



## SPREP

Secretariat of the  
Pacific Regional  
Environment Programme

PO Box 240, Apia, Samoa  
E: [sprep@sprep.org](mailto:sprep@sprep.org)  
T: +685 21929  
F: +685 20231  
W: [www.sprep](http://www.sprep)

**Re: Information on 'capacity-building in ocean affairs and the law of the sea, including marine science'.**

In response to your letter requesting information from SPREP on 'capacity building in ocean affairs and the law of the sea including marine science', please find below, details of areas that SPREP has been involved in .

Following the main areas identified in the attached UN paper to your letter, SPREP has particular experience in the following sectors:

- Port facilities and vessels
- Legal frameworks
- Maritime security and safety needs
- Waste management
- Marine pollution from land-based sources

With regards to legal assistance to countries, SPREP regularly provides legislative drafting assistance and in recent years this has included laws in the fields of marine pollution (in close association with the International Maritime Organisation [IMO]) and Environmental Impact Assessments (EIAs). Such assistance while allowing a Pacific Island Country (PIC) to implement its obligations under international law, does not provide capacity building *per se*, as the drafter is usually an outside specialist. Where ever possible however, a counterpart is sought from the relevant government legal office and from the office administering the law. Marine Pollution Legislation has been promulgated in three (3) pacific island countries Cooks, Samoa, Tonga. Nauru, PNG and Fiji are in the process of getting their legislation passed in parliament. Training has been provided in law enforcement in one or two cases but this is obviously far from sufficient. In 2008, an environment enforcement training was conducted in Kiribati that included marine pollution enforcement. Inevitably, enforcement training will continue to increase in importance as the barriers to complying with these laws is overcome overtime and administering agencies turn more to the task of enforcement.

In Marine Pollution Prevention, there have been many national and regional capacity training workshops conducted (with assistance from other agencies) with an average of a national capacity training conducted every biennial focusing mainly on the familiarization of IMO and to encourage the ratification and implementation of these conventions. Many countries have ratified a number of IMO Marine Pollution Prevention conventions but lack the capacity to implementation and enforcement. This will continue to be the trend with high turnover as more and more pacific islanders move abroad to greener pastures in Australia, New Zealand and the USA. These training

courses comprised a practical component that involved the operation and maintenance of marine pollution systems and equipment

In the EIA sphere, the passage of EIA laws again does not build capacity *per se*, but rather serves to increase the need for capacity building interventions and activities as it opens up new disciplines for which trained staff are required. In this regard SPREP has been actively engaged with most of its PIC members in a series of capacity building programmes. SPREP conducts EIA trainings with focus on assessing and addressing impacts of coastal marine pollution and waste disposal from major land developments.

In terms of Waste Management, there has been lots of work around the issue of regional port waste reception facilities and the need to institutionalize these arrangements by making amendments to international instruments such as Marine Pollution Convention (MARPOL) and its Annexes.

SPREP in partnership with the Japanese International Cooperation Agency (JICA), has previously provided training for dumpsite improvement and management. In addition to this SPREP/JICA partnership, JICA also has bilateral cooperation with many forum island countries for capacity building in waste management.

SPREP is also the Secretariat of the Waigani Convention and the regional centre for the joint implementation of the Basel and Waigani Conventions, roles which involve providing capacity building support to PICs to enable them to fulfill their obligations under these conventions. The Waigani and Basel Convention both govern the transboundary movement and environmental management of hazardous waste. The main differences between the Waigani and Basel Conventions is that the Waigani Convention is administered only within the Pacific Forum Region, covers radioactive wastes, and extends to the edge of the 200 nautical miles Economic Exclusion Zone, rather than the territorial sea, which is set at 12 nautical miles.

Recently, SPREP became the coordinating agency for a European Union-funded project on capacity building for supporting Multi-lateral Environment Agreements, which provides negotiations training and other capacity building activities for environmental officers in SPREP's member PICs.

Overall, the reality remains, that for effective capacity building, there needs to be an increased emphasis on strengthening PIC governments, through greater support by regional organizations, such as SPREP to provide more adequate delivery of services.