:40-11:00 Prof. Richard KENCHINGTON (ANCORS)
“Maintaining coastal and lagoonal ecosystems and productivity”
- 11:00-11:20 Prof. Hajime KAYANNE (University of Tokyo)
“Eco-technological management of atoll islands against sea level rise”
- 11:20-11:40 Prof. Paul KENCH (University of Auckland)
“Understanding Small Island Environmental Processes: A Basis to Underpin Island Management”
- 11:40-12:00 Dr. Arthur WEBB (SOPAC)
“Atoll shoreline dynamics”

12:00-12:20 Prof. Kazuhiko FUJITA (University of the Ryukyus)

“Enhancing foraminiferal sand productivity for the maintenance of reef islands”

12:20-13:00 Discussion

13:00-14:00 Lunch Break

Session II

Islands and the Problem of Sea Level Rise due to Climate Change

In the present century, islands which are dependent on the sea are faced with various problems accompanying climate change, such as the increasing intensity of natural disasters, sea level rise, land submersion land, drinking-water shortage, and impacts of salinization on agriculture. These problems were not in the minds of the drafters of the UN Convention on the Law of the Sea (UNCLOS). This session will review these issues posed by climate change and discuss ways and means for adapting to it and mitigating its effects, including legal matters.

Chair: Dr. Arthur WEBB (SOPAC) and Prof. Moritaka HAYASHI (OPRF)

Presentations

- 14:00-14:20 Prof. Toshio YAMAGATA (University of Tokyo)
“Scientific Aspects of Sea Level Rise in the Central Tropical Pacific”
- 14:20-14:40 Prof. Joeli VEITAYAKI (University of the South Pacific)
“Pacific Islands and the Problems of Sea Level Rise Due to Climate Change”
- 14:40-15:00 Dr. Clive SCHOFIELD (ANCORS)
“Against a Rising Tide in the South Pacific: Options to Secure Maritime Jurisdictional Claims in the Face of Sea Level Rise”
- 15:00-15:20 Prof. Moritaka HAYASHI (OPRF)
“Sea Level Rise and the Law of the Sea: Legal and Policy Options”
- 15:20-16:00 Discussion
-
- 17:30—19:00 Reception
-

January 23, 2009

Day 2

Session III

Management of Islands and Surrounding Ocean Areas

UNCLOS recognizes the rights of coastal states over the marine resources in their EEZs, while also assigning to them the responsibility for the protection and preservation of the marine environment. Therefore, the management of marine areas surrounding islands should be conducted in an integrated way, including from the perspective of marine conservation. This session will consider related issues and discuss the future development of ocean governance.

Chair: Prof. Martin TSAMENYI (ANCORS)

Presentations

9:30-9:50 Prof. Rosemary RAYFUSE (University of New South Wales)

“Whither Tuvalu? Oceans Governance and Disappearing States”

9:50-10:10 Prof. Yasuhiko KAGAMI (Tottori University of Environmental Studies)

“Environmental Policy for Desert Islands: Beyond “Island or Rock?””

10:10-10:30 Mr. Quentin HANICH (ANCORS)

“Implementing Oceans Governance - Regional Solutions to National Challenges”

10:30-10:40 Coffee Break

10:40-11:00 Prof. Tetsuo YAMAZAKI (Osaka Prefecture University)

“Coming Deep-sea Mining and the Environmental Aspects”

11:00-11:20 Mr. Hiroshi TERASHIMA (OPRF)

“The Need for a Comprehensive Study on the Problems of Islands and Management of their Surrounding Waters”

11:20-12:00 Discussion

12:00-13:30 Lunch Break

Plenary Discussion

Conservation, Revival, and Management of Islands and Surrounding Ocean Area

Chair: Prof. Tadao KURIBAYASHI (OPRF)

Expert opinions

13:30-14:00 Prof. Makoto OMORI (Akajima Marine Science Laboratory)

“Conservation, revival, and Management of Islands and Surrounding Ocean Area: Public enlightenment and coral culture from eggs”

Prof. Martin TSAMENYI (ANCORS)

“Conservation and Management of Islands and Surrounding Oceans: The need to Re-think Capacity Building Approaches and Initiatives in Developing Island States in the Pacific”

Prof. Tomohiko FUKUSHIMA (University of Tokyo)

“How should the economic value of an island be evaluated?”

Discussion

14:00-15:30 All presenters and chairs

15:30-15:45 Coffee Break

15:45-16:00 Summary

16:00 Closing Remarks

16:15 Adjourn

Contents

Foreword

Brief Overview

Proceedings

Session I: Island Conservation and Revival Initiatives

Richard Kenchington.....	1
<i>“Maintaining coastal and lagoonal ecosystems and productivity”</i>	
Hajime Kayanne.....	12
<i>“Eco-Technological Management of Atoll Islands against Sea Level Rise”</i>	
Paul S. Kench.....	22
<i>“Understanding Small Island Dynamics: A basis to Underpin Island Management”</i>	
Arthur Webb.....	33
<i>“Coastal Vulnerability & Monitoring in Central Pacific Atolls”</i>	
Kazuhiko Fujita.....	39
<i>“Enhancing foraminiferal sand productivity for the maintenance of reef islands”</i>	

Session II: Islands and the Problem of Sea Level Rise due to Climate Change

Toshio Yamagata.....	48
<i>“Scientific Aspects of Sea Level Rise in the Central Tropical Pacific”</i>	
Joeli Veitayaki.....	55
<i>“Pacific Islands and the Problems of Sea Level Rise Due to Climate Change”</i>	
Clive Schofield.....	70
<i>“Against a Rising Tide: Ambulatory Baselines and Shifting Maritime Limits in the Face of Sea Level Rise”</i>	
Moritaka Hayashi.....	78
<i>“Sea Level Rise and the law of the Sea: Legal and Policy Options”</i>	

Session III: Management of Islands and Surrounding Ocean Areas

Rosemary Rayfuse.....	91
<i>“W(h)ither Tuvalu? Oceans Governance and Disappearing States”</i>	
Yasuhiko Kagami.....	104
<i>“Environmental Policy for Desert Islands – Beyond “Island or Rock”</i>	
Quentin Hanich.....	116
<i>“Implementing Oceans Government in the Pacific Islands Region Regional Solution to National Challenges”</i>	
Tetsuo Yamazaki.....	127
<i>“Coming Deep-sea Mining and the Environmental Aspects”</i>	

Hiroshi Terashima	136
<i>“The Need for a Comprehensive Study on the Problems of Islands and Management of their Surrounding Waters”</i>	

Expert Opinions on Plenary Discussion

Makoto Omori	143
<i>“Island Conservation and Revival Initiatives”</i>	
Tomohiko Fukushima	146
<i>“How should the economic value of an island be evaluated?”</i>	

Note on Contributors and Participants

Administration & Editorial Office

Implementing Oceans Governance in the Pacific Islands Region Regional Solutions to National Challenges

**Quentin Hanich
Senior Fellow**

Australian National Centre for Ocean Resources and Security (ANCORS)

Abstract

The Pacific islands region encompasses a unique grouping of some of the world's smallest countries surrounded by a vast maritime estate. The combined exclusive economic zones (EEZs) of the Pacific island States are home to the world's richest and largest tuna fisheries. The significance of these EEZs, and the rights and responsibilities attributed to coastal States by the Law of the Sea, assign a critical role to Pacific island States in the development and implementation of oceans governance throughout this region.

The Pacific island States have established a number of cooperative agreements and institutions to support the management and conservation of these tuna fisheries and are a critical membership bloc of the Western and Central Pacific Fisheries Commission (WCPFC). Despite these arrangements overfishing and overcapacity now threaten the long term sustainability of some of these tuna fisheries and significantly lower the benefits available to coastal and distant water fishing States.

These sustainability and economic concerns require national and regional policy and regulatory responses that are challenging to conceptualise, negotiate and implement. While regional arrangements are inherently necessary due to the migratory nature of tuna stocks, effective implementation primarily falls to the coastal and flag State governments. This requires effective institutions and governance at the national level and the political will to implement, at times, contentious and difficult decisions.

The sustainable management and profitable development of the region's tuna fisheries is the key ocean governance challenge for the Pacific islands region in the short and medium term. Resolving these challenges is fundamental to the long term future of the region and its ability to implement oceans governance across all resource and conservation concerns.

This paper identifies some key implementation challenges facing Pacific island States and proposes a comprehensive new sub-regional approach to cooperative management that will be ultimately required for the Pacific islands States to effectively implement their coastal State obligations and sustainably manage fishing for tuna within their EEZs.

Introduction

The Pacific Islands region encompasses a unique grouping of small island States that includes some of the world's smallest countries surrounded by a vast maritime estate. The combined exclusive economic zones (EEZs) of the Pacific island States cover roughly 30,569,000 km² of the Western and Central Pacific Ocean (WCPO)¹ and includes some of its most productive waters.² Yet the combined landmass of these island States is only 552,789 km², of which 84% is found in Papua New Guinea.³

Many of these States are in a precarious condition⁴ with low economic growth, political instability and significant weaknesses in their institutions and governance. Economic activity in much of the region is dominated by governments, while foreign fishing access agreements and foreign aid comprise significant components of national budgets. While there are many shared concerns within the region (particularly over issues such as climate change and fisheries), there is also a significant cultural, economic and institutional diversity with large variances between island States in their levels of development, institutional capacity and effectiveness of governance.

Due in part to this paucity of land and wealth of ocean, the region is heavily dependent upon the oceanic and coastal fisheries of the WCPO. While coastal fisheries provide important sources of traditional food and income to artisanal communities, the oceanic tuna fisheries are the cornerstone upon which many Pacific island States depend for revenue and economic activity. Fortunately, the WCPO is home to the world's richest and largest tuna fishery with an estimated value of approximately AUD\$3.4 Billion.⁵

However, overfishing and overcapacity now threaten the long term sustainability of some of these tuna fisheries and significantly lower the benefits available to coastal and distant water fishing States. These sustainability and economic concerns require national and regional policy and regulatory responses that are challenging to conceptualise, negotiate and implement. While regional arrangements are inherently necessary due to the migratory nature of tuna stocks, effective implementation primarily falls to the coastal and flag State governments. This requires effective institutions and governance at the national level and the political will to implement, at times, contentious and difficult decisions.

Given the high dependence of the region on fisheries resources for revenue and food security, it is vital that the Pacific islands States are able to effectively govern their oceanic resources and address increasingly urgent sustainability concerns. Any serious impediment to securing the long term sustainability and development of the

¹ For the purposes of this paper, the WCPO is defined as those waters within the Area defined by the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. This stretches from Indonesia and the Philippines in the west to Hawaii, Kiribati and French Polynesia in the East.

² Gillett, R. (2005). Pacific Islands Region. Review of the State of World Marine Fishery Resources. Rome, Food and Agriculture Organisation. No. 457: 144-157.

³ Ibid.

⁴ Pacific Islands Forum Secretariat (2005). Enabling Environment - Good Governance and Security. Pacific Plan Regional Analysis Papers. Suva, Pacific Islands Forum Secretariat.

⁵ Reid, C. (2007). Value of WCPO Tuna Fisheries. Honiara, Pacific Islands Forum Fisheries Agency.

tuna resources can be viewed as a direct threat to the economic viability and food security for particularly vulnerable Pacific Island States.

The sustainable management and profitable development of the region's tuna fisheries is the key ocean governance challenge for the Pacific islands region in the short and medium term. Additionally, resolving these governance and institutional challenges is fundamental to the long term future of the region as this will provide the necessary platform to implement ocean governance across all marine resource and conservation concerns: from today's priority of implementing sustainable management for the region's tuna fisheries, to potential future challenges relating to climate change mitigation and sea bed mining.

This paper identifies key implementation challenges facing Pacific island States and proposes a comprehensive new sub-regional approach to cooperative management that will significantly boost the capacity of Pacific islands States to effectively implement their coastal State obligations and sustainably manage their oceanic resources.

Challenges to Implementing Oceans Governance in the Pacific Islands Region

In 2007, the author and two colleagues undertook a study for the Pacific Islands Forum Fisheries agency (FFA) on the fisheries governance arrangements amongst the Pacific Island country members of the FFA.⁶ The study identified a large number of governance and institutional challenges across the region that were considered significant either because of their substantial direct national impact on some Pacific island States, or their substantial indirect impact on all members through the challenges they pose to participation and implementation of regional agreements.

This paper briefly summarises the key challenges from the FFA study (further detail can be found in the original report) and then builds on the FFA study to propose a sub-regional response to some of governance and institutional challenges facing ocean governance within the Pacific islands region.⁷

Fisheries Management Institutions

Given the socio-economic importance of fisheries resources to Pacific island States, it is critically important that national fisheries institutions are capable of effectively managing, developing and conserving their fisheries resources and implementing their national goals and regional obligations. However, the FFA study found that the ability of many national fisheries institutions throughout the region at meeting these goals or implementing their regional obligations, is significantly limited due to a number of institutional or governance weaknesses. The study suggested that some Pacific island States simply lack the resources to manage their fisheries sustainably or effectively implement national and/or regional conservation and management measures. Some

⁶ Hanich, Quentin., Teo, Feleti. and Tsamenyi, Martin. (2008). Closing the Gaps: Building Capacity in Pacific Fisheries Governance and Institutions. Honiara. Pacific Islands Forum Fisheries Agency (FFA). The study was commissioned by the FFA in 2007 and is available at http://www.apo.org.au/linkboard/results.shtml?filename_num=209706

⁷ It should be noted that the views expressed in this paper are entirely the responsibility of the author alone and are in no manner associated with the FFA or any other agency or individual associated with the study.

Pacific islands States continue to suffer from an inadequate legal framework despite ongoing attempts to update legislation.

Licensing

The ability of countries to profit from their fisheries resources and to implement effective management is dependent upon their ability to control fishing activities through licensing, and their ability to gain a reasonable return from each license. However, the study noted that some Pacific islands lack the capacity, procedures, transparency and accountability to adequately review, issue, monitor and enforce fishing licenses and conditions.

Verification of catch and effort data

Data reporting and collection throughout the Pacific island region has historically been poor and continues to be problematic. Challenges to data collection have been identified in various reports⁸ and further elaborated in the FFA study. Furthermore, many Pacific island States lack processes to verify catch and effort data. The study noted that few Pacific island States had the analytical or monitoring capacity or the actual data to verify the accuracy or otherwise of catch data and confirm if there was widespread misreporting or laundering of catch taken from Pacific island EEZs and claimed as catch from the high seas. The study noted multiple examples where ad hoc cross-verifications of catch reports against export sheet data, VMS data or observer data detected discrepancies in either the catch log reports, or the other data source used to cross-check the catch log reports.

Vessel Monitoring Schemes (VMS) and Observer Schemes

Some Pacific island States suffered from poor operation and implementation of national observer and VMS programmes. The study suggested that observer programmes were undermined by a shortage of observers due to recruitment problems and lack of government support. The study suggested that VMS suffers from a lack of domestic monitoring and limited punitive actions taken against vessels who turn their VMS off. The study suggested that the real problem wasn't necessarily the VMS, but the lack of monitoring and enforcement.

Governance, Decision Making, Coordination and Communication

The poor performance of institutions in Pacific islands States has been identified as an important barrier to growth⁹ and various studies have identified weaknesses in national governance as a key constraint undermining or stalling national and regional management and development of the region's fisheries.¹⁰ The study suggested that

⁸ Lewis, T. (2004). Special requirements of FFA member countries with respect to science and data capabilities: evaluation and proposal for funding. Forum Fisheries Agency. Honiara. And: SPC. 2003. Capacity of Pacific Island Countries and Territories to meet the likely data requirements of the Western and Central Pacific Fisheries Commission. Oceanic Fisheries Programme of the Secretariat of the Pacific Community. Tabled to Working Group II of the Preparatory Conference 5th Session. Rarotonga.

⁹ AusAID. (2006). Pacific 2020. Challenges and Opportunities for Growth. Australian Agency for International Development (AusAID). Canberra.

¹⁰ Clark, Les. (2006). Pacific 2020 Background Paper: Fisheries. Paper prepared for AusAID based on roundtable discussions in June 2005. Cartwright, I and Preston, G. (2006). A Capacity Building Strategy for the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Forum Fisheries Agency. Honiara. Barclay, K and Cartwright, I. (2006). Capturing Wealth from Tuna: Key Issues for Pacific Island Countries. Gillett, Robert. (2003). Domestic Tuna Industry Development in the Pacific Islands. The Current Situation and Considerations for Future Development Assistance. FFA Report 03/01. Honiara.

weak governance was widely regarded as a critical obstacle to implementing strong fisheries management and profitable development. Some Pacific island States suffer from poor decision making process and systems and a lack of accountability and transparency in decision making. This is a key concern as policies or decisions that are known only to the specific administrators distort the governance process and undermine implementation.¹¹

Strategic and analytical capacity

Some Pacific island States suffer from a lack of strategic analytical/planning capacity: The study suggested that some Pacific island States lack capacity in strategic analysis and strategy development, setting of national objectives and national planning. Without a clear analysis, understanding, vision and strategy – many Pacific island States find it difficult to effectively support their aspirations and work within regional fora to best advance their interests. Furthermore, the lack of a clear vision of national interest limits the ability of fisheries departments and stakeholders to prioritise and motivate communities and governments to implement actions.

Corruption

There is clearly a concern throughout the Pacific Islands region regarding the impact of corruption and associated weaknesses in governance on the ability of the region to effectively manage and develop its fisheries.¹² Corruption in the fisheries sector in the Pacific Islands region is believed to be widespread, but it is difficult to measure its extent or frequency due to the secretive and underhand nature of the activity.¹³ However, it appears that corruption has stolen much needed funds that should have gone into national accounts and local communities, undermined negotiating positions by Pacific Island States, and weakened the ability of Pacific Island States to benefit from their fisheries resources. The study suggested that corruption was an ongoing concern for some Pacific island States, occurring at political and operational levels.

Participation and advocacy in regional fora and implementation of regional measures

Some Pacific island States have little capacity to analyse/determine national interest and participate in regional fisheries management deliberations: The study suggested that some Pacific island countries lacked the capacity to analyse and determine their national interest and develop strategies and positions at international meetings that best served their national interest. Similarly, the study suggested that some Pacific island States lacked the capacity and confidence to negotiate at international levels.

¹¹ Mellor, Thuy and Jabes, Jak. 2004. Governance in the Pacific: Focus for Action 2005-2009. Asian Development Bank. Manila.

¹² AusAID. Valuing Pacific Fish: A Framework for fisheries-related development assistance in the Pacific. Canberra: Australian Agency for International Development (AusAID); 2007. Crocombe R. The South Pacific. Suva: Institute of Pacific Studies of the University of the South Pacific; 2001. Cover Report: Fighting Off Competition – Commercial Fishermen Band Together. Published in: Islands Business. Suva: October 2004. Accessed online March 2007 at: www.spc.int/mrd/pacificfuna/press/04-sep-IB.htm Hooper M. Coherence through Co-operation: The Challenge for Achievement of Policy Coherence for Fisheries Development in the Pacific. Published in: Fishing for Coherence, Proceedings of the Workshop on Policy Coherence for Development in Fisheries. Paris: Organisation for Economic Cooperation and Development (OECD); 2006. Saldanha C. Pacific 2020 Background Paper: Political Governance. Canberra. Australian Agency for International Development (AusAID). 2005.

¹³ AusAID. (2007). Tackling Corruption for Growth and Development: A Policy for Australian Development Assistance on Anti-Corruption. Canberra: Australian Agency for International Development (AusAID).

Two Principles for Capacity Building in Pacific islands Fisheries Institutions

In responding to the challenges summarised above, two principles should be kept in mind when developing capacity building solutions in the Pacific islands region. First, responses should be developed within the national context of each Pacific island State. Regional projects that operate in a centralised ‘top down’ manner or attempt to impose a unitary analysis or solution are likely to fail due to the breadth of difference between each Pacific island State. Given that many of the challenges facing Pacific island fisheries agencies are ‘whole-of-government’, they are unlikely to be fixed by aid programs that specifically target one institution across the whole region. Pacific leaders have recognised the importance of addressing weak governance and implementing good governance across the whole-of-government and this has been prioritised as a central pillar of the Pacific Plan.¹⁴

Second, it is vital that the needs and goals of the Pacific islands States drive national and regional programmes and capacity building projects. They must be owned by the Pacific island States in order to be effective.¹⁵ This principle was endorsed by the PIC/Partners meeting in July 2007 in the Pacific Aid Effectiveness Principles.¹⁶ The principle of ‘ownership’ and engagement is twofold and requires that donors and regional agencies work to the needs and requirements of Pacific island States, while the States themselves comprehensively engage and lead their development.

A Sub-Regional Solution to National Challenges

The success or failure of regional cooperative agreements depends upon the effective participation of members and their ability to implement decisions within the national context. The inability of some members to effectively participate and buy in to regional decisions undermines the ability of the entire region to sustainably manage and benefit from ocean resources.

Collective regional strategies require the informed will of all parties involved. This requires that all Pacific island States have the national capacity and confidence to determine and pursue their own national interest, within their vision of a collective strategy. The compromises and balancing required in any collective strategy require members to make these compromises in the full knowledge of their strategic context. Otherwise, nice words and silences simply provide a treaty-thin veneer with little real substance underneath.

A capacity building and engagement strategy is required that works in-country within particularly vulnerable Pacific island States and builds the capacity of governments to prepare for, negotiate, and implement international fisheries instruments and conservation measures. Such a programme should be truly nationally focused. Additionally, the program should work behind the scenes, and not ‘sit-at-the-table’.

¹⁴ ForumSEC (2006). *The Pacific Plan for Strengthening Regional Co-operation and Integration*. Endorsed by the Pacific Islands Forum in October 2005 and revised in October 2006. Suva.

¹⁵ The United Nations Development Program suggests that “Capacity development efforts must be led and grounded in endogenous efforts if they are to be meaningful and sustainable.” UNDP. (2007). *Supporting Capacity Development: the UNDP Approach*. United Nations Development Programme. New York.

¹⁶ Pacific Islands Forum Secretariat. (2007). Pacific island countries and donor partners endorse aid principles. Press statement (76/07). 18th July 2007
<http://www.forumsec.org/pages.cfm/2007/pic-donor-partners-endorse-aid-principles.html>

This paper proposes a sub-regional strategy that would build ocean governance capacity in the short to medium term and address long term implementation challenges through the establishment of a collective authority. The strategy would work towards the national priorities of a small like-minded sub-region of the Pacific islands region, while supporting regional outcomes. One or both of two sub-regions could be considered for such a strategy. Each sub-region includes three or four small island States with similar concerns, challenges and opportunities. The suggested purse seine sub-region includes: Tuvalu, Kiribati and Nauru. The suggested long line sub-region includes Samoa, Cook Islands, Tonga and Niue.

The sub-regional strategy could be undertaken in two stages. The first stage would focus on capacity building and improving whole-of-government processes relevant to fisheries management. The second stage would build on this through the establishment of a sub-regional collective management authority which would stabilise the first stage capacity building gains and address ongoing demographic and economic challenges to the ongoing operation of governance institutions in these small island States.

First Stage: Develop a sub-regional in-country capacity building strategy that emplaces experienced desk officers into the fisheries departments of each sub-regional country for 1 to 3 years. These desk officers would be responsible for supporting the ongoing development of strategic and analytical capacity within each country and would assist each country with a number of analytical, strategic and administrative tasks. In supporting these tasks, the desk officers would be required to particularly focus on mentoring and building the capacity of local staff to perform such tasks in future. Tasks to be undertaken could include:

- facilitate strategic reviews of fisheries management and development challenges and opportunities within the sub-regional, regional and international context. These reviews would identify national, sub-regional, regional and global concerns as they impact on the national interest of the specific country in question;
- support the development of economic and scientific expertise to analyse the strategic opportunities and ramifications of international instruments, and potential conservation measures to support the pursuit of national interest;
- facilitate whole-of-government engagement in fisheries management in order to ensure adequate resourcing and support for due process, strong regulatory schemes and sustainable management practices;
- support analysis of regional fora papers and briefs in order to inform whole-of-government policy discussions and preparation of delegation briefs;
- develop a national strategy for national engagement in regional fora and facilitate the development of whole-of-government coordination processes that lead towards cabinet endorsed national positions and written delegation briefs/mandates. Strategies and processes should identify objectives and propose specific work (nationally and regionally) to pursue these objectives. Given the regional dynamics and national limitations, it is likely that national

interest analysis and strategy development will generally identify regional and sub-regional co-operative strategies as the best mechanisms for pursuing national interest. Nevertheless, for the program to build the trust and commitment necessary to ensure its success, the program should support the pursuit of national interest above regional objectives (as is the case with any strong member of the FFA);

- support the development of negotiation and advocacy tactics and skills that improve the ability and influence of delegations within regional fora to progress national objectives;
- support the preparation of post meeting reports to minister/cabinet and relevant government agencies that: summarise meeting; analyse outcomes; identify obligations requiring national action or implementation; assess performance of delegation against national brief and national strategy; identify unresolved matters that are likely to carry-over to future meetings;

Second stage: Develop a sub-regional fisheries management collective authority. Considering the demographic reality of small Pacific island developing States, it is difficult to envisage how some of the institutional capacity challenges can be addressed at the national level, particularly in regard to some of the small island developing States with very limited populations. Regardless of the level of training or operational budgets, some Pacific island States will always have very limited opportunities to adequately staff and support their fisheries management institutions due to their very limited population base. In some cases the management costs, in terms of staff and budget, are simply too large to be met by the limited population.

In these cases, serious consideration should be given to the development of a sub-regional collective fisheries management institution that manages fish stocks across three or four EEZs. For example, a sub-regional group of neighbouring countries may negotiate an agreement to establish a fisheries management authority that replaces their individual national fisheries institutions. This collective authority would be granted a clear mandate to govern the collective fisheries within their waters and would operate to a set of specific objectives. Countries would retain their sovereign rights over all fisheries within their EEZs, but would grant the sub-regional authority the mandate to administer and manage on their behalf.

A collective sub-regional model such as this could significantly reduce the management burden on each country while substantially increasing the management resources available. Furthermore, such a model could create co-operative development opportunities and give these countries a competitive edge by establishing a one-stop licensing process for vessels which could allow them to fish across multiple EEZs.

A collective authority would provide the necessary organisation size to allow recruitment strategies to be developed that could build regional 'pools' of talented individuals. The collective size of the management authority would better support individual career development and address high staff turnover concerns found in smaller government institutions that have few career advancement opportunities. Similarly, many Pacific island States individually are too small to fulfil all their

ongoing needs for specialists given the lack of career opportunities. A regional recruitment strategy could increase the size of the available pool of skilled individuals from national populations to regional populations by further enabling and encouraging recruitment across the region, rather than just from within domestic populations.

Conclusion

Ocean governance is inherently a complicated and multi-agency challenge to governments worldwide due to the variety of ocean uses and the inter-connected nature of the marine environment. While tuna fisheries are the most pressing ocean governance challenge for the short and medium term, other marine management and conservation issues will become increasingly important in the medium to long term, particularly climate change mitigation technologies and seabed mining. Resolving these current and future challenges requires a strong institutional and governance capability.

Given the high dependence of the Pacific islands region on their marine environment, it is vital that Pacific islands States are able to effectively govern their oceanic resources and address sustainability concerns. The sub-regional approach proposed in this paper will significantly boost the capacity of Pacific islands States to effectively implement their coastal State obligations and sustainably manage their oceanic resources.

References

(2000). Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, WCPFC Secretariat.

Gillett, R. (2005). Pacific Islands Region. Review of the State of World Marine Fishery Resources. Rome, Food and Agriculture Organisation. No. 457: 144-157.

Pacific Islands Forum Secretariat (2005). Enabling Environment - Good Governance and Security. Pacific Plan Regional Analysis Papers. Suva, Pacific Islands Forum Secretariat.

Reid, C. (2007). Value of WCPO Tuna Fisheries. Honiara, Pacific Islands Forum Fisheries Agency.

Lewis, Tony. (2004). A Review of Current Access Arrangements in Pacific Developing Member Countries (PDMCs).

Hanich, Quentin., Teo, Feleti. and Tsamenyi, Martin. (2008). Closing the Gaps: Building Capacity in Pacific Fisheries Governance Governance and Institutions. Honiara, Pacific Islands Forum Fisheries Agency.

Clarke, L. (2006). Pacific 2020 Background Paper: Fisheries. Canberra, Australian Agency for International Development (AusAID).

Cartwright, I. and G. Preston (2006). A Capacity Building Strategy for the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Honiara, Pacific Islands Forum Fisheries Agency.

AusAID. (2006). Pacific 2020. Challenges and Opportunities for Growth. Australian Agency for International Development (AusAID). Canberra.

Barclay, K and Cartwright, I. (2006). Capturing Wealth from Tuna: Key Issues for Pacific Island Countries.

Gillett, Robert. (2003). Domestic Tuna Industry Development in the Pacific Islands. The Current Situation and Considerations for Future Development Assistance. FFA Report 03/01. Honiara.

Mellor, Thuy and Jabes, Jak. 2004. Governance in the Pacific: Focus for Action 2005-2009. Asian Development Bank. Manila.

Crocombe R. The South Pacific. Suva: Institute of Pacific Studies of the University of the South Pacific; 2001.

Cover Report: Fighting Off Competition – Commercial Fishermen Band Together. Published in: Islands Business. Suva: October 2004. Accessed online March 2007 at: www.spc.int/mrd/pacifictuna /press/04-sep-IB.htm

Hooper M. Coherence through Co-operation: The Challenge for Achievement of Policy Coherence for Fisheries Development in the Pacific. Published in: Fishing for Coherence, Proceedings of the Workshop on Policy Coherence for Development in Fisheries. Paris: Organisation for Economic Cooperation and Development (OECD);

Saldanha C. (2006) Pacific 2020 Background Paper: Political Governance. Canberra. Australian Agency for International Development (AusAID). 2005.

AusAID. Tackling Corruption for Growth and Development: A Policy for Australian Development Assistance on Anti-Corruption. Canberra: Australian Agency for International Development (AusAID); 2007.

ForumSEC (2006). The Pacific Plan for Strengthening Regional Co-operation and Integration. Endorsed by the Pacific Islands Forum in October 2005 and revised in October 2006. Suva.

Pacific Islands Forum Secretariat. (2007). Pacific island countries and donor partners endorse aid principles. Press statement (76/07). 18th July 2007
<http://www.forumsec.org/pages.cfm/2007/pic-donor-partners-endorse-aid-principles.html>