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| Management of Multilateral Environmental Agreements – Ministry of Local Government, Housing & Environment (Ministryof Environment) | | |
| Parliamentary Paper No. | Question | Answer |
| General Questions | Part A: Overview  Background Information:  Management of Multilateral Environmental Agreement |  |

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| Report of the Auditor General  Performance Audit Volume 1  (Parliamentary Paper No. 5 of 2015   * Audit for the year ended 2014 | Part B: Audit Findings  Please provide an update on the following: | Part B: Audit Findings  Please provide update on the following:   1. **Implementation Arrangements for honouring requirements of MEAs** 2. ***Lack of legislations for the implementations of MEAs***  * This is dependent on the requirement of a particular MEA for instance:  1. The Convention on the International Trade of Endangered Species of Wild Fauna and Flora (**CITES**), requires Fiji to have a legislation. This is to ensure the protection of the endangered species of wild fauna and Flora from commercial trading. Fiji enacted the **Endangered and Protected Species (EPS) of 2002 and its subsequent Regulation of 2003**, to comply with this requirement. This Act was updated and amended as Act No. 10 of 2017, An Act to amend the Endangered and Protected Species Act 2002. 2. As party to the Convention of Biological Diversity (**CBD**), Fiji is required to develop a **National Biodiversity Strategy and Action Plan (NBSAP)**. Fiji’s NBSAP was completed in 2005 and endorsed by Cabinet in 2007. In 2010 the process for developing an NBSAP Implementation Framework (IF) commenced. The aim of the NBSAP IF is to guide and drive the implementation of the Fiji NBSAP. The FNBSAP has been revised and updated and a Cabinet Paper drafted for submission to Cabinet. Concurrently the NBSAP IF is in the final process of revision. The process of revising the NBSAP IF includes costing the implementation of the strategy to assist Ministry of Environment request for internal and external budget proposals. 3. The Ramsar Convention on Wetlands of National Importance (**Ramsar Convention**) requires Fiji to **designate Ramsar sites and ensure management plans for such sites**. Fiji has declared the Upper Navua Conservation Area (UNCA) a Ramsar site with a temporary management plan in place. Ministry of Environment is in the process of developing a full management plan for the site. The second site that has been proposed and approved by Cabinet is Qoliqoli Cokovata a part of the Great Sea Reef (GSR). The Ministry of Environment will now need to work with stakeholders to develop the management plan for the site. A **legislation on Protected Areas to include Ramsar Sites is being considered** by the Ministry through the Protected Areas Committee (PAC). 4. The Convention on Migratory Species requires Parties to manage migratory species in particular through the protection of their breeding grounds and migratory pathways and the development of species management plans. While the Ministry of Environment provides the focal point, the Ministry of Fisheries is an implementing partners who are mandated to address these requirements through their policies and work programme. 5. ***Absence of SOP to outline the processes and how a task is to be implemented.***   - The Ministry has recently begun work on drafting of SOPs for the implementation of MEAs and related programs as follows:  i) Tabua permitting process  ii) Non-CITES permitting process   1. CITES registration of companies 2. MEA internal reporting alignment 3. NGOs MOU processing 4. Consultancy for National Reports and Plans 5. Free Access and Benefit Sharing of Genetic Resources 6. Organising environmental campaigns 7. Trade under the EPS Act 8. ***Non-existence of national plans for MEAs.***   - Please refer 1 above.   1. ***Diversion of funds for the implementation of NIP for the Stockholm Convention.*** 2. Fiji was the second country in the world to ratify the Stockholm Convention, having done so on 20 June 2001. The Convention stands to protect human health and the environment from POPs. The twenty three substances presently addressed under the convention are aldrin, chlordane, dichlorodiphenyltrichloroethane, dieldrin, endrin, heptachlor, hexachlorobenze, mirex, Polychlorobiphenyl, toxaphene, chlordecone, hexachlorocyclohexane, beta hexachlorocyclohexane, tetrabromodiphenyl ether and pentabromodiphenyl ether, hexabromodiphenyl ether and heptabromodiphenyl ether, perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride, endsulfan, and hexabromocyclododecane. 3. Persistent Organic Pollutants (hereinafter referred to as POPs) are a group of chemicals including those that had/have been widely used in agricultural and industrial practices and those unintentionally produced and released from many human activities around the globe. 4. These chemicals are:    * 1. extremely stable, semi-volatile and persist in the environment;      2. bio-accumulate in organisms and food chains;      3. are toxic to humans and animals and have chronic effects such as disruption of reproductive, immune and endocrine systems, as well as being carcinogenic; and      4. are transported in the environment over long distances far from the points of release. 5. To meet the convention obligations, the MLGHE through the Ministry of Environment had developed its National Implementation Plan **(Annex 1 attached** [**NIP.pdf**](file:///C:\Users\joshua.wycliffe\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\CYU4MCIK\NIP.pdf)**)** in 2006 focusing on POPs Pesticides, Poly Chlorinated Biphenyls (PCBs), unintentional by products (Dioxins and Furans), stockpiles and contaminated sites, Public Awareness, Information and Education, Research, Development and Monitoring. The goals and objectives of each action plan reflect the requirements of the Stockholm Convention, but are intended to address the specific issues identified as being most relevant for Fiji. 6. The NIP (POPS) project unit’s handing over after the completion of the project remained incomplete (2006). The implementation of the NIP was also incomplete as the plan was out-dated and needed extensive reviewing and updating. 7. The Project proposal **(Annex 2)**[**Project Doc.doc**](file:///C:\Users\joshua.wycliffe\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\CYU4MCIK\Project%20Doc.doc) on the Review and Update of the National Implementation Plan (NIP) for the Stockholm Convention on Persistent Organic Pollutants in Fiji was submitted to the Secretariat, UNEP on 30th October, 2013 and it was approved for Global Environment Facility funding of US$136, 986 on 24th February, 2014.    1. The Project has one global/regional component and five nationally executed components as follows: 8. Global/Regional Support Component: i) assessment on the initial NIP development process to identify gaps and needs in regions and countries; ii) enhancement of Stockholm centres clearing house and facilitation of national reports; iii) development of expert database by region, language and field expertise; and iv) development and dissemination of lessons learned. 9. ***National Component 1:*** Initiation of the process of reviewing and updating national implementation plans. This is through the assessment of institutional needs and strength. 10. ***National Component 2:*** Assessment of the national infrastructure and capacity for the management of all POPs, development of the New 11 POPs inventories and updating of the initial 12 POPs inventories and monitor effects of POPs in humans and the environment. 11. ***National Component 3:*** Development of Action Plans for New POPS and updating of Action Plans for initial POPs including gap analysis. 12. ***National Component 4:*** Formulation of revised and updated National Implementation Plan with its associated Action Plans for all 23 POPs. 13. ***National Component 5:*** Endorsement of National Implementation Plan. 14. UNEP will provide assistance through a Project Cooperation Agreement (PCA) with the Fiji Government through the MLGHE.     1. The PCA has been vetted by the Solicitor General’s Office in 2014     2. **The above PCA version was revised in 2017**     3. The PCA outlines the responsibilities and commitments of the parties to achieve the objectives and outcomes of the Project. 15. **Work Currently Underway at a National Level in 2018 to Progress Signing of PCA for the Review and Update of the Fiji NIP under Stockholm Convention** 16. Currently, MOE is to reviewing the Cabinet Paper for re-submission to SGO for clearance. 17. **Project Timelines** (**Signing of PCA for the Review and Update of the Fiji NIP under Stockholm Convention)** 18. For 24 months from the signing of the Project Cooperation Agreement(PCA) 19. ***Lack of alignment between the individual and organisational strategy.*** 20. Requirements of CBD, Ramsar and CITES have always been aligned to our Ministry’s and Department’s planning processes. Outputs and targets in the Ministry’s ACP and BP incorporates objectives of CBD, Ramsar and CITES. 21. Apart from the ACP, the NBSAP consolidates the objectives of conservation related MEAs and defines an action plan for each. 22. ***Failure to adequately conduct education and awareness on MEAs.***   - Education and Awareness have been organised around commemoration days for MEAs such as;   1. World biodiversity Day which is celebrated on annually on the 22nd of May. 2. World Wetlands Day celebrated on the 2nd of February. 3. World Environment Day on June 5th 4. World Ozone Day on September 16th. 5. World Water Day 6. World Customs Day  * The days often see various tools and programs developed to disseminate information as widely as possible. These include awareness brochures and factsheet, drop down banners, posters, television and radio commercials, newspaper supplement, talk back shows, etc.  1. ***Failure to conduct timely and appropriate reviews on the MEAs.*** 2. Reviews have been a challenge to the Ministry due to manpower limitations. Reviews of MEAs are normally conducted through the mandated implementation framework and only where funds are available as well. Reviews on MEAs are aligned to the Parties decisions taken at the Conference of the Parties (COP). National reports are also mandatory for review and information of the COP. 3. In the case of national legislations such as the EPS Act 2002, review is normally driven by national factors and relevant COP decisions on the MEAs. The EPS Act has been reviewed to accommodate new requirements resulting in the EPS Amendment Act of 2017 which was endorsed by Parliament in 2017. 4. The Fiji NBSAP review process commenced in 2013 based on a COP decision at its 10th sitting and finally completed in 2017. The revised NBSAP will be tabled in Cabinet this year, 2018. 5. ***More capacity building is needed for MEAs.*** 6. International and regional capacity building workshops and meetings have been hosted by the Fiji Government over the years and provided an opportunity for local practitioners and policy makers to participate. 7. Capacity Building technical workshops were organised specifically in collaboration with the CBD, RAMSAR and CITES Convention Secretariats and regional organisations like SPREP targeting practitioners, border control officers, police and RFMF officers, fisheries and forestry officers, policy makers, biosecurity officers, community representatives, and relevant stakeholders 8. ***Lack of in-house and capacity building for MEAs.*** 9. The Ministry staff have access to capacity building programs annually. These are made possible through their participation in regional and international workshops/meetings. 10. ***Adequate management is needed to handle tasks*** 11. A strong coalition of commitment and resourcing at all levels has been critical and will continue to play a strong role in ensuring all obligations under MEAs are met. |
|  |  | 1. **Accountability and Reporting Relationships** 2. ***Lack of commitment noted at the COP***  * *Fiji has been very involved in COP meetings;*  1. Fiji has been nominated to represent the Asia-Pacific region as COP Bureau member in the CBD. 2. Fiji has been represented at COP meetings and have made interventions accordingly for CBD, Ramsar, CMS and CITES. 3. Fiji’s has been influential in the decisions taken at COP, specifically for CITES COP17 in South Africa when Fiji successfully led the proposal to include rays and nautilus in Appendix II of the CITES. 4. ***Information from the COP needs to be disseminated to the stakeholders regularly***  * *COP delegates upon their return submitted reports to the management. These reports included decisions of COPs which are then disseminated through the following mechanisms (improvements):*  1. CITES COP through the Fiji Islands CITES Scientific Council and Fiji CITES Management Authority and the Fiji National Environment Council. 2. CBD COP through the Fiji NBSAP steering Committee and the National Environment Council. 3. Information is also disseminated through the different thematic committees which have been established through the EMA 2005, EPS 2002, and through other mechanisms established under the various MEAs. 4. ***Lack of coordination amongst stakeholders***  * *The works of the CBD and CITES are coordinated through the following mechanisms:*  1. Fiji CITES Scientific Council and Fiji CITES Management Authority for CITES, and; 2. CBD is coordinated through the following structure. 3. ***Unclear roles and accountabilities of focal and implementing agencies.***  * ***Roles is clearly stipulated in the following legislations and policies/Strategies;***  1. EPS Act 2002 for CITES, 2. FNBSAP and FNBSAP – IF clearly articulates the roles of key stakeholders. 3. ***Reports both internal and external needs to be maintained by the Department.*** 4. This has been the practice and all reports external and internal are kept in the registry of the Department. 5. ***Monitoring of activities in the implementation of the MEAs*** 6. Monitoring mechanisms and systems are available but lack implementation. It needs strengthening and enhancing to ensure effectiveness. It also needs resources, both financial and personnel. 7. ***MEAs needs to be maintained*** 8. Fiji needs to ensure all obligations under the various MEAs are maintained. These are internationally legal binding instruments, Fiji as sovereign nation agreed to be party to. By becoming parties to these MEAs, a declaration is made to comply with all requirements of the MEAs. 9. Government will continue to show leadership and political commitment to address MEAs, and resource the appropriate implementation focal points to ensure compliance. |
|  |  | 1. **Overall Conclusion**   ***The effectiveness of the implementation of the requirements of multilateral agreements is weakend by a lack of legislations and policies and the absence of SOP and national plans to support the implementation of certain environmental agreements. There is a lack of formal arrangements between DOE and other stakeholders responsible for the implementation of the requirements of the conventions. However, despite the above and the lack in resources, the DOE and implementing agencies are adequately implementing requirements of multilateral environment agreements.***   1. Ministry has MOUs with Environmental NGOs that are implementing partners for MEAs on the ground. Since most environmental MEAs are trying to address cross-cutting issues, an integrated approach is adopted to implement these MEAs, through the different committees and is driven by sectors that are mandated to address key issues. To enhance what is currently in operational additional resources specifically human resources. |
|  |  | 1. **General Recommendations**   ***The audit recommends that the Ministry of Environment intensely pursue the review of the necessary legislation and policies and draft standard operating procedure to empower and ensure consistency in practices undertaken by all stakeholders. Awareness on the conventions and its requirements should be created amongst all stakeholders. Apart from strengthening the management of conventions by ensuring all required documentation are maintained, records management system and reporting system for the conventions are improved, the DOE need to be adequately resourced to enable it to effectively implement the requirements of the MEAs.***   1. Agree with the recommendations, specifically with the need to review SOPs (which is almost complete) and require additional resourcing especially human resources. |