

Training to strengthen negotiation and cooperation of the South Pacific Group and territories with an interest in Southern longline fisheries

Cook Islands, Fiji, French Polynesia, New Caledonia, Niue, Samoa, American Samoa, Tonga, Vanuatu

Date of submission: 10 March 2023

Proposal summary:

This funding proposal aims to strengthen the capacity and expertise of a sub-group of Western and Central Pacific Fisheries Commission (WCPFC) small island developing States and territories, so that they can better negotiate and cooperate in their management of the Southern longline fisheries. The proposal will support travel costs associated with training in international fisheries negotiations to the newly formed South Pacific Group and territories with a strong interest in the Southern Longline Fisheries, including: Tonga, Samoa, Fiji, Vanuatu, Cook Islands, Niue, French Polynesia, New Caledonia and American Samoa. Cost for the training itself will be covered by the Chinese Taipei Trust Fund Project.

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Introduction

Subregional interests in the WCPFC continue to emerge as homogeneity in development needs, fishery interests and progress on key issues such as tropical tuna, southern longline and harvest strategies develop and evolves. More recently, changes in fisheries administrations, in particular staff turnover, and ongoing issues with capacity development requires dedicated focus on ensuring the necessary skillsets are available to WCPFC decision-makers. One avenue to address this is providing negotiations training, and an understanding of the necessary policy and strategic considerations required to formulate national and subregional positions to effectively engage within WCPFC forums.

Effective networking and cooperation amongst Commission Members and Participating Territories is necessary to continue making material progress as work towards longer term management arrangements, and protecting the rights and interests of SIDS, is pursued. Initiatives that encourage the building of meaningful relationships that foster the necessary communication and collaboration between decision-makers has been effectively demonstrated through activities such as the annual Pacific Community (SPC) data and stock assessment workshops.

This proposal seeks funding to support travel costs associated with negotiation training that will facilitate skills training but also establish relationships of Commission Members and Participating Territories, with a particular interest in the southern longline fishery.

Description of activities

This funding proposal aims to strengthen the capacity and expertise of a sub-group of WCPFC small island developing States and territories, so that they can better negotiate and cooperate in their management of the Southern longline fisheries. The proposal will provide training in international fisheries negotiations to the newly formed South Pacific Group and territories

with a strong interest in the Southern Longline Fisheries, including: Tonga, Samoa, Fiji, Vanuatu, Cook Islands, Niue, French Polynesia, New Caledonia and American Samoa.

The training course will be provided in-person so as to maximise peer-to-peer learning and cooperation, and will be hosted at the Australian National Centre for Ocean Resources and Security (ANCORS), in Wollongong, Australia. ANCORS has provided capacity building, training and advisory services to developing coastal and island States in the Pacific and Indian Ocean regions for over twenty years, including professional short courses in International Fisheries Negotiation since 2011. ANCORS research and advisory partnerships in the Indo-Pacific provide unique expertise for training, research, dialogues and facilitation.

ANCORS has a global reputation for research, training and advisory services in transboundary fisheries governance, international law and cooperation, and negotiation and strategy. In addition to their 33 full-time staff, they host an expert panel of international negotiators with decades of experience in multi-lateral and bilateral negotiations. They intentionally include a breadth of experience from diverse backgrounds in their programs, and create training scenarios based on current management challenges that help participants to better understand all the interests involved in a negotiation.

The course will be customised to the needs and context of the participants. The South Pacific training program will be tailored for government officials currently working in fisheries, foreign affairs or legal departments, and will be targeted at mid to senior level managers and officials. The program will focus on legal frameworks and decision-making processes, meeting preparation and negotiations skills, tools and techniques to identify and strategically advocate national interests, and strategic development and cooperation. Participants will consider real life and hypothetical examples, engage in role-plays and scenarios, and learn about the interests and strategies of other RFMO members. Participants will also be encouraged to contact staff and consultants for mentoring support throughout the course.

There is no direct impact on WCPFC fisheries and environment from the proposed training course.

Budget

ANCORS proposes to deliver the program over 5 days in mid-2023 to a group of 18 officials from 9 WCPFC members and participating territories. The course fee is AUD 51,300 (~ USD 34,860). This includes all teaching costs, venue costs, and catering. This is proposed to be covered by the Chinese Taipei Trust Fund Project.

The travel budget is estimated at USD 100,000 and includes all travel costs for 18 Pacific islands officials, and 5 panel members from Australia, Japan, New Zealand and Canada.

- 20 return airfares to Sydney estimated ~ USD 50,000
- 2 ground transport from Canberra estimated ~ USD1,000
- 20 return transfers from Sydney airport to Wollongong estimated ~ USD 2,000
- DSA for 23 individuals estimated ~ USD 47,000

It is proposed that the WCPFC secretariat send the funding to ANCORS so they can provide administrative support in managing travel and DSA arrangements for all participants.

A 5% contingency amount is included to cater for forex and uncertainties relating to the current travel climate and costs.

Project management

Lead project manager is Lars Olsen who will be responsible for administration and overall project delivery and reporting.

Organisation of and contact for course delivery is Quentin Hanich hanich@uow.edu.au.

Expected results and outcomes

This training is expected to provide 18 participants from 9 WCPFC Members and Participating Territories results in:

- Understanding of international legal fisheries frameworks, particular as they relate to Regional Fisheries Management Organisations (RFMO) and WCPFC;
- tools and techniques to identify and strategically advocate for national and subregional interests;
- understanding governance processes for decision-making within RFMOs, and WCPFC; and
- preparation for, and use of negotiation techniques and skills.
- Establishing subregional networks with countries that have a particular interest in the southern longline fishery.

The expected key outcome of this training is improved collaboration and engagement by participants in WCPFC meetings, and related subregional forums.

This training is focussed on those with particular interests in the southern longline fishery management and it is hoped that these skills will support improvements in progress made in WCPFC forums for managing this fishery.

Deliverables and reporting

The main deliverable of this proposal is the negotiations course to be delivered by ANCORS as outlined above. The WCPFC secretariat will be advised of confirmed dates of training delivery in due course.

It is proposed that a single final report be provided within 30 days of completion of the delivery of the training. As this proposal seeks administrative support from the WCPFC Secretariat, particularly in making financial payments, and the training will be delivered by an educational institution, implementation is expected to be relatively straight forward.

An important aspect of this training will be potential to have the course replicated in future, and have other SIDS participate. Participant feedback will be important in this respect.

Expertise

The Australian National Centre for Ocean Resource Security (ANCORS), based at the University of Wollongong, is a globally recognised academic centre of excellence for ocean governance and resource security, marine dispute resolution and maritime crime prevention. ANCORS is the primary, multidisciplinary centre for academic, professional and industry

expertise in ocean law, policy and governance in the Southern Hemisphere. They bring together teams of specialist lawyers, political scientists and international relations experts, geographers, marine biologists and social scientists to design, innovate and integrate ocean law, maritime management and marine policy. As a partner to governments, NGOs, international agencies and industry they are able to translate evidence into practice to offer practical solutions to global challenges, public policy and commercial endeavours. Further information on our professional short courses can be found at <https://www.uow.edu.au/ancors/courses-degrees/>

ANCORS International Fisheries Negotiations Team

- **Quentin Hanich** leads the Fisheries Governance Research Program at the Australian National Centre for Ocean Resources and Security (ANCORS), University of Wollongong, where he is a Nippon Foundation Ocean Nexus Chair. Quentin has worked widely throughout the Asia Pacific region in various international partnerships focusing on ocean governance, emerging technologies, marine conservation, fisheries management and development. He has chaired international working groups, facilitated inter-governmental workshops, advised Ministerial meetings and national delegations, and is a member of the United Nations Pool of Experts for the World Ocean Assessment, and the IUCN World Commission on Protected Areas. He is also the Editor-in-Chief of the international academic journal, Marine Policy.
- **Don MacKay** is an experienced international lawyer and negotiator who spent nearly 40 years working for the New Zealand Ministry of Foreign Affairs and Trade (MFAT), and since 2010 has been an Independent Legal Consultant with particular focus on fisheries. He was New Zealand's Permanent Representative to the United Nations in New York from 2001-2005, and to the United Nations and Specialised Agencies in Geneva from 2006-2009. He was President of the States Parties to the Law of the Sea Convention in 2002, and Co-chair of the United Nations Informal Consultative Process on the Law of the Sea (UNICPOLOS), 2010-2015. He has extensive RFMO experience, including as Chair of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), Chair of the Commission for the Conservation of Antarctic Marine Resources (CCAMLR), and Independent Chair of the Indian Ocean Tuna Commission (IOTC) Technical Committee on Allocation Criteria. He has also chaired Review Panels for the Western and Central Pacific Fisheries Commission (WCPFC), and the South Pacific Regional Fisheries Management Organisation (SPRFMO).
- **Masanori Miyahara** joined the Fisheries Agency of Japan (FAJ) in 1978 and worked for the Japanese Government for over 40 years. He was the Deputy Director General of the FAJ for 2011-14 and President of Japan Fisheries Research Agency for 2014-21. He served as the head delegate of Japan to many international negotiations and chaired ICCAT for 6 years and the Northern Committee of WCPFC for 17 years.
- **Sinan Hussain** is a post-doctoral researcher at Dalhousie University where he studies and writes about equitable governance in transboundary species, particularly in the Indian Ocean. Sinan worked as a director of fisheries management at the Ministry of Fisheries, Marine Resources and Agriculture in the Maldives for 10 years. Apart from IOTC, Sinan has represented the Maldivian government in various international forums such as FAO's Committee on Fisheries and Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction and Asia Pacific Fisheries Commission. Sinan also chaired the Southwest Indian Ocean Fisheries Commission

(SWIOFC). He is currently the chair of IOTC's Standing Committee on Administration and Finance (SCAF).

- **Ruth Davis** has over 25 years' experience in the design and delivery of training and educational programs in the university sector and for government, regional and international organisations. She has significant experience in legal analysis across a broad range of issues, at national, regional and international levels, in relation to the conservation and management of ocean space, the marine environment and marine resources. Ruth currently works in both the coastal fisheries and oceanic fisheries spaces and together these encapsulate her strong underlying interest in creating a supportive enabling environment in which scientific advice and policy decisions can be implemented to effect real change. In relation to oceanic fisheries, Ruth is involved in projects around the central theme of equity in transboundary fisheries management in the Pacific. These include projects relating to transparency in RFMO decision-making; access to data to support transparent fisheries management decision-making; and improving equity in transboundary fisheries negotiations. As part of this work, Ruth is an ANCORS observer on a number of regional bodies and attends the Commission meetings of a number of Regional Fisheries Management Organisations including SPRFMO and WCPFC.
- **Camille Goodman** is an international lawyer specialising in the law of the sea and international fisheries law, with a background in public policy and significant experience as a legal adviser to Government. She joined ANCORS as a Senior Lecturer in March 2021, and is also a Visiting Fellow at the ANU College of Law, where she completed her PhD on 'The Nature and Extent of Coastal State Jurisdiction over Living Resources in the Exclusive Economic Zone' in January 2019 as a Sir Roland Wilson Foundation Scholar. From 2005 to 2020 Camille worked as a lawyer at the Commonwealth Attorney-General's Department, principally in the Office of International Law, providing legal and policy advice to the Australian Government on a wide range of public international law issues, with a particular focus on law of the sea and international fisheries law. She has acted as a legal adviser at various international meetings, managed international litigation before international courts and tribunals, and engaged in a wide range of treaty negotiations, policy development and legal advice work. Her research focuses on the interpretation and application of the law of the sea to address contemporary challenges, particularly in relation to international fisheries law, marine environmental law, and dispute settlement.
- **Kamal Azmi** is a Senior Research Fellow at ANCORS, where he focuses on aspects of transboundary fisheries in the Pacific and Indian Oceans, including rights-based management, sustainability, equity and IUU fishing, as well as maritime security and the blue economy. His PhD thesis explored rights-based fisheries management and approaches to addressing multiple, often conflicting, objectives in transboundary fisheries governance in the Western and Central Pacific. From 2019 to 2022, Kamal concurrently served as the Pacific Regional Lead for Global Fishing Watch. Before joining ANCORS, Kamal spent over 20 years working in the Department of Foreign Affairs and Trade (DFAT), the Australian Agency for International Development (AusAID) and the Australian Trade Commission (Austrade), including postings in Honiara, Singapore and Taipei.