PAPUA NEW GUINEA LEGAL FRAMEWORK IN MARINE AND FISHERIES

South Fly, Western Province Papua New Guinea

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PAPUA NEW GUINEA LEGAL FRAMEWORK IN MARINE AND FISHERIES; that relates to South Fly, Western Province

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Cover Image: Canoes on beach in Daru, at dusk Western Province, PNG Photo dkmitchell

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SUMMARY

Papua New Guinea’s mosaic of societies have a deep history of migration, occupation and trade networks. This diversity of language-cultural groups share commonalities whilst having varying differences in their customs, customary governance and customary law. These continue to underlie the way of tribes/clans within the villages that are in a state of dynamic socio-economic change. Of significance customary law is recognised by the Underlying Law Act (2000). Importantly also, the land and nearshore sea resources are held under customary tenure by the clan/tribe/community, who also manage these environmental assets for their livelihood and well-being. Within the ATSEA-2 initiative in PNG these are important foundational considerations in resource owner participation in owning the process of achieving sustainable outcomes, and for this reason they are given predominance.

In preparation for independence Papua New Guinea in 1975 finalised a progressive Constitution within which there are 5 Goals and Directive principals that guide development. These, along with the country’s laws and policies underpin the long horizon, short term, spatial and sectoral development plans. These in turn are implemented or overseen by government agencies in partnership with appropriate stakeholders.

As a country within the world community, Papua New Guinea has also committed to international conventions that have subsequently been socialised in domestic law. However, our capacity to implement and report against these commitments is varied.

1. OVERVIEW OF CURRENT FISHERIES IN THE SOUTH FLY

Within the South Fly Area of Papua New Guinea there are many factors that lead to overharvesting of different marine resources that are of regional concern that are included within the ATSEA initiative. There remain pressures from traditional hunting for both marine turtles and dugongs. Whilst sharks and Jewfish are declining due to target fisheries, primarily by artisanal fishers using nets, long-lines and drop-lines, whilst for sharks also by industrial fisheries (ProDoc).

Fisheries and other marine resources in the South Fly District of Papua New Guinea have been poorly managed over the years, especially prior to the introduction of trade and markets for these resources. The Government of Papua New Guinea, through the National Fisheries Authority (NFA), have implemented specific fishery management plans for fish and fishery resources throughout Papua New Guinea including those found within the Torres Strait, but not for artisanal fisheries, which are predominant in the South Fly District. Environmental impacts and a changed population demography due to mining activities in the Western Province, along with significant increases in demand for fish and fishery products have exerted pressure on local resources. This has resulted in the overharvesting of certain marine resources such as sea cucumbers that are locally processed.
to beche-de-mer. A nation-wide closure on beche-de-mer fishing was issued in 2009, but enforcement is weak and exploitation continues due to high-value demand from foreign markets to which is sold illegally to local buyers (ProDoc).

The section of Papua New Guinea’s Exclusive Economic Zone (EEZ) that falls within the Arafura Timor Sea (ATS), has experienced high levels of exploitation of many localized subsistence and commercial coastal and marine species, such as lobster, prawns, and beche-de-mer. This is due to unsustainable fishing practices by subsistence artisanal and industrial fishers, including Illegal, Unreported and Unregulated (IUU) foreign fishing activity inside the PNG EEZ (Exclusive Economic Zone). There are also concerns of poaching and cross border trade of high value beche-de-mer, shark fins, fish bladder, freshwater turtles, and other resources around the border with Indonesian Papua Province, from inside the Tonda Wildlife Management Area and further along the coast (ProDoc). Pressures on coastal resources have also increased in recent years due to the mining activities which have resulted in environmental impacts, from riverine tailings disposal of mine tailings from the Ok Tedi mine, impacting the Fly River watershed and the displacement of people to the South Fly coastal villages and Daru, along with urban drift.

One of the key challenges in Papua New Guinea with respect to management of artisanal fisheries, such as those exploited by the South Fly District communities, is limited capacities among local level government agencies. The national government has issued policies aimed at decentralizing fisheries governance to provincial and district level administrations, but capacity limitations have constrained progress with policy implementation (ProDoc).

2. BACKGROUND ATSEA-2

Despite initial involvement Papua New Guinea had limited participation in the Transboundary Diagnostic Analysis process during the first phase of the ATSEA program in 2012, and was not involved in the development of the regional Strategic Action Plan (SAP). The participation of Papua New Guinea in this second phase of ATSEA completes the representation of Arafura Timor Sea littoral countries (ProDoc) in addressing these issues identified within the ATSEA-2 Project Document summarised above.

The ATSEA-2 project is designed to enhance regional collaboration and coordination in the Arafura and Timor Seas region through supporting the implementation of the endorsed Strategic Action Program (SAP), a 10-year vision with the long-term objective “to promote sustainable development of the Arafura-Timor Seas region to improve the quality of life of its inhabitants through restoration, conservation and sustainable management of marine-coastal ecosystems”.

**disaster resilience:** By 2022, Papua New Guinea demonstrates improved performance in managing environmental resources and risks emanating from climate change and disasters.

This Global Environment Facility (GEF) initiative will establish a regional governance mechanism that strengthens the enabling policies and capacities of institutions and individuals, including the integration of Papua New Guinea, resulting in a sustained transboundary response to over-exploited fisheries and increased pressures on the globally significant biodiversity in the ATS region, including the impacts of climate change (see Figure 1).

Integrated approaches are designed to incentivize local communities to more sustainably use coastal and marine resources, enhancing their own livelihoods while safeguarding the ecosystem goods and services that are the backbone of their socio-economic well-being.

This working document scopes the foundational activity of a functioning regional governance mechanism, to be endorsed through a Ministerial Declaration by the four littoral countries of Australia, Indonesia, Papua New Guinea, and Timor-Leste, and supported by a representative Stakeholder Partnership Forum (SPF) and National Inter-ministerial Committee (NIMC).

Ecosystem health improved as a result of implementing the ecosystem approach to fisheries management (EAFM), both regionally, on a large marine ecosystem scale, and locally, for fisheries in the South Fly. This will offer alternative, climate adaptive, livelihood opportunities and strengthening the resilience of local coastal communities.

PNG will contribute to a regional action plan (RAP) on enhanced protection of endangered marine turtles endorsed through Ministerial Declaration and a local plan for customarily valuable Dugong.

For over-exploited pelagic fisheries within the PNG component of the ATS region to move to more sustainable levels in addressing IUU fishing.
For ATSEA-2 to be effective within Papua New Guinea the primary agents for change will be those to make it succeed.

This change is to be effected through 3 main outcomes as set out in the ProDoc which are to:

1. have in place an effective EAFM (Ecosystem Approach to Fisheries Management) Artisanal Fisheries Management Plan for South Fly District of the PNG EEZ (Exclusive Economic Zone);
2. stop IUU (Illegal, Unreported and Unregulated) fisheries within these waters;
3. have an effective cross border relationship that mutually adds to the effective overall oversight and management of the Arafura Sea.

This study looks at the vision of development in Papua New Guinea that is reflected in its governance, laws, policies, strategy, plans and agencies that relate to its marine assets which have direct relevance in achieving these outcomes.

It also outlines the commitments within to International Conventions where PNG is a party or signatory that relate to these marine assets. Some of which are socialised in national legislation. These are listed in Appendix A.

It was only recently in 2019 that the maritime boundary of the PNG EEZ that defines the area of our national sovereignty was established. The earliest boundary demarcation within the Torres Strait between the Colony of Queensland and New Guinea was in the Queensland Coast Act of 1879, the
Dutch having already claimed Netherlands New Guinea by Proclamation in 1828 and the secret decree of 1848 (Vuer 1966).

The management of maintenance of the sovereignty of these boundaries, and activities within the EEZ of the Independent State of Papua New Guinea are determined by other national laws/regulation/ordinances, policy and management plans that are implemented by various agencies.

Underlying these issues of past colonial and current national sovereignty was inter-village territorial warfare, migration and trade across southern New Guinea and through the islands of the Torres Strait. Customary laws which have localised jurisdiction within language-cultural groups in this region are recognised as superior by the PNG Underlying Law Act (2000).

3. CUSTOM, CUSTOMARY LAW & TRADE

It is usual for Legal and Institutional Frameworks to be outlined in the cascading order of National, sub-National to community level. However, the level at which the ATSEA-2 initiative aims to make positive change, the sustainable fishery lies at the level of the community. It is fundamentally important that the rights of ownership of land and marine resources within PNG lie with the tribe/clan and higher levels of Policy, Law and Conventions do not always address the variance of customary practice, customary law across the socio-linguistic mosaic that make up the Independent state of PNG.

I wish to therefore emphasise the importance and value of customs, associated customary laws and trade relationships developed over millennia, which were defined in the past but which have been impacted by relatively recent international borders and state laws. Both of which have impacted and altered the social-economic and environmental relationships people held in this region. Customary fishing grounds and trade routes should be factored into development planning, policy and legal oversight in this region to reinforce these underlying relationships (see Figure 2). From a positive perspective higher level management and policy that factor and build upon the local context are more likely to be supported and practiced by communities who take ownership of these.

Customary law is oral and not codified. It is therefore tied to each of the languages/dialects and customs of the people of the South Fly. This will vary across languages and even within clans with internal variations of customary law, such as the prohibition of hunting clan totems, of which a person may have one two, three or four, (e.g., Mawatta, Turituri villages; cassowary, wallaby, rock snake, dog, tortoise, crocodile, ground shark and sting ray (Beaver 1920)). Such are tied to the rights of the clan members and individuals.
There are now a series of villages, that are scattered along the southern coast of the PNG mainland. These are split into hamlets which are traditionally made up of different clusters of clans. The societies in the South Fly are patrilineal, hence land tenure and usufruct are the right of male members of a lineage. Though female members can advise, they do not have these rights (Sullivan et al. 2013). Whilst marine tenure tends to be linked to the community on the adjacent coastline and extends to reefs and islands along traditional trade paths. This traditional marine tenure was based on a totemic system determining the clan.

A major challenge is how to encourage greater cooperation among and between these village communities given their vast ethno-cultural diversity. While ‘bonding-type’ social capital can be strong, ‘bridging-type’ social capital is often weak and changeable based on rapidly shifting social alliances (Sullivan et al. 2013). This has altered in some villages which have had in-migration over many years with recent influxes of people displaced by the impacts of the Ok Tedi mine on the Fly River and flood plains, which causes social distinctions and tension.

In this dynamically changing situation, the customary ownership and user rights of the original village communities and their clans over their natural resource territory must be sanctioned and legitimised, as recognised within the goals and directive principles of the PNG National Constitution. Land owners have primary rights over their resources and in how to sustain their use of these resources based on the experientially gained knowledge of past generations. The ongoing maintenance of these resources is the basis of the peoples’ subsistence and any informal income, that sustains their livelihood and wellbeing, a sense of being linked to and a belonging to place, identity and culture. Underpinning this customary law is its definition, that is recognised and upheld through National Laws.

Customary fishing and trade across the Torres Strait, though it still takes place, is now highly restricted due to the conditions in place in crossing this international border.

**NATIONAL LAW IN RELATION TO CUSTOM**

Though not often referred to there are National laws that support aspects of custom.

**Customs Recognition Act (1963)** which recognises in any court the ownership and rights by custom, over the sea, reef, sea bed and the rights of fishing.


**Village Courts Act (1989)** is a level of court within communities that has the authority to hear cases in relation to customary law. Cases are heard in the language of custom or communication and advised by those recognised as custodians of customary/traditional knowledge. Custom at this time is held within the ‘minds of people’ and is not codified or written, though aspects of custom are lost as elders pass away.
Custom is also highlighted in the 5th Goal and Directive Principal of the PNG National Constitution and offers a strategy for implementing not only the preceding aspirational goals 1-4 but also all development in Papua New Guinea.

4. GOALS AND DIRECTIVE PRINCIPALS OF THE PNG NATIONAL CONSTITUTION 1975

That relate to Natural Resources and Environment; EAFM, Fisheries and IUU

National Goals and Directive Principles

WE HEREBY PROCLAIM the following aims as our National Goals, and direct all persons and bodies, corporate and unincorporate, to be guided by these our declared Directives in pursuing and achieving our aims:

1. Integral human development;
2. Equality and participation;
3. National sovereignty and self-reliance;
4. Natural resources and environment
5. Papua New Guinean ways.

1. Integral human development.

We declare our first goal to be for every person to be dynamically involved in the process of freeing himself or herself from every form of domination or oppression so that each man or woman will have the opportunity to develop as a whole person in relationship with others.

(6) development to take place primarily through the use of Papua New Guinean forms of social and political organization.

2. Equality and participation.

We declare our second goal to be for all citizens to have an equal opportunity to participate in, and benefit from, the development of our country.

(1) an equal opportunity for every citizen to take part in the political, economic, social, religious and cultural life of the country; and

(2) the creation of political structures that will enable effective, meaningful participation by our people in that life, and in view of the rich cultural and ethnic diversity of our people for those structures to provide for substantial decentralization of all forms of government activity;

We declare our third goal to be for Papua New Guinea to be politically and economically independent, and our economy basically self-reliant.

(7) economic development to take place primarily by the use of skills and resources available in the country either from citizens or the State and not in dependence on imported skills and resources;

4. Natural resources and environment.

We declare our fourth goal to be for Papua New Guinea's natural resources and environment to be conserved and used for the collective benefit of us all, and be replenished for the benefit of future generations.

(1) wise use to be made of our natural resources and the environment in and on the land or seabed, in the sea, under the land, and in the air, in the interests of our development and in trust for future generations; and

(2) the conservation and replenishment, for the benefit of ourselves and posterity, of the environment and its sacred, scenic, and historical qualities; and

(3) all necessary steps to be taken to give adequate protection to our valued birds, animals, fish, insects, plants and trees.

5. Papua New Guinean ways.

We declare our fifth goal to be to achieve development primarily through the use of Papua New Guinean forms of social, political and economic organization.

(1) a fundamental re-orientation of our attitudes and the institutions of government, commerce, education and religion towards Papua New Guinean forms of participation, consultation, and consensus, and a continuous renewal of the responsiveness of these institutions to the needs and attitudes of the People; and

(3) recognition that the cultural, commercial and ethnic diversity of our people is a positive strength, and for the fostering of a respect for, and appreciation of, traditional ways of life and culture, including language, in all their richness and variety, as well as for a willingness to apply these ways dynamically and creatively for the tasks of development; and

(4) traditional villages and communities to remain as viable units of Papua New Guinean society, and for active steps to be taken to improve their cultural, social, economic and ethical quality.
5. POLICY

The Vision 2050 was launched on September 16th 2009. It is sectored into 7 strategic pillars:

(1) Human Capital, Gender, Youth and people empowerment;
(2) Wealth creation;
(3) Institutional Development and Service delivery;
(4) Security and International Relation;
(5) Environment Sustainability and Climate Change;
(6) Spiritual, Cultural and Community Development; and
(7) Strategic Planning, Integration and Control.

The DSP 2030 launched in January 2010 set out 7 complementary Core objectives:

(1) Strategic Planning;
(2) Systems and institutions;
(3) Human development;
(4) Wealth creation;
(5) Security and international relations;
(6) Environment and climate change; and
(7) Partnership with Churches for integral human development.

Both Vision 2050 and DSP 2030 also pronounced sustainable development and climate change adaptation as development goals (Baloiloi, 2016).

To realize the paradigm shift in the long term set out in these documents, a Planning Bill was also enacted by Parliament giving the Department of National Planning and Monitoring the legal mandate to direct the design of annual resource framework of the country, away from the current brown growth mode of development and towards a greener and sustainable mode of growth.

However, despite all these policy prescriptions very little actual movement in terms of a recognizable shift towards sustainable modalities of growth has taken place (Baloiloi, 2016).
VISION 2050

Central to the long-term vision planning that looked 40 years ahead from 2010, was to conceptualise all the elements of this plan, in the representation of a house (See Figure 3).

Vision: We will be a Smart, Wise, Fair, Healthy and Happy Society by 2050

![Figure 3. Vision 2050 overview](image)

Development towards the Vision 2050 is aligned within the seven pillars of this long-term planning document. The ATSEA-2 and the Stakeholder Partnership Forum in PNG have relevance in relation to and lie within the ‘Strategic Planning Integration and Control’ and ‘Institutional Development and Service Delivery’ pillars (see Figure 3).

The South Fly EAFM ‘Management Plan’ in relation to ‘Wealth Creation, Natural Resources and Growth Nodes’, ‘Environment Sustainability and climate change’, that requires ‘Institutional Development and Service Delivery’ that is supported through ‘Human Capital Development, Gender, Youth and People Empowerment’
**IUU** within the pillar of ‘Security and International Relations’

Under these pillars are statements within which ATSEA is relevant and can contribute towards.

**Fisheries**

The fisheries sector is dominated by tuna and downstream processing. Though ‘Vision 2050’ will also guide the fisheries sector agencies in the development of sustainable management strategies for fisheries and marine resources.

**Oceans and Coastal Environments**

Vision 2050 focuses on the potential economy and environmental impact activities of our EEZ.

**National Security**

It is to ensure that the Customs Office and NAQIA provide 100% quality assurance of all inbound imports and outbound exports.

To allocate funding to the security forces for relevant infrastructure including space science and technology to facilitate internal and external border surveillance covering sea land and air borders.

To allocate funding for the relevant state agencies to assist the security forces in border enforcement.

**Crosscutting Issues**

Where gender is a critical focus area to be proactively addressed.

**Strategic Planning**

To ensure there is inter-provincial and cross-boundary economic corridor planning

**Institutional Framework**

To strengthen national capacity through partnerships with better alignment and reporting requirements that are linked to National priorities and processes. And to ultimately form a regional partnership framework for development.

In a critical analysis of the Vision 2050 Kaiku (2020) outlines however that it is becoming common practice for policy-makers to cite the National Goals and Directive Principles (NGDPs) as guiding principles in their writing up of policy directives, national plans or other such documents of public significance. But that these national policy documents often do not actually reflect the intentions
of the NGDPs. That the use of the NGDPs in national policy documents is a convenient way of invoking a semblance of legitimacy and authoritativeness, especially when the government claims to conduct its affairs on behalf of the people but that the NGDPs and the visionary thinking of the Constitutional Planning Committee are grossly misinterpreted in the Vision 2050 (Kaiku 2015). Also, that the benefits of culture as tools of development are omitted from any practical strategic consideration (Kaiku 2015).

Kaiku (2015) urged that a revisitation of the NGDPs must be undertaken as a matter of national priority and I suggest that we look at all laws, policies and plans with this lens in mind.

**NATIONAL OCEANS POLICY OF PAPUA NEW GUINEA 2020-2030**

‘The NOP draws its strength from the Constitution, particularly the National Goals and Directive Principles, the Vision 2050 and the National Development Strategy 2030. The NOP has been fashioned with the backdrop of international best practice and globally accepted principles of resources exploitation and management, especially the Sustainable Development Goals. The NOP also incorporates traditional knowledge and customs relating to ocean and coastal resources management (Secretary’s Statement: Kwa 2020).’

It provides a framework to improve ocean governance, management and strategic direction that includes Integrated Ocean Management (IOM) and Integrated Coastal and Island Management (IC&M).

‘It affirms local community ownership/customary tenure systems as an integral and intrinsic component to community-based resource management’.

Where traditional management and science, or in the absence of science, the precautionary approach come together for wise use of the marine resource.

**Vision:** A healthy ocean that achieves responsible sustainable development outcomes and aspirations of Papua New Guinea, whilst addressing and mitigating impacts of climate change, natural disasters, anthropogenic waste and land-based sources of pollution.

**Goal:** To sustainably develop and manage PNG’s marine resources through an integrated ocean management system within its national jurisdiction as well as in areas beyond the country’s national jurisdiction, and at the same time, facilitate for cooperation and collaboration in areas beyond PNG’s national jurisdiction.
Governance and Management

*Shared responsibility of the governance and management of the oceans, through transparency, inclusiveness and accountability in:*

- Knowledge & Technology;
- Improving our understanding of our ocean through Science, Research, Knowledge and Innovation;
- Environment Protection and Conservation;
- Protection and maintaining the health of our oceans;
- Sustainable Economic Development;
- Sustainable Development and Management of the use of the ocean and its resources;
- Safety, Security & International Relations;
- Promoting and enhancing the peaceful use of the oceans.

With the enactment of the *Maritime Zones Act*, there are now clear and legally defined boundaries as to where specific agency roles and responsibilities begin and end. In this regard, improved and efficient coordination and cooperation amongst agencies, involved in security operations, is important to ensure there is the required monitoring, control and surveillance of PNG’s vast ocean space that includes IUU fishing.

The environmental and social dimensions include monitoring environmental threats to the oceans, coastline and rivers from transport sources including pollution by shipping through oil and cargo spillages, discharge of liquid and solid wastes, and anti-fouling coatings, spillages and discharges from wharves and port industrial sites, modification to shorelines and beaches through reclamation, dredging and materials extraction for construction and other purposes.

The policy responses to this have led to several strategies.

**Strategy 1: Governance and Management**

Shared responsibility of our oceans through transparency and accountability.

**Strategy 2: Knowledge and Technology**

Improving our understanding of our ocean through Science, Research, Knowledge and Innovation.

Improving the knowledge and understanding of marine and coastal processes is a prerequisite for protecting the marine environment and ecosystems in a more precautionary way and for supporting sustainable economic opportunities from ocean resources.
The result from marine scientific research will provide the input for policy makers in pursuing development options and benefit society in terms of climate changes. To apply ocean science and marine technology in order to support evidence-based decisions and actions in the sustainable use of the ocean and its resources.

**Strategy 3: Environment Protection & Conservation**

Protection and maintaining the health of our oceans.

Through studying cumulative effects and applying strict measures where required is a necessary management approach to ensure that ecosystems and marine resources are protected from deleterious human based interactions on their environment. Different ecosystems must be managed according to their particular needs and where required through the implementation of effective area-based management approaches.

**Strategy 4: Sustainable Economic Development**

Recognises that coastal and island communities in PNG are heavily reliant on the wide range of resources and services that the oceans provide for their social, cultural and economic security. This includes conditions where economic activities are required to sustain the economy and contribute to the country’s GDP (Gross Domestic Product), but which must be done in a sustainable way and to:

- Engage, as appropriate, local communities and other stakeholders in resource management decision making. And encourage free, prior and informed consent of traditional landowners and marine resource owners for decisions which impact their land and resources, including any that involve the sea or ocean resources, according to international principles and best practices;
- Build the capacity of PNG communities for sustainable resource development and management;
- Establish a mechanism to protect traditional knowledge, rights and cultures;
- Establish and protect intellectual property rights through legislation.

**PAPUA NEW GUINEA POLICY ON PROTECTED AREAS 2014**

‘The Protected Areas Policy provides a roadmap for use by the CEPA (Conservation and Environment Protection Authority), other Agencies in the National Government, other levels of Government, NGOs, CBOs and all Papua New Guineans to protecting PNG’s unique biodiversity and cultural heritage (Forward: Pundari 2014)’.

**Vision for the PNG Protected Area Network:** is that our protected area network across land and sea safeguards our precious and outstanding natural and cultural heritage. Together we manage these areas effectively for all the people of Papua New Guinea.
Protected areas must also have relevance to the customary land [resource] owners. Protected areas are part of the wider landscape, seascape and flyways in which habitat connectivity is vital. We work to maintain ecosystem integrity and ecological process such as water flows and food chains across the land and sea. In the marine environment these area-based categories include:

1. **National Protected Areas**: NMS (National Marine Sanctuary) which is IUCN PA Category IV with zones; and

2. **‘Regional’ Protected Areas**: CCAs (Community Conservation Areas) and LMMA (Locally Managed Marine Areas) which are both IUCN PA Category V.

These allow for traditional sustenance fishing and resource collection with regulated commercial fishing only in allowed zones within a NMS.

**Pillar 2 Sustainable Livelihoods for Communities**

**Objective**: Ensure that local arrangements governing use of natural resources in protected areas are fair and sustainable, and continue to support traditional livelihoods.

**OFFSHORE MINING POLICY 2016**

The **Mining Act (1992)** provides for the State to claim and own the mineral resources within Papua New Guinea’s jurisdiction. The State has the sovereign right to the territorial seas up to 200 nautical miles of the Exclusive Economic Zone and the marine resources therein including the offshore mineral resources. The ownership of the offshore mineral resources remains with the State for its administration, to ensure the equitable distribution of benefits derived from the offshore mineral resources to the people of Papua New Guinea.

**Vision**: To develop the offshore mineral resource potential of PNG and optimise the returns derived from mining in the offshore area.

**NATIONAL AQUACULTURE DEVELOPMENT POLICY 2004-2010**

Apart from tuna, most tropical fisheries, such as the prawn and lobster fishery, beche-de-mer, trochus, reef fishery and barramundi, harvested in PNG waters are vulnerable to overexploitation or are capable of sustaining limited production capacity. Thus, aquaculture can play a significant role in complementing catch from these fisheries. It is also an alternative fisheries development especially in coastal and the inland fisheries sector.
The NFA (National Fisheries Authority) is to facilitate and where appropriate participate in the establishment of aquaculture as a viable business industry with the private sector to establish economically, socially and environmentally sustainable aquaculture ventures. In the operation of an aquaculture facility the Environment Act (2000) stipulates that an environment permit is required. Under the Animal and Disease Control Act (1952) the Minister for Agriculture may also, by notice in the National Gazette, prohibit or restrict (a) the introduction or importation of any animal or kind of animal into the country; or (b) the movement of any animal or kind of animal within the country.

**Barramundi**

Cage culture of Barramundi has been proven feasible and all barramundi culture should comply with the Barramundi Management Plan (NFA 2014). Given the current high interest in barramundi culture, all caution should be exercised in establishing net cages and ponds for barramundi farming.

**NATIONAL TRADE POLICY 2017-2032**

‘The key objective of the Policy is to promote sustainable economic growth of our country through encouraging investment in the renewable sector, encourage downstream processing, import substitution, and export diversification development (Statement: Maru 2017)’.

**Objective:** Support further growth and development of the fisheries industry to maximize returns on its resource, in terms of jobs and export earnings.

The fisheries sector comprises large-scale deep-water tuna (mainly skipjack and yellowfin), as well as barramundi, lobster, shark, crabs, prawns, beche-de-mer (sea cucumbers) and pearl oysters.

**NATIONAL SECURITY POLICY 2014-2020: Safe secure and prosperous Papua New Guinea**

‘Our natural resources are being illegally plundered at an alarming rate and it is to provide a strategic policy framework for security, oversight, coordination an alignment and guidance for all key security sector agencies all Government Departments and Agencies, Private Sector and Civil Society Organisations (Overview: Zurenuoc 2014)’.

This Policy which is linked to Pillar 4 of Vision 2050, in maintaining the sovereignty of our international borders against illegal poaching and fishing and illegal trade of endangered species. This illegal activity is seen as posing a serious threat to the environment as well as to the sustenance of the livelihood of people living in coastal and islands communities. The valuable tuna
stocks within the PNG EEZ are a large part of this effort to protect this resource from IUU (Illegal unreported and unregulated) fishing activities.

All of these issues require priority attention by relevant agencies through effective surveillance and monitoring mechanisms with cross-border cooperation strategies to ensure border security.

**NATIONAL CLIMATE COMPATIBLE DEVELOPMENT MANAGEMENT POLICY 2014**

A policy to drive and stimulate climate-compatible development, noting rising sea levels.

2. **Adaptation Strategies**

   a. **Risk Management**
      
      i. **Quantifying & Prioritizing Hazards:** Identify communities and sectors most at risk to climate change impacts, coastal flooding, marine ecosystem health, by national and subnational vulnerability assessments of human, environmental and socio-economic systems.

      ii. **Identifying & Selecting Interventions:** In conjunction with relevant sectoral stakeholders, analyse potential losses and benefits and examine feasibility of available adaptation measures (e.g., coastal early warning system, community-based mangrove planting, human settlements and migration).

   b. **Adaptive Governance**
      
      i. **Sectoral Coordination:** Promote coordination, integration and facilitation among sectors such as fisheries, climate-induced migration and human settlement.

**FISHERIES: Promoting climate resilience through the protection of marine and fishing zones**

Establish a Sustainable Development Policy in *Oceans*)

Establish at least one million hectares of marine protected areas

The Provincial Climate Change Implementation Strategy is aimed at guiding the implementation of potential fisheries programmes and activities at the provincial level relating to priority aspects of adaptation and mitigation, as captured in the provincial reports.

6. **STRATEGY**

**NATIONAL STRATEGY FOR RESPONSIBLE SUSTAINABLE DEVELOPMENT FOR PAPUA NEW GUINEA EDITION 2, 2014.**

The Development Strategic Plan 2010-2030 was seen to be not fulfilling its purpose in guiding development effectively as it did not prescribe a road map that builds on PNG’s unique natural and cultural resources. The National Strategy for Responsible Sustainable Development (StaRs) in 2013 was therefore in response to this.
‘StaRs represented a new strategic approach to development with a pragmatic green economic focus of environmentally sustainable economic development. A joined-up approach of policy making across sectors (Forward: O’Niell 2014).’

It was a paradigm shift towards responsible development with the environment as a strategic asset that builds on Vision 2050 and the DSP 2030 (Preamble: Abel 2014). With long term sustainability requiring that more attention be paid to the responsible management and use of natural resources.

Part of this shift to green inclusive economic growth was in sustainable fisheries development, and through support of small and medium enterprise development.

Among the guiding principles are that it:

- Drives innovation;
- Is inclusive, democratic, participatory, accountable and transparent Governance;
- Uses an integrated approach to decision making;
- Creates decent work and green jobs;
- Is equitable fair and just;
- Reduces poverty and improves well-being, livelihoods and social protection;
- Retains and protects biodiversity and ecosystems and services;
- Respects ecological limits;
- Sustainable consumption and production; and
- Follows a precautionary approach.

Long term sustainability requires that more attention be paid to the responsible management and use of our natural resources. That have access to open and competitive markets, and that is resilient to risks and shocks.

StaRs was therefore seen as the Strategy between the Goals of the Vision 2050 and the DSP 2030. It recognised that inadequate attention had been given to addressing the dual economy of the country of; the macro cash-economy and the subsistence/informal economy. Where the rural sector reliant on environmental capital, where the bulk of the population is still engaged in subsistence activities had offered a greater potential if encouraged by locally financed development. StaRs however did not outline how to effect this change.
StaRs outlined a Sustainable development framework that influenced the triple bottom line to achieve inclusive green growth (see Figure 4).

A Strategic Environmental Assessment determined and accounted development at trade-offs between environment, social and economic objectives and how ‘green’/sustainable these are.

By Green Accounting and alternative development measures the socio-cultural-environmental costs of development were reformed through a Public Environmental [Government] Expenditure Review towards green growth priorities.

Figure 4. The Green bottom line of StaRs

ALOTAU ACCORD II

In the formation of the National Government after the 2017 National Election a second Alotau Accord of government priorities was drawn up from which it can be seen that fuelling the economy through the macro-economy was a priority (see Figure 5).

Figure 5. Summary of Alotau Accord II development priorities
7. DEVELOPMENT PLANS

**PAPUA NEW GUINEA DEVELOPMENT STRATEGIC PLAN, DSP 2010-2030: Our Guide to Success**

The ‘DSP 2030’ is designed to translate the focus areas of PNG Vision 2050 into concise directions for socio-economic development, spelling out sector interventions with clear objectives, quantitative targets, and baseline indicators (StaRs 2014).

“It attempts to translate the directive principles of our National Constitution into workable plans. It sets out the broad framework, targets and strategies to achieve the vision of the Government towards an improved quality of life by exploiting the available opportunities in socioeconomic development (Forward: Somare 2010”).

**Goal:** A high quality of life for all Papua New Guineans.

**Vision:** Papua New Guinea will be a prosperous middle-income country by 2030.

In the Fisheries Sector the emphasis is on doubling the Tuna Revenues to increase the GNI (Gross National Income) by 0.3% PGK80 Million.

Emphasis on increasing the GNI is by; improving law and order, through a reduction in crime; Land Reform; with income from the Gas, Tourism and Agriculture sectors; and in tripling Manufacturing.

This is underpinned by the development of 10 economic corridors, one of which is the Border Corridor of Western and Sandaun Province (see Figure 6). This was to be driven by the establishment of the Border Development Authority.

Where corridor authorities are to work closely with provincial, district and town authorities to harmonise development initiatives, such as fisheries and small-medium enterprise development.

Not as an implementing agent, but through facilitating an emphasis on improved service delivery and the provision of basic social, transport, electricity and communication infrastructure that encourages private sector investment, the provision of market places.

One of the planned economic corridors is the ‘border development corridor’. However, PNG has not invested in achieving this, whilst Indonesia has been developing a similar corridor on its side of the border with 919km of the 1098km between Merauke and Jayapura connected in 2018 (Anon 2019b) (see Figure 7).
Though this border development corridor proposes to link the main centres of Daru, Kiunga and Tabubil in the first 10 years of this plan no progress has been made. Also, the links between communities along to the South Fly coast to the growth centre of Merauke in Indonesia has not been included, nor mentioned in future trade, although this is already a trade route.

**Fisheries**

Within the DSP 2030, research, extension services and marketing capacities also need to be developed to support the industry in managing risks and in providing direction to the industry and reinvesting the revenue from Tuna licensing in implementing the coastal fishers program.

Critically, the current lack in maritime surveillance capacity is resulting in the loss of millions of Kina in IUU, illegal or under-reported fishing activities. Development of the maritime surveillance capacity of the defence and security force will therefore support higher returns from PNG’s fishing resources.

The DSP 2030 recognises that local fishermen have exclusive rights to fish the 3-12 nautical mile zone set aside for traditional fishing grounds. These fishing grounds offer local fishers great opportunities to earn a sustainable income, providing the fisheries are well managed and providing fishers have the requisite business skills and market access. To assist fishers to gain from their traditional fishing grounds, fishing cooperatives can be set up that will have responsibility for administration, marketing of local catches, providing cold storage and processing facilities, organising credit and arranging the acquisition of pump boats and other equipment for its members. The Government can facilitate such developments by encouraging joint ventures and by providing key ports and jetty infrastructure.

Marine industrial parks will be established in maritime provinces of PNG, providing an outlet for local fishers that will support fishing incomes.

SMEs develop plans and policies that encourage SMEs to focus on export markets.
Environment

The DSP 2030 recognised that mine tailings alone pose a serious environmental hazard as they contain traces of heavy toxic metals. The collapse of the Ok Tedi Mine Tailings Dam in 1984 with no subsequent reconstruction typified the complicated environmental, social, economic and development problems that arise when a tailing system is not in place.

In accordance with the Constitutional recognition of PNG ways, customary practices for enhancing and preserving the environment will be strengthened.

Maritime Surveillance was recognised as currently ineffective in addressing the growing problems of illegal border crossing and sufficient surveillance aircraft and patrol boats are needed. Also, there was a recognised need to upgrade the forward operating base of the PNGDF. [PNG-Indonesian land border in the South Fly]. These have not been implemented.

The DSP 2030 recognised that there is a whole of government collaboration required to implement many of these strategies. This includes strengthening the collaboration between central government agencies, establishment of coordination mechanisms of sectors and sector meetings are institutionalised for agencies to work towards achieving set targets.

Also, to strengthen policy dialogue between the private sector and government agencies along with CBOs in communities due to their proximity to the people. Enhanced Effectiveness to be through the formation of networks at national and provincial level.

MTDP III MEDIUM TERM DEVELOPMENT PLAN 2018-2022

The MTDP III defines the policy directions and priority areas for investment within different sectors. It follows on from the bridging MTDP II 2016-2017 which was the first to incorporate the thinking within StaRs.

Within this plan there are eight Key Result Areas (KRAs).

In relation to EAFM

KRA 7 on Responsible Sustainable Development is the primary aspect of the plan relevant to fisheries

KRA 7 aims to secure inclusive and sustainable economic growth, and strives to bring development to the district level. It is linked to the Sustainable Development Goals of:

- SDG11 Sustainable Cities and Communities,
- SDG12 Responsible Consumption and production,
SDG13 Climate Action, and
SDG14 Life below water.

Figure 8. Relevant SDGs

Whilst there are broader SDGs and Targets within these that have relevance (see Figure 9).

Figure 9. Relevant Targets within SDGs

Within the MTDP III, the main acknowledgement within the fisheries sector is in the tuna industry and the revenue that this generates including the Southern Region. However, there is no reference to subnational EAFM apart from the encouragement of Small to Medium size Enterprise development.

In relation to IUU

KRA 4 is in Improved Law, Justice and National Security.

The MTDP III recognises that the international land and maritime borders have placed a lot of demand on national security and defence.

In response to this Goal: Enhance national security and strengthen PNG Defence Force air, land and naval capabilities. The Government plans to enhance PNG’s National Security capabilities in line with the National Security Policy and Action Plan 2014-2020. To improve operational capacity of national security agencies to ensure effective border surveillance and security management.

A ROADMAP FOR COASTAL FISHERIES AND MARINE AQUACULTURE FOR PAPUA NEW GUINEA: 2017–2026: Our fish, our food, our health, our wealth, our future NFA 2017.

To ensure the continued economic benefits and biological and ecological sustainability of marine resources in PNG’s coastal zone, the National Fisheries Authority (NFA) prioritises support to sustainable development and management of coastal fisheries and marine aquaculture through key mechanisms, including:
Provincial fisheries grants to Provincial Fisheries Offices/Authority;
MOUs between NFA and PFOs;
Provincial Fisheries planning support.

Coastal Fishery Challenges

This Coastal Fishery presents several challenges and their sustainable management has not reached expectations due to:

- Geographical scale, the extent of coastline/near shore areas is a logistical challenge;
- Complexity of coastal fisheries and diverse coastal communities;
- Lack of appropriate data to inform managers;
- Limited income generating options and alternative livelihoods for coastal and islands communities;
- Lack of suitable financing arrangement to develop small-to-medium scale commercial activities and a lack of suitable marketing and transport infrastructure to enable small-to-medium scale commercial activities, particularly fish market for coastal and island communities.

NFA recognised institutional barriers

- Business units within NFA not sufficiently coordinated, or lack of communication so strategies not integrated.
- Funding and associated service delivery is not tied to adequately to outcomes, nor strategically delivers and coordinated at provincial level resulting in poor implementation of policy objective.
- Collaboration between NFA and provinces is one sided or inadequate which in turn hinders addressing joint policy priorities and reduces effective service delivery.
- Interventions may not go through adequate feasibility assessment and are frequently not monitored or evaluated which undermines decisions-making and reduces effectiveness.
- Capacity and work effectiveness, especially at the provincial level is low and decisions makers do not have adequate information or skills at the community. Ward, local level government, district and provincial levels.

Vision: Our fish, our food, our health, our wealth, our future
**Goal:** To sustainably develop and manage our coastal resources to provide sustenance, income and ecosystem benefits to our communities and the nation at large without endangering food security now or in the long-term.

![Diagram of Development Framework](image)

**WESTERN PROVINCE DEVELOPMENT PLAN 2018-2022: The New Way Forward.**

(Please note that the numbering of the following sections (as with the next 3 documents reviewed here) are as they appear within these, to facilitate easier cross reference if they are referred to.)

‘This plan was based on the Western Provincial Development Forum and defined as a paradigm shift that was aligned to the National Government’s Medium Term Development Plan III, the Strategic Development Plan (2010-2030) and the National Government’s Vision 2050 (Yoto 2018).’

**Vision:** A healthy, educated and wealthy Western Province

It was with this vision for the people of Western to have the opportunity of earning income to put food on the table. This to be achieved through development with a focus on creating Economic
Development Zones (EDZ) referred to as Local Economic Development Focus Areas (LEDFA). LEDFAs are aimed at improving the quality of life of rural communities and centers of population through development of key economic resources. It included the provision of basic services through growth and service centres.

**South Fly**

This District is recognised for having an abundance of fisheries products that sustain the coastal communities as well as the island population of Daru.

The following are the sectors and strategies in the plan most relevant to ATSEA-2.

**Economic Sector**

6. **Fisheries**

**Goal:** To develop the Fisheries sector as an emerging industry capable of helping to grow the Western Province economy by generating income to improve quality of lives.

The Western Province Development Forum that influenced this plan recognised the importance of sustainable development of natural resources including fisheries. With this the Fisheries sector is seen as potentially transformational for the province in, revenue, employment, wealth improving the livelihood of fishers and their families.

**Sector Strategies**

1. Encourage fishing groups to venture into small sale fishery business.

2. Promote Fisheries Cooperatives for Commercial scale business through Capacity Building & Training initiatives.

3. Ensure high value species are monitored and managed and utilised for the benefit of local communities.

4. Provide onsite training on fish farming techniques and other necessary training needs of farmers.

5. Assist Fisheries cooperative members registered with IPA to engage in commercial businesses to export fish.

6. Facilitate financial and business management training for fishery SMEs.
7. Build infrastructure (fish markets [Daru], power, water and waste disposal) to promote fishery sector.

8. Foster partnerships with local communities in promoting awareness on resource management and conservation.

12.0 Infrastructure

A deep-sea port near Daru scoping was done in 2011 and remains as a major future development.

12.1.1 Land Transport

Sector Strategy

5. Maintain 100 kms of Border roads.

12.1.2 Water Transport

Sector Strategies


Mabuduan Jetty Construction.

13.1 Law and Justice

Sector Strategy

1. Construction and rehabilitation of district and village court facilities.

13.2 Border Security and Defence

The Fly River Provincial Government (FRPG) will be focusing on delivering the following outcomes in order to achieve the objectives and set targets to improve Border Security and Defence operations within this medium term.

Sector Strategies

1. Establishment of Border Posts and facilities (such as lighthouse towers and housing).

2. Increase Border Patrols and Surveillance.

3. Construction and Maintenance of Infrastructure (Roads, building).

5. Increase presence of Manpower fully manning the Border (PNGDF).

6. Undertake literacy and knowledge-based awareness to the people on the impact of social and economic issues along the border areas.

14.2 Provincial Statistical Systems

**Sector Strategies**

1. Establish Provincial database system.

2. Strengthen Ward Development Committee.

15.6 Environment

**Sector Strategies**

1. Conduct survey to establish impact of mine waste on environment.

2. Develop Environment Strategic Plan for the Province.

15.7 Climate Change

**Sector Strategies**

1. Develop climate change Strategic Plan for the Province.

2. Provincial Plan, Climate Change Policy.

WESTERN PROVINCE FISHERIES FIVE YEAR DEVELOPMENT PLAN 2015-2020:
Strengthening Partnership in Economic Development in Western Province

**Vision:** Fisherman will have had an improved life style by being Wise and Fair, Healthy and Wealthy, Educated and Living in a safe society.

This represents the first ever Provincial level Fisheries Rolling Plan, more aspirational than implemented in the recently ended time frame. It therefore rolls over into the next 5 years as a guiding document that still has relevance. As per the Fisheries Sector of the Western Province Development Plan this sectoral plan was framed to reflect the fundamental concepts of sustainable development and sustainable livelihoods.

The underlying rationale in producing the plan was to ensure there is a clear way forward in guiding all efforts towards facilitating and promoting the development of the fisheries sector over its five years.

The successful implementation of the plan was premised on an effective participatory approach to development with all stakeholders taking ownership of the process. Though with ad hoc policy, lack of funding, political support and dedicated manpower these posed risks to the plan being implemented successfully. The number of fishery staff in the province is limited to five of which three are in the Provincial Headquarters and one is dedicated to the South Fly District.

In the Fishery Sector a number of key principles for development are set out to:

1. Recognise the vulnerable and the disadvantaged in the community so that they can also have equal opportunities afforded by the fisheries sector;

2. Acknowledge that every citizen has the right to participate in the fisheries sector in enhancing the quality of their life and that of their families and communities;

3. Appreciate the importance of cultural values and traditions in all aspects of fisheries management, development and compliance of laws, and policies that promote a harmonious community, the protection of the marine environment and the economic advancement of people;

4. Recognise the need to empower people with the necessary entrepreneurial skills so that fisheries business success in the fisheries sector is underpinned by financially literate entrepreneurs;

5. Improve awareness on how people can participate in the sector with the opportunities that are available;

6. Encourage collaboration amongst districts and the LLGs in the provision of technical expertise in the areas of fisheries management development and business development including financial literacy;

7. Empower fishing communities with the necessary capacity in business and financial management;

8. Promote domestic market opportunities to take in artisanal and small scale commercial and aquaculture production with the long-term view to build export capabilities;
9. Encourage partnership in joint venture arrangements and any other business opportunities that provide business opportunities for qualified nationals;

10. In all large-scale investment projects, due diligence must always be carried out to both protect and promote the social and economic interest of the people.

Emphasis in the Plan was on the artisanal and subsistence fishing sub-sectors, whilst looking towards small scale commercial fishing activities by encouraging fishers to diversify to operating successful income generating opportunities in the fisheries and marine resources sector. One of the two focus areas in fisheries is coastal fisheries, which includes; barramundi fishery, lobster fishery, reef fisheries, beche-de-mer and sedentary resources. This area of fishery has attracted commercial interests.

It was identified that research, information collation and collection on data pertaining to fisheries and the marine resources sector in the province should be done as a matter of priority. High on the priority list to aid future planning is the urgent need to also carry out stock assessment and resource inventory/profiling. This includes access to up-to-date and reliable socio-economic data for planning purposes. To date there has not been a strategy or program to generate and/or collate this data.

The main Outputs from the plan are as follows:

Output 1: Meaningful and Active Participation of Communities;

Output 2: Transition of cooperatives and small scale artisanal to commercial scale operations;

Output 3: Fisheries investment;

Output 4: Fisheries Infrastructure Development and Utilities;

Output 5: Protect and promote long term sustainable management & utilization of resources;

Output 5.1 Carry out productivity sensitivity analysis (PSA) (as opposed to stock assessment as it is suggested to be not practical);

Output 6: Training and Capacity Building;

Output 7: Administration and Institutional strengthening;

Output 8: Governance.

**SOUTH FLY DISTRICT FIVE YEAR DEVELOPMENT PLAN 2018-2022: Voice of the rising sun: a call for development after 43 years.**

A premier district that accelerates to be transformed by empowerment of its citizens in wealth creation through means of coalition participation towards improving; a wealthy, educated and
healthy sustainable livelihood for all citizens by maximizing litigation of their cultural ways, and resources extraction for better future by 2022.

**Vision:** A Healthy, Educated and Wealthy South Fly.

**Mission:** To improve the economic prosperity of the people of South Fly District.

Empowerment and encouragement, focusing wealth creation activities in the rural population, participation in Innovative Agro-Business and Fisheries development.

The South Fly District Administration will implement its development approach to achieve its main objectives of Economic growth, Integral Human Development and Job Creation through the application of:

- Economic Road Corridors;
- Growth Centre Concept;
- Economic Zoning Concept; and a
- Sector Development Strategy.

**Background on the District**

In the 129 years (1884-1975) of colonial administrations, little development took place in the District. And in the 43 years since independence there exist no organised development to be witnessed as evidence of progress. These 43 years after independence have meant nothing to the people of South Fly and as reflected in the pleas of the subtitle of this Plan.

The South Fly District is politically divided into five (5) LLG areas (see Figure 11) and seventy-six (76) Wards. Within this are seven administrative centres, Morehead, Wipim and Weam, which are deserted and run down, Koabu, Tanglize and Wamorong, which have been completely abandoned and Wakuku. Most officers posted to these centres have moved back to Daru, the old township exerting excessive pressure on limited government services and inadequate aging manpower.

As a result, rural village-based development requirement at the LLG administrative level have not been fully met. The government reform exercise for effective delivery of government basic services and bottom up-planning has failed due to complex issues, that the district and LLG levels are faced with. The need for improved management and administrative capacities is considered vital at the LLGs level to create a sound working environment that requires a funded development budget to implement the plan and therefore positive change.
2.11: Sea Areas

The shallow reef area near the coastline is where traditional subsistence fishing activities are done by locals. The sea boundaries extend beyond the Maza reef but much of this is on the Australian side of the border which limits the PNG customary fishing boundaries. Fishing rights in the Border area are only given to commercial companies while similar arrangements for traditional fishing rights have been absent resulting in the illegal fishing in the reef areas.

Indications are that, coastal fishers, men and women are engaged on an “as needed” basis in this activity, not fulltime. There are no full-time fishermen, as no one person is dependent on fishing for subsistence or cash income. Fishing is one source of food and income along with other income earning activities. This multiple sources of income in the villages amongst the island and coastal communities makes it difficult to construct an economic profile for each.

2.17: International Border Security

South Fly as a district situated next to two international borders, requiring measures to be taken in terms of diplomatic agreement, customs, military and quarantine, that factor the consequences of trade, environmental degradation and infectious disease.

A small amount of commercial fishing activities in the wild is occurring now on the Kiwai coastal villages but there are hardly any artisan fisheries activities to increase people’s participation in the fishing industry. The current species hunted wild by the coastal villages which are of higher value are, barramundi, crayfish and jew-fish sold to Maru Marine and Aquila Sea foods in Daru. Unmonitored sea cucumber and mud-crab buyers flocked in on seasonal basis in the absence of properly regulated markets.
3.6.9: National Agency Functions

National agency functions, NAQIA, Customs, Immigration, Border Development and National Fisheries Authority provide a level of protection against risks. In the South Fly District, they implement directives and objectives of the government in the interest of National security. These national agencies are important to protect the economy of the district and province.

The District Plan in Alignment to the MTDP III

4.5: Fisheries

Goal: Develop fishery sector that is both sustainable and highly profitable for South Fly District making South Fly a leader in supply of Barramundi and other fish products.

The development of the fisheries sector is given the highest priority of the government and it intends to ensure that the sectors potential is realized and the resources are managed in a sustainable way for its beneficiaries. For this reason, the existing legislation and the policies will be reviewed to strengthen and enhance the capacity of the National Fisheries Authority to promote the development of the sector and also do stock assessment on commercial species.

To help the rural fishermen, the government in the period from 2018-2022 propose to develop maritime parks in Maritime Provinces which will provide outlets for local fishermen in income generation in fishing. While at the same time the Coastal Fisheries Development Authority will help to mobilize and enable local fishermen from rural communities to improve traditional fishing methods and increase their catch and also facilitate downstream processing.

Sector Strategies

1. Increase Fisheries Exports.
2. Increase Fisheries extension coverage.
3. Increase Participation by Resources owners in Fisheries Industry.
4. Effective and efficient Fish Marketing services established.

4.9 Road Transport

Goal: Establish a sustainable road transportation network that links up the economic hub of South Fly district.

Sector Strategies

1. Rehabilitate all district dirt roads as economic road corridors.
2. Construct New Economic Road Corridors.

1. Sota/Morehead/Tapila road constructed to all-weather road standard.

3. Weam/Bensbac/Bula/Sibidiri/Aberemuba road constructed to all-weather road standard.

4.15: Law and Justice

**Goal:** Provide a safe, secure, and stable environment for all citizens, visitors, and business to conduct their affairs freely.

**Sector Strategy**

7. Establish Village court houses and facilities.

4.16: Border Security

**Goal:** To develop vibrant defence, customs and other national agencies services to be able to respond to the district’s Defence, immigration and security needs.

Agencies that have operational responsibility at the border are:

1. NAQIA;
2. Customs;
3. Border Liaison/ Authority;
4. National Fisheries Authority;
5. RPNGC;

At the province, district and LLG level there was total negligence and no long-term financial commitment to crack down on illegal activities along the two international Borders of PNG-Australia and PNG-Indonesia.

It is of national importance to provide maximum security and protection to our citizens and the resources. Response action from the national level was slow and time consuming. Therefore, as the resource of the area belongs to the people of South Fly the District will provide counter funding support to fund the functions of the national agency operating in South Fly. It will also work closely with the DFAT under the Torres Strait Treaty agreement to improve infrastructure services and border surveillance programs along the two international borders.

**Sector Strategies**

2. Develop land, Air and Sea capabilities and appropriate border security infrastructures.

4. Improve Policy and legislation covering all aspects of Border security.
7. Establish Border Posts at Weam, Bula, Karu, Mari, Mabudawan, Kwar.

8. Establish District Immigration and Customs Offices.

4.22: Climate change

**Sector Strategy**

1. Develop climate change management plan.

5.1: Economic Corridors

Oriomo to Weam as a zone earmarked under the economic corridor development.

**Sector Strategy**


Trade opportunities across the international borders need to be negotiated, planned and managed so as to stop illegal trade. This is a major issue and potential opportunity that is not highlighted in a way to develop a solution within these planning documents.

**COMMERCIAL MARINE SPECIES MANAGEMENT PLANS**

The **National Beche-de-mer Fishery Management Plan 2016** is a jointly managed fishery of the National Fishery Authority, the [Western] Provincial Government the [South Fly] Local level Government and communities. This is overseen by the National Management Advisory Committee (NMAC) within NFA that is advised by a (PMAC/LLGMAC). This fishery is managed by a TAC [by species], size limits, limited number of exporters/buyers, open-closed season, gear restrictions.

In the 2020 season Black and White Teat species *Holothuria nobilis, H. fuscogilva* came under CITES II and hence the **International Trade (Fauna and Flora) (Amendment) Act (2003)**.

The **Barramundi Fishery Management Plan**. *Lates calcarifer* is managed under the Barramundi Management Advisory Committee (BMAC) the Western Province and South Fly especially nursery ‘swamps’ and spawning areas near Sigabadaru. This includes a TAC, size limits, gear restrictions, spatial and temporal closures of the fishery.

The **National Mud Crab Fishery Management Plan (2019)**. *Scylla* spp. are a traditional resource owner fishery, that is licenced, with a Provincial TAC, minimum size, out of moult/non berried females and customary management.
A draft National Plan of Action Sharks [and Rays] 2021-2024 covers all species in the class Chondrichthyes which include sharks, skates, rays and chimeras in their conservation, management, and sustainable use of oceanic and coastal shark and ray resources. It will inform and guide both NFA and CEPA to work in close collaboration in its implementation, to ensure that incidental shark and ray bycatch in the longline, purse seine and the Gulf of Papua prawn trawl fisheries will be managed to reduce bycatch through best practices by fishers within their licensing permits and conditions. It also calls for NFA to consider management measures to regulate artisanal shark fishing for shark-fin in the maritime provinces of PNG.

**MORO MOMORO GAMO MANAGEMENT PLAN 2013-2017**

This dugong and marine turtle management plan is an outline of a single approach for managing these species across the Torres Strait (see Figure 12). This includes the need of government to provide statutory support such as legislation, policy development and the required capacity for implementation.

**Vision:** a provincial strategy that recognises the regional and global strategy for cooperative management of dugong and turtle.

**Guiding principles**

1. Community control and empowerment.
2. Respect for the 13 Treaty villages of the management area.
3. Conservation of natural and cultural values of the management area.
4. Continued development of collaborative partnerships.

The management of the turtle and dugong populations included the habitat along with species management such as; to strengthen traditional customs and hunting practices, no sale for cash such as in markets, collect catch data and to establish a TAC Total allowable catch.

To effect this a Steering Committee with representation of stakeholders within the South Fly District with inclusion of national NFA and CEPA was proposed.

![Figure 12. Map of Moro Momoro Gamo Area](image-url)
EFFECTIVENESS IN DEVELOPMENT

Despite all these Policies, Strategy and Development plans being approved and endorsed in recent times they are only effective in guiding development if they are referred to, used as blue prints that are funded and resourced. Without recurrent or project allocated funding most of these remain aspirational, outlining what needs to be done, but which are not implemented. Though ATSEA-2 can fulfil and implement aspects of these development plans and in doing so influence future policy reform the Government of PNG will have to build upon this within its recurrent commitment.

8. NATIONAL SECTORAL LAWS

IN RELATION TO FISHERIES

The laws on fisheries management that oversee management plans are primarily those in the fisheries sector.


An ecosystem approach shall be applied widely to the conservation and management of marine living resources with a view to balance diverse community needs, by taking into account all knowledge and uncertainties, without threatening the options for future generations to benefit from the full range of goods and services provided by marine ecosystems.

Where the science is not known nor conclusive, a precautionary approach shall be applied widely to the conservation and management of fishery resources in order to protect those resources and to preserve the aquatic ecosystems in which they occur.

The National Fisheries Authority (NFA) has the authority in the Issuance of licences in fisheries. And in ensuring compliance with law and the licencing conditions the Managing Director may authorise an authorised officer to undertake any fisheries inspection, and compliance and enforcement measures within or beyond the fisheries waters which have been adopted by a regional fisheries management organisation of which Papua New Guinea is a member.

The operator of each fishing vessel licensed to fish under this Act may be required, as a condition of its licence, to install, maintain and operate a registered automatic location communicator (ALC) at all times while in the fisheries waters or such other area as may be agreed or designated.

Fisheries Management Regulation 2000

This outlines the details of effecting the Act that mainly outlines the activities and conditions requiring a licence.

3. Fishing Vessel Licences.

4. Trial Fishing Licence (f) be issued only to a citizen.

5. Aquaculture Licence, as may apply to Barramundi.

6. Fish Buyers Licence of which (1) A natural person who is a citizen may apply for a fish buyer's licence.

7. Fish storage facility, fish factory and fish export facility licences.


Chapter No. 210 Continental Shelf (Living Natural Resources)

This Chapter extends to all parts of the continental shelf, and applies to all persons, including foreigners, and to all ships, including foreign ships.

Within the provisions of Chapter 210.

6. (1) The Minister may, by notice in the National Gazette (a) prohibit the taking, during a specified period, of sedentary organisms of a specified kind in, or in a specified part of, the shelf area.

9. Powers of officers. An officer may (a) board or enter on a ship

(i) in a shelf area; or

(ii) that he has reason to believe has been used, is being used or is intended to be used for searching for sedentary organisms in a shelf area, and search the ship for equipment used or capable of being used for searching for or taking sedentary organisms.

IN RELATION TO ENVIRONMENT


CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora)
Of the seven target species identified by PNG in the ATSEA program the following are restricted for export under CITES.

Order SIRENIA  
* Dugong dugon  
  Dugong  
  CITES I

Order TESTUINATA  
* Chelonia midas  
  Green Turtle  
  CITES I

  * Eretmochelys imbricata  
    Hawksbill Turtle  
    CITES I

  * Natador depressus  
    Flatback Turtle  
    CITES I

Order ASPIDOCHIROTIDA  
* Holothuria nobilis  
  Blackteat Sea Cucumber  
  CITES II

  * Holothuria fuscogilva  
    Whiteteat Sea Cucumber  
    CITES II

_Environment Act (2000)_ regulates the environmental impacts of development activities in order to promote sustainable development of the environment and the economic, social and physical well-being of people by safeguarding ecosystems for present and future generations and to provide for the protection of the environment from environmental harm.

The Maza Wildlife Management Area and Tonda Wildlife Management Area within the South Fly come under the _Fauna (Protection and Control) Act (1966)_ (see Figure 13).

On gazettal, and therefore still current the management of the Maza WMA is guided by the _Fauna (Protection and Control) Maza Wildlife Management Area Rules 1979_ Chapter 154D which relate to the traditional take by harpoon and restricted take by net, and sale in Daru of Dugong.

For _Tonda WMA Fauna (Protection and Control) Tonda Wildlife Management Area Rules 1976_ Chapter 154M, there are restrictions not to use nets for fishing.
Protected Fauna 1996

This is a consolidated listing of protected fauna of National Gazette notifications under the Fauna (Protection and Control) Act (1976) and amendments.

Of the seven target species identified by PNG in the ATSEA program only one of the species is listed.

Family DUGONGIDAE  Dogong dugon (Kula & George 1996). Of note hard shell turtles are not on this list.

The penalty for taking or killing of protected fauna would attract a penalty of not exceeding K500-K1000 (IIa; Preface 1996).

Firearms Act (1978) where a firearm may not be used in a Wildlife Management Area (Section 50)

Mining (Ok Tedi Mine Continuation (Ninth Supplement)) Agreement Act (2001) Is an Act that allows this mine to continue. Recognizing that operating the Ok Tedi mine has resulted in adverse effects on the environment impacting landowners in the environs of, downstream from, the Ok Tedi mine. As a result, compensation is being paid under the Restated Eighth Supplemental Agreement and other agreements.

Figure 13. Maza WMA and Tonda WMA, (population centres in orange/red)
BUT recognizing: that the Ok Tedi mine has made significant contributions to the advancement of the social and economic welfare of the people of Western Province in particular; AND g) recognizing that it is the informed view of the Communities affected, as reflected in discussions with the Communities, and all other stakeholders (except BHP Billiton) that the economic social and infrastructure benefits of the Project outweigh any detrimental impact of the continuation of the mine and that therefore the Ok Tedi mine should continue to operate; and

1) Subject to Subsection (3), neither the State nor any Government Agency may take, pursue or in any way support Proceedings against a BHP Billiton Party in respect of an Environmental Claim relating to the operation of the Project.

Under the terms of this Act BHP Billiton transferred its 52 per cent stake in OTML to a corporate body registered in Singapore as PNG Sustainable Development Program Ltd (PNGSDP). The Ninth Supplemental Agreement also required OTML to establish and fund a body known as the Ok Tedi Development Foundation (OTDF) (Filer & Jenkins 2017).

The boundaries of the ‘mine-affected area’ were radically transformed when the Lower Ok Tedi/Fly River Development Trust (that later became OTDF) was established in 1990 as a means to compensate communities downstream of the mine whose members were beginning to suffer the effects of riverine waste and tailings disposal (Filer & Jenkins 2017) (see Figure 15.)

The Community Mine Continuation Agreement (CMCA) defines the cash compensation, investment and development payments that OTML makes to the 158 communities affected by the mining operations in return for the license to continue operating the Mine until 2025. This extends to include communities of the Middle Fly and lower Fly (Manawete, Kiwabe, Dubi) (Anon 2021) (see Figure 14).

**Mining (Ok Tedi Mine Continuation (Ninth Supplement)) Agreement) (Amendment) Act (2018)**

Is an Act to provide for the Ok Tedi mine Closure and Decommissioning Code in relation to the establishment and maintenance of the Ok Tedi Financial Assurance Fund.
In reviewing the Continuation and Closure Filer & Jenkins (2017) in conclusion raised a series of challenging questions.

Has the Ok Tedi proxy state operated like an ‘anti-politics machine’ that has sucked the lifeblood out of the real state in Western Province even at the same time that it has created a form of economic dependency that is inherently unsustainable?

Have its engineers and mechanics managed to produce a semblance of community support for mine continuation that conceals the absence of traditional cultural and political institutions through which ‘communities’ could make any collective decisions about their future?

Has the operation now reached a tipping point at which the number of politicians who sense an opportunity to seize control of money held in trust for mine-affected communities is more than a match for the number of technocrats or bureaucrats who have so far been charged with spending it on ‘equitable and sustainable social and economic development’?

For the issue of IUU (Illegal, Unreported and Unregulated) Fishing, this is multidimensional and relates to; cross border fishing in the Torres Strait, Illegal riverine fishing in PNG from Indonesia of high value Jewfish bladder, Indonesian traders illegally entering and purchasing high value marine produce in PNG, PNG fishers illegally travelling to Indonesia to sell high value marine produce, illegal trade across borders and illegal commercial fishing within the ‘Dog leg’ of the PNG EEZ. There are many other laws and agencies are involved and those relating to the security of the border and seas will be summarised.

The area within this ATSEA initiative extend over the 12 nm Territorial, 24nm Contiguous zone to the edge of the defined EEZ (see Figure 16).

![Figure 16. Zones of PNG waters, as per UNCLOS, the PNG Maritime Zones Act (2008) and the Torres Strait Treaty (1978)](image)

**Indonesian Border Agreement Act (1973)** to demarcate more precisely the international border between Papua New Guinea and Indonesia.

**Treaty between Australia and the Independent State of Papua New Guinea concerning sovereignty and maritime boundaries in the area between the two countries, including the area known as Torres Strait, and related matters, 18 December 1978** set down their agreed position as to their respective sovereignty over certain islands, to establish maritime boundaries and to provide for certain other related matters, in the area between the two countries including the area known as Torres Strait; RECOGNIZING the importance of protecting the traditional way of life and livelihood of Australians who are Torres Strait Islanders and of Papua New Guineans who live in the coastal area of Papua New Guinea in and adjacent to the Torres Strait; RECOGNIZING ALSO the importance of protecting the marine environment and ensuring freedom of navigation (see Figure 17).
Border Development Authority Act (2008) to establish the Border Development Authority to manage and fund developmental activities in the Border Provinces and in the co-ordination of planning, implementation of capital works, infrastructure and socio-economic programs.

Along with the establishment of programs and a regulatory framework for immigration including the monitoring of immigrants and immigrant activity along the border.

Maritime Zones Act (2015)

The charts and maritime boundaries instruments were deposited with the UN in accordance with United Nations Convention on the Law of the Sea (UNCLOS) 1982 as per this Act in 2019 (Anon, 2019a).

This declares Papua New Guinea as an Archipelagic State within which there is recognised demarcation as per UNCLOS of; Internal Waters, Territorial Sea 12 nautical miles from baseline and a Contiguous Zone 24nm from baseline. With the option for the declaration of Coastal waters, through agreement between the National Government with the Provincial Government.

This Act also has sections in marine environment protection in; the conditions in the transhipment of hazardous waste; pollution, dumping of waste at sea, or damage to the marine environment; the designation of Marine Protected Areas including the seabed and wetlands.

Marine Protected Areas, MPAs may be; a fishing reserve, marine park, marine reserve or PSSA [Particularly Sensitive Sea Area] as per the IMO (International Maritime Organisation) requirements. The Torres Strait PSSA jointly submitted by the Australian and PNG Governments to IMO as an extension to the Great Barrier Reef PSSA 1990 was accepted in 2005. This resulted in a
two-way shipping route in the Great North East Channel and pilotage within this channel and the Torres Strait.

Marine Scientific Research (MSR) by a foreign state or international organization requires prior approval by the MSR Committee affiliated with a PNG Research Institution for technology transfer.

Underwater Cultural Heritage as part of Article 10 of the UNESCO Convention on the protection of Underwater Cultural Heritage 2001 of cultural heritage underwater for at least 100 years.


Under this Act there are other distinct Acts that target specific situation in the socialization of PNG being a signatory to the International Convention for the Prevention of Pollution from Ships (MARPOL). There is extensive commercial shipping through this region that pose potential risks (see Figure 18).

- Marine Pollution (Ships and Installations) Act (2013).

Figure 18. Shipping Movements through this region

Within PNG (and the Pacific) there are potential deep-sea mining activities and the practice of riverine and deep-sea tailings disposal which have an effect on our marine environment. Given the
many uncertainties of these activities, the need for a comprehensive hazard risk management application was necessary as there is no Act specific to deep-sea mining.

**National intelligence Organisation Act (1984)** for the preservation of national sovereignty and the detection of any attempts by foreign entities to engage in economic activities contrary to Papua New Guinea’s interests.

**PNG Defence Force Act (1974)** to maintain sovereignty and sovereign rights of Papua New Guinea’s borders and territory, including vessels engaged in IUU.

**Police Act (1988)** which regulates the Royal Papua New Guinea Constabulary.

**Customs Act (1951)** power to board and investigate cargo of vessels.

**Customs Regulation 1951.**

**PNG Quarantine Act (1953)** the performance of quarantine, including boarding of vessels. pratique and surveillance.

**National Agriculture Quarantine and Inspection Act (1997)** a role in biosecurity that includes to monitor, regulate, control, prohibit, quarantine the import and export of animal product.

**Quarantine Regulation 1956 Chapter 234.**

**PNG Planning and Monitoring Responsibility Act (2016)** establishes the National Planning Framework (NPF), the National Service Delivery Framework (NSDF), the National Monitoring and Evaluation Framework (NMEF), linking the National Budget to the MTDPs through an Annual Budget Framework Paper. This Act mandates the Medium-Term Development Plan (MTDP) III 2018-2022 as the national development planning framework for the country. This publication is the third Medium Term Development Plan for PNG (MTDP III-2018-2022).

**Climate Change (Management) Act (2015)** establishes regulatory Framework to promote and manage climate compatible development through climate change mitigation and adaptation activities.
9. INSTITUTIONAL FRAMEWORK AND GOVERNANCE

AGENCIES AND STAKEHOLDERS

In relation to a Stakeholder Participation Forum there are the different arms of government with tiers of their application from the National level through to villages, and clans/tribes.

Governance

National Government

Politically within the National Parliament there are sectoral National Ministries, a Western Provincial Governor and a South Fly Open member whose electorate corresponds to the District. Ministries oversee the development and amendment of laws relating to the sector for which they are responsible.

The sectoral ministries with primary function that relates to the ATSEA-2 initiative are Minister of Fisheries & Marine Resources, Minister of Environment & Climate Change, Minister of Higher Education, Research Science & Technology, Commerce & Trade, Immigration & Border Security, Community Development, Youth & Religion and National Planning.

It is under these ministries that the various government agencies of the public sector fall.

Community/Ward as Part of the Local Level Government

Within the South Fly District where the ATSEA initiative is, at the community village level there are the Morehead and Fore-coast (Kiwai) Rural Local-Level Governments with ward members in wards that tend to be linked to a major village. Also, Daru Urban Local-Level Government within which is the Provincial headquarters and regional growth centre that services the surrounding communities and the greater province.

Within each ward the member is the chair of the Ward Development Committee, made up of representation from the different sectors of the community and which prepares submissions to be presented in the Local-Level Government Assembly by the Ward Member. In theory when combined these ward plans represent an LLG Development Plan that was informed by a bottom-up process.

Under this formal level of governance is customary governance with tribal/clan elders, leaders who oversee the management of the clan and the clans’ environmental resources, at a village/hamlet level. No planning in the use of natural resources can be implemented at the community level without the involvement of the people who own these resources, made up of defined areas of clan land and defined areas of sea under customary tenure.
The bottom line across Papua New Guinea is that the ownership and rights over land and nearshore sea is with the people.

**Provincial Government**

The Provincial Government is made up of the National Members of Parliament, Local level Government Presidents and *ex officio* members. It has sectoral chairpersons that oversee these sector development plans as set out in the rolling *Western Province Development Plan 2018-2022* and the rolling sectoral *Western Province Fisheries Five Year Development Plan 2015-2020*.

The Provincial Development plan should be informed by the district management plans which in the ATSEA area of interest is the rolling *South Fly District Five Year Development Plan 2018-2022*. Which in turn should reflect the plans of Morehead, Fore-coast (Kiwai) and Daru LLG plans.

**Public Sector**

The Public Service at the National level has Departments, Authorities and Agencies that nest under a National Ministry. This consists usually of Administrative, Policy and Technical expertise that advise the Minister and in either independent or linked to institutions, officers at the sub national level either directly, through MOUs or in an advisory, regulatory capacity.

The National public service agencies have a mandate to serve the interests of the State and people that is reflected in policy and their annual programs.

The Public Service in South Fly is under a Provincial Administrator with sectoral heads, District and Local level Government Administration Staff.

National agencies work together with the Provincial Department collaboratively through Memoranda of Agreement or through their application of national function required at a subnational level.

Currently the administration for Western Province is in a state of dynamic flux with senior staff who have been based in Kiunga, a headquarters of political convenience for some time now being transferred to their appointed positions on Daru Island the Provincial Headquarters. Office and housing infrastructure is being built to proceed with this.

There exist several joint committees in relation to Fisheries related management such is in the area of the Torres Strait Protected Zone which adjoins the PNG waters of the ATSEA-2 project. At the
Provincial and District level there are in the Public Sector, management teams led by the District Administrator.

**Law**

The application of law is complex in its affordability to the people. Within the Local Level Government in deciding on cases of Customary law or as per the Village Court Act there are a Chairman/Magistrate, Village Court Magistrates, Peace Officers and Clerk. There is also a District Court, and in Daru also National Court circuit hearings by a Resident or outside based judge. The National court hears matters under National Law and as a result is highly legal in its procedure of hearings. The highest court is the Supreme Court filed in Waigani.

For ordinary citizens there is the Solicitor General’s office which can assist, though not based in Daru.

**Research**

Universities and Research Institutes are based in Port Moresby and in strategic growth centres around the country. In the Southern Region is the University of Papua New Guinea with the Motupore Research Station in the fisheries sector and Pacific Adventist University (PAU). Others are National Agriculture Research Institute (NARI), National Research Institute (NRI), Institute of National Affairs (INA) and the Institute of PNG Studies (IPNGS).

**Other**

Within communities there are both informal and formal groups e.g., Registered Association or Business groups.

Within Daru there are businesses, State Owned Enterprises, which offer a range of commercial services from Banking, Commercial Wholesale, Retail Trade, Communication, Public Utilities, Transport Sector, specialised services and the Informal sector of small to medium enterprises.
10. STAKEHOLDERS

IN RELATION TO EAFM THAT INCORPORATES ENVIRONMENTAL MARINE/COASTAL MANAGEMENT AND BIODIVERSITY CONSERVATION

The following is a summary outline of stakeholders that would collaborate in this aspect of ATSEA-2 in PNG (see Figure 19 and Table 1). Cross cutting within this is gender considerations, future proofing for potential climate change impacts.

National

- National Fisheries Authority (NFA).
- Conservation and Environment Protection Authority (CEPA).
- Climate Change Development Authority (CCDA).

Sub National

- Ok Tedi Development Foundation (OTDF).
- PNG Sustainable Development Programme (PNGSDP).

South Fly

Coastal Villages, Fishers

- MAZA & Tonda WMA ‘Committees’.
- ‘Treaty Inhabitants Committee’.
- Bata Community Development Foundation.
- South Fly District LLGs.
- Ward Development Committees.
- Village Court.

- Provincial Fisheries.
- Provincial Business Development.
- Fishery Buyers/Exporters.
- Daru Market.
• South Fly Agribusiness-Innovative Agro Industries (IAI).

• National Intelligence Organisation (NIO).
• PNG Defence Force (PNGDF).
• Royal PNG Constabulary (RPNGC) (in relation to compliance in cross border trade).

IN RELATION TO IUU

National
• National Fisheries Authority (NFA).
• Department of Justice & Attorney General (DJ&AG).
• National Intelligence Organisation (NIO).
• Border Development Authority (BDA).
• PNGDF.
• RPNGC.
• National Agriculture Quarantine & Inspection Authority (NAQIA).
• Customs.
• National Maritime & Safety Authority (NMSA).
• UPNG.

South Fly

National Agencies
• NIO.
• Border Development Authority (BDA).
• PNGDF.
• RPNGC.
• NAQIA.
• NMSA.
**Provincial Agencies**

- Provincial Administration.
- Provincial Fisheries.

PNG flagged and unflagged fishing vessels.

*Figure 19. Stakeholders of ATSEA-2 in Papua New Guinea*

*Table 1. Summary of Stakeholders and their Primary Functions*

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Function</th>
<th>Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate Change &amp; Development Authority</td>
<td>Climate change impacts and mitigation</td>
<td>National Climate Change (Management) Act (2015)</td>
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<tr>
<td>Royal PNG Constabulary</td>
<td>Maintain Peace &amp; Good Order</td>
<td>Police Act (1988)</td>
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| Department of Justice and Attorney General | Rule of Law | Attorney-General (Amendment) Act (2013)  
Maritime Zones Act (2015) |
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<tr>
<td>Department of Foreign Affairs</td>
<td>Transboundary issues</td>
<td></td>
</tr>
<tr>
<td>Department of National Planning</td>
<td>Development policy oversight</td>
<td>Planning &amp; Monitoring Responsibility Act (2016)</td>
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<tr>
<td>National Agriculture &amp; Quarantine Inspection Authority</td>
<td>Biosecurity</td>
<td>National Agriculture Quarantine &amp; Inspection Act (1997)</td>
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<tr>
<td>Customs</td>
<td>Border</td>
<td>Customs Act (1951)</td>
</tr>
<tr>
<td>PNG Ports</td>
<td>Port Management</td>
<td>Companies Act (1997)</td>
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<tr>
<td>District Fisheries</td>
<td>District Fishery Extension, Inspection</td>
<td></td>
</tr>
<tr>
<td>Local level Government</td>
<td>Development at Local Level Government level</td>
<td>Organic Law on Provincial Governments &amp; Local Level Governments (1995)</td>
</tr>
</tbody>
</table>
| Tribe/Clan Leaders | Local leadership | Underlying Law Act (2000)  
Customs Recognition Act (1963) |
| Women’s Group | Women’s development | |
| Youth Group | Youth’s development | |
| Ward Member | Local elected leadership | OLPG&LLG (1995) |
| Ward Development Committee | Local development planning | OLPG&LLG (1995) |
| Village Court | Uphold Customary Law | Village Courts Act (1989) |
| Tonda Committee | Tonda WMA Management & Oversight | Fauna (Protection and Control) Act (1966) |
| Maza Committee | Maza WMA Management & Oversight | Fauna (Protection and Control) Act (1966) |
| Bata Community Development Foundation | Community Extension & Empowerment | Associations Incorporations Act |
| PNG Sustainable Development Limited | Community Development | |
| Ok Tedi Development Foundation | Community Development | |
11. RECOMMENDATION SPF STAKEHOLDER PARTNERSHIP FORUM

Marine resources are and their use for subsistence food, trade and market are the livelihood and wellbeing of the people of the South Fly. Any Forum or body which is established to facilitate management in a sustainable manner lays on the foundation of resource custodian participation through fair representation.

Aim

The SPF aims to strengthen the overall participatory processes at all geopolitical levels (ProDoc).

Mandate

Members of SPF must contribute to maintaining the socio-ecological sustainability of the resources within the South Fly that sustainably supports the coastal communities’ fishery interests. The initial purpose is to oversee and develop an EAFM for the South Fly, including PNG Selected Species/Families [Dugong, Green Turtle, White tip Reef Shark, Barramundi, Black jewfish, Mud crab, Black Teatfish]. Whilst also understanding and addressing the issue of IUU at a local level within the South Fly portion of the PNG EEZ.

Representation and Mechanism

The mechanism for stakeholder participation, including establishment of a Stakeholder Partnership Forum (SPF) will bring together representatives from:

1. Local communities;
2. Local government [LLG’s, Western Provincial Government];
3. The private sector [Marine Buyers/Exporters];

For a more extensive overview of stakeholders refer to the Stakeholder Evaluation and Capacity Assessment in Marine and Fisheries that relate to South Fly, Western Province. A report to ATSEA-2, Eco Custodian Advocates, Alotau document.
5. NGOs;
6. Academia and scientific institutions.

It is also innovative and enhances the likelihood for sustaining continued implementation of the SAP and NAPs, by reaching out to a broader spectrum of stakeholders, expanding the level of ownership, and encouraging a wider use implementation options, including public-private partnerships.

It is envisioned that this forum once established would be maintained as a working interagency to continue the recurrent oversight and adaptive management of the marine resource and EEZ management in the South Fly that has application in other parts of the country.

The agencies that are tasked to support these outcomes, through applied research, extension, standards, monitoring/adaptive management and compliance that are in ongoing active partnership with communities should be represented of:

- Local community groups;
- Fishery sector/interests;
- Government and civil society;
- Applied research and Fishery industry.

**SUGGESTED MEMBERSHIP OF THE SPF PNG**

- President or Sector Chairs of the Morehead and Fore-Coast (Kiwai) Local Level Governments.
- South Fly Division of Fisheries.
- Village based Women’s Group leader /ex officio women’s rep Provincial Government.
- Village based Youth Groups leader.
- Development Association.
- Chairperson Maza Committee.
- Chairperson Tonda Committee.
- Daru based PNG national Marine Produce Buyer/Exporter.
- Daru based NIO.

From which a chair is nominated.
• National Fisheries Authority in relation to EAFM, in relation to IUU & Fisheries College.
• Conservation and Environment Protection Authority.
• Ok Tedi Development Foundation/PNG Sustainable.

The meetings to be held in the South Fly District.

12. RECOMMENDATIONS FOR THE NATIONAL INTER-MINISTRIAL COMMITTEE (NIMC) PNG

This Committee whilst at a high level of collaboration is best served by having representation that includes stakeholders at the localised leadership level of implementation that is complemented by others with experience in bilateral diplomacy.

SUGGESTED MEMBERSHIP OF THE NMIC

Chair of the SPF.

• Village based member of the SPF
• Ministry of Fisheries & Marine Resources
• Ministry of Environment & Climate Change
• Ministry of Commerce & Trade

Meetings to be held alternatively in Port Moresby within a sectoral conference/board room and Daru in preparation for PNG representative meetings within ATSEA.
# ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Name</th>
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<tbody>
<tr>
<td>AFS</td>
<td>Antifouling Systems on Ships</td>
</tr>
<tr>
<td>ALC</td>
<td>Automatic Location Communicator</td>
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<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>Assoc</td>
<td>Association</td>
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<td>ATS</td>
<td>Arafura and Timor Seas</td>
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<td>ATSEA</td>
<td>Arafura and Timor Sea Ecosystem Action - Second Phase</td>
</tr>
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<td>BDA</td>
<td>Border Development Authority</td>
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<tr>
<td>BHP</td>
<td>Broken Hill Propriety</td>
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<tr>
<td>BMAC</td>
<td>Barramundi Management Advisory Committee</td>
</tr>
<tr>
<td>BSP</td>
<td>Bank of South Pacific</td>
</tr>
<tr>
<td>CBD</td>
<td>[UN] Convention on Biological Diversity</td>
</tr>
<tr>
<td>CBO</td>
<td>Community Based Organisation</td>
</tr>
<tr>
<td>CCA</td>
<td>Community Conservation Area</td>
</tr>
<tr>
<td>CEPA</td>
<td>Conservation and Environment Protection Authority</td>
</tr>
<tr>
<td>CITES</td>
<td>Convention on International Trade in Endangered Species [of Wild Fauna and Flora]</td>
</tr>
<tr>
<td>CLC</td>
<td>[International] Convention on Civil Liability [for Oil Pollution Damage]</td>
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<tr>
<td>COLREGs</td>
<td>International Regulations for Preventing Collisions at Sea</td>
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<td>Community Service Organisation</td>
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<td>Department of Justice and Attorney General</td>
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<td>[National] Development Strategic Plan</td>
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<tr>
<td>EAFM</td>
<td>Ecosystem Approach to Fisheries Management</td>
</tr>
<tr>
<td>EEZ</td>
<td>Exclusive Economic Zone</td>
</tr>
<tr>
<td>ESCR</td>
<td>[International Covenant on] Economic Social and Cultural Rights</td>
</tr>
<tr>
<td>FAO</td>
<td>[UN] Food and Agriculture Organisation</td>
</tr>
<tr>
<td>FFA</td>
<td>[Pacific Island] Forum Fisheries Agency</td>
</tr>
<tr>
<td>FUND</td>
<td>Fund [for the Compensation for Oil Pollution Damage]</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GEF</td>
<td>Global Environment Facility</td>
</tr>
<tr>
<td>HNC</td>
<td>Hazardous and Noxious Chemicals</td>
</tr>
<tr>
<td>IAI</td>
<td>Innovative Agro Industries</td>
</tr>
<tr>
<td>IC&amp;M</td>
<td>Integrated Coastal and Island Management</td>
</tr>
<tr>
<td>ICESCR</td>
<td>international Covenant on Economic Social and Cultural Rights</td>
</tr>
<tr>
<td>IHO</td>
<td>International Hydrographic Organisation</td>
</tr>
<tr>
<td>IMO</td>
<td>International Maritime Organisation</td>
</tr>
<tr>
<td>INA</td>
<td>Institute of National Affairs</td>
</tr>
<tr>
<td>IOM</td>
<td>Integrated Ocean Management</td>
</tr>
<tr>
<td>IPNGS</td>
<td>Institute of PNG Studies</td>
</tr>
<tr>
<td>IUCN</td>
<td>International Union for Conservation of Nature</td>
</tr>
<tr>
<td>IUU</td>
<td>Illegal, Unreported and Unregulated</td>
</tr>
<tr>
<td>KRA</td>
<td>Key Result Area</td>
</tr>
<tr>
<td>LLGMAC</td>
<td>Local-level Government Management Advisory Committee</td>
</tr>
<tr>
<td>LLG</td>
<td>Local-level Government</td>
</tr>
<tr>
<td>LMMA</td>
<td>Locally Managed Marine Area</td>
</tr>
<tr>
<td>MARPOL</td>
<td>International Convention for the Prevention of Pollution from Ships</td>
</tr>
<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
</tr>
<tr>
<td>MPA</td>
<td>Marine Protected Area</td>
</tr>
<tr>
<td>MSR</td>
<td>Marine Scientific Research</td>
</tr>
</tbody>
</table>
MTDP  Medium Term Development Plan
NAQIA  National Agriculture Quarantine Inspection Authority
NARI  National Agriculture Research Institute
NFA  National Fisheries Authority
NGDP  National Goals and Directive Principals
NGO  Non-Government Organisation
NIMC  Nation Inter-ministerial Forum
NIO  National Intelligence Organisation
nm  Nautical Mile [1nm = 1.852 km]
NMAC  National Management Advisory Committee
NMEF  National Monitoring and Evaluation Framework
NMS  National Marine Sanctuary
NMSA  National Maritime Safety Authority
NOP  National Oceans Policy [of PNG]
NRI  National Research Institute
NPF  National Planning Framework
NSDF  National Service Delivery Framework
OPRC  Oil Pollution Preparedness, Response and Cooperation
PA  Protected Area
PACER  Pacific Agreement on Closer Economic Relations
PFO  Provincial Fishery Officer
PICTA  Pacific Islands Countries Trade Agreement
PIFFA  Pacific Island Forum Fisheries Agency
PIMS  Project Information Management System
PMAC  Provincial Management Advisory Committee
PNG  Papua New Guinea
PNGDF  PNG Defence Force
PNGIS  PNG institute of Studies
POP  Persistent Organic Pollutant
ProDoc  Project Document
Prov  Province
ProvAdmin  Provincial Administration
PSSA  Particularly Sensitive Sea Area
RPNGC  Royal PNG Constabulary
SAR  Search and Rescue
SDGs  [UN] Sustainable Development Goals
SIDS  Small Island Development States
SME  Small-Medium Enterprise
SOLAS  Safety of Life at Sea
SPARTECA  South Pacific Regional Trade and Economic Cooperation Agreement
SPF  Stakeholder Partnership Forum
StaRs  [National] Strategy for Responsible Development [for PNG]
TAC  Total Allowable Catch
TAC  Treaty of Amity and Cooperation [in Southeast Asia]
TSPZ  Torres Strait Protected Zone
UN  United Nations
UNCLCOS  UN Convention on the Law of the Sea
UNDP  UN Development Program
UNEP  UN Environment Program
UNESCO  UN Educational, Scientific and Cultural Organization
UNFCCC  UN Framework Convention on Climate Change
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NFA. 2014. The National Aquaculture Development Policy, National Fisheries Authority Port Moresby


## APPENDIX A: CONVENTIONS - TREATIES OF WHICH PNG IS A PARTY

<table>
<thead>
<tr>
<th>International Regulatory Framework in which PNG is a Party</th>
<th>Description Conventions Treaties</th>
<th>Signatory</th>
<th>Ratify</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Sea</td>
<td><strong>UN</strong> An international agreement that resulted from the third Conference (UNCLOS III), which took place between 1973 and 1982. Defines the rights and responsibilities of nations with respect to their use of the world’s oceans, establishing guidelines for businesses, the environment, and the management of marine natural resources.</td>
<td>10DEC82</td>
<td>14JAN97</td>
</tr>
<tr>
<td>United Nations Convention on Law of the Sea (UNCLOS) = Law of the Sea Convention = Law of the Sea Treaty</td>
<td><strong>IHO</strong> An intergovernmental organization representing hydrography, to ensure that the world’s seas, oceans and navigable waters are properly surveyed and charted, through the setting of international standards.</td>
<td>Member state</td>
<td></td>
</tr>
<tr>
<td>Development Goals</td>
<td><strong>UN</strong> The UN recognizes that environmental degradation is a pressing sustainable development challenge of small islands development states (SIDS) members. In 2015, world leaders adopted the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs) each a blueprint to a better and more sustainable future for all.</td>
<td>Adopted 2015</td>
<td></td>
</tr>
<tr>
<td>Environment and Species</td>
<td><strong>UN</strong> A multilateral treaty with three main goals: 1. the conservation of biological diversity; 2. the sustainable use of its components; and 3. the fair and equitable sharing of benefits arising from genetic resources. Objective is to develop national strategies for the conservation and sustainable use biodiversity and it is often seen as the key document regarding sustainable development.</td>
<td>13JUN92</td>
<td>16MAR93</td>
</tr>
<tr>
<td>Convention on Biological Diversity (CBD)</td>
<td><strong>An international treaty for the conservation and sustainable use of wetlands</strong></td>
<td>16JUL93</td>
<td></td>
</tr>
<tr>
<td>The Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat [1971]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) [1975] = the Washington Convention</td>
<td>A multilateral treaty to protect and to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species in the wild</td>
<td>27AUG87</td>
<td>12DEC75 Accession 260CT87</td>
</tr>
<tr>
<td><strong>Convention for the Protection of the natural resources and environment of the South Pacific Region</strong> = Noumea Convention</td>
<td>3NOV87</td>
<td>15SEP89</td>
<td></td>
</tr>
<tr>
<td><strong>Convention on Conservation of Nature in the South Pacific</strong> = Apia Convention</td>
<td>12JUN76</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Island Region [2006]</strong></td>
<td>A multilateral environmental MoU under the Convention on Migratory Species of Wild Environmental Animals (CMS) in collaboration with the SPREP as an international framework for coordinated</td>
<td>15SEP06</td>
<td></td>
</tr>
<tr>
<td><strong>the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia.</strong></td>
<td>A MoU to protect, conserve, replenish and recover sea turtles and their habitats in the Indian Ocean and South-East Asian region, working in partnership with other relevant actors and organizations.</td>
<td>6MAR07</td>
<td></td>
</tr>
</tbody>
</table>

### Climate Change

| **United Nations Framework Convention on Climate Change (UNFCCC)** | 13JUN92 | 16MAR93 |
| **Kyoto Protocol [2005]** | **UN** UNFCCC Kyoto protocol is an international treaty which extends the 1992 United Nations Framework on Climate Change (UNFCCC) that commits state parties to reduce greenhouse gas emissions, based on scientific consensus that (part one) global warming is occurring and (part two) it is extremely likely that human made CO2 emissions have predominantly caused it. The Koyoto protocol was adopted in Kyoto, Japan 1997 PNG is a Non Annex Party without binding targets. | 2MAR99 | 28MAR02 |
| **the Paris Agreement [2016]** | An agreement, by which each country must determine, plan, and regularly report on the contribution, targets, that it undertakes to mitigate global warming. | 22APR16 | 21SEP16 |

### Fisheries and Trade

<p>| <strong>The Straddling Fish Stocks Agreement [2016]</strong> = the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks | <strong>UN</strong> A multilateral treaty to enhance the cooperative management of fisheries resources that span wide areas, and are of economic and environmental concern to a number of nations. | 4DEC95 | 14JAN97 0JUN99 |</p>
<table>
<thead>
<tr>
<th>Treaty/Law/Convention</th>
<th>Description</th>
<th>Start Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean [2004] = (WCPF) Convention</td>
<td>To conserve and manage Tuna and other highly migratory fish stocks across western and central areas of the Pacific Ocean</td>
<td>5SEP00</td>
<td>17OCT01</td>
</tr>
<tr>
<td>the Nauru Agreement Concerning Cooperation in the Management of Fisheries of Common Interest. = The Nauru Agreement.</td>
<td>A subregional agreement between major tuna fishing countries of the central and western Pacific.</td>
<td>11FEB82</td>
<td></td>
</tr>
<tr>
<td>the Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region = Niue Fisheries Treaty</td>
<td>PIFFA A multilateral treaty of members of the Pacific Islands Forum Fisheries Agency to enhance their ability to enforce effectively their fisheries laws, and deter breaches. [Copenhagen Amendment to Montreal Treaty] [London] Amendment to Montreal Protocol</td>
<td>11MAY93</td>
<td>12NOV94</td>
</tr>
<tr>
<td>Pacific Agreement on Closer Economic Relations (PACER) [2002]</td>
<td>An umbrella agreement between members of the Pacific Islands Forum plus Australia and which provides a framework for the future development of trade cooperation.</td>
<td>5MAR02</td>
<td>5AUG03</td>
</tr>
<tr>
<td>South Pacific Forum Fisheries Agency Convention</td>
<td></td>
<td>1988</td>
<td></td>
</tr>
<tr>
<td>the Pacific Islands Forum Fisheries Agency (FFA) [1979]</td>
<td>PIFFA An intergovernmental agency established in to facilitate regional co-operation and co-ordination on fisheries policies between its member states in order to achieve conservation and optimum utilisation of living marine resources, in particular highly migratory fish stocks, for the benefit of the peoples of the region, in particular the developing countries</td>
<td>10JUL79</td>
<td></td>
</tr>
<tr>
<td>the Pacific Island Countries Trade Agreement (PICTA)</td>
<td>A free-trade area between 14 of the Pacific Islands Forum countries.</td>
<td>5MAR02</td>
<td>5AUG03</td>
</tr>
<tr>
<td>the South Pacific Regional Trade and Economic Co-operation Agreement (SPARTECA) [1981].</td>
<td>A nonreciprocal trade agreement in which Australia and NZ offer duty-free and unrestricted access for specified products originating from the developing island member countries of the PIF designed to address the unequal trade relationships between the two groups.</td>
<td>14JUL80</td>
<td>1JAN81</td>
</tr>
<tr>
<td>Amity &amp; Rights</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Treaty of Amity and Cooperation in Southeast Asia (TAC)</td>
<td>A peace treaty among SE Asian countries established by the founding members of (ASEAN)</td>
<td>9JUL89</td>
<td></td>
</tr>
<tr>
<td>the International Covenant on Economic, Social and Cultural Rights (ICESCR) [1976]</td>
<td>UN A multilateral treaty adopted by the UN that commits its parties to work toward the granting of economic, social and cultural rights (ESCR) to the Non Self Governing and Trust Territories and individuals, including labour rights and rights to education health, and an adequate standard of living.</td>
<td></td>
<td>21JUL08</td>
</tr>
<tr>
<td>Treaty/Convention</td>
<td>Details</td>
<td>Date/Signatory Notes</td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
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<td></td>
</tr>
<tr>
<td><strong>UNESCO Convention</strong></td>
<td>Constitution</td>
<td>4OCT76</td>
<td></td>
</tr>
<tr>
<td>the International Convention for the Safety of Life at Sea (SOLAS) [1974]</td>
<td>An international maritime convention which sets minimum safety standards in the construction, equipment and operation of merchant ships it requires signatory flag states to ensure that ships flagged by them comply with these standards.</td>
<td>12NOV80 Accession</td>
<td></td>
</tr>
<tr>
<td>Search and Rescue (SAR)</td>
<td>Is the search for and provision of aid to people who are in distress or imminent danger.</td>
<td>Aust, Indo NOT PNG</td>
<td></td>
</tr>
<tr>
<td>the Convention Relating to the Status of Refugees = the 1951 Refugee Convention = the Geneva Convention of 28 July 1951</td>
<td>A multilateral treaty that defines who a refugee is and sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum.</td>
<td>17JUL86</td>
<td></td>
</tr>
<tr>
<td>the Protocol Relating to the Status of Refugees [1967]</td>
<td>A key treaty in international refugee law.</td>
<td>17JUL86 Accession</td>
<td></td>
</tr>
<tr>
<td><strong>Pollutants</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Treaty of Rarotonga [1986] = South Pacific Nuclear Free Zone Treaty</td>
<td>A formalized nuclear-weapon free zone in the South Pacific that bans the use, testing and possession of nuclear weapons within the borders of the zone.</td>
<td>16SEP85 15SEP89</td>
<td></td>
</tr>
<tr>
<td>Minamata Convention on Mercury. [2017]</td>
<td>UNEP A global treaty designed to protect human health and the environment from adverse impacts of mercury and its compounds.</td>
<td>23MAY01 07OCT03</td>
<td></td>
</tr>
<tr>
<td>Stockholm Convention on Persistent Organic Pollutants. [2004]</td>
<td>UNEP A global treaty to protect human health and the environment from persistent organic pollutants (POPs). Chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of living organisms and are toxic to humans and wildlife. It focuses on eliminating and reducing releases of 28 POPs, including dioxins and furans.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Shipping Pollution</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>London Convention and Protocol on the Prevention of Marine Pollution by Dumping of Waste and Other Matter [1972] Amendments on Sewage and Garbage [1978] Amendments on Radioactive wastes [1981]</td>
<td>IMO The London Convention and protocol of which PNG is a party was entered into force in 1975, PNGs membership date of deposit is 11/3/1980 and date of effect is 10/04/1980 to promote the effective control of all sources of marine pollution. The purpose of the convention is control all sources of marine pollution and prevent pollution of the sea through regulation of deliberate dumping into the sea of wastes materials from vessels, aircraft and platforms.</td>
<td>Convention party</td>
<td></td>
</tr>
<tr>
<td>Convention</td>
<td>Agency</td>
<td>Description</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>International Convention for the control and Management of SHIPS ballast water and Sediments [2004]</td>
<td>IMO</td>
<td>An international treaty designed to reduce the movements of hazardous waste between nations, and specifically to prevent transfer of hazardous waste from developed to less developed nations. It does not, however, address the movement of radioactive waste.</td>
<td>1SEP95</td>
</tr>
<tr>
<td>International Convention on the Control of Harmful Antifouling Systems on Ships [2001AFS]</td>
<td>IMO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal = the Basel Convention</td>
<td></td>
<td>Waigani is administered within the Pacific Region and the Convention is to ban importation of Hazardous Wastes and Radioactive Wastes into the Pacific Island Forum Countries,</td>
<td>16SEP95 11DEC95</td>
</tr>
<tr>
<td>Convention to ban the importation into forum island countries of hazardous and radioactive wastes and the to control the transboundary movement and management of hazardous wastes within the South Pacific Region. = Waigani Convention 2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.</td>
<td>UN</td>
<td>Convention on the Prior Informed Consent (PIC) procedure for certain hazardous chemicals and pesticides in International Trade. To facilitate informed decision-making by countries with regard to trade in hazardous chemicals. To protect human health and the environment by promoting information exchange on pesticides and industrial chemicals that have been banned or severely restricted by Parties and by making PIC procedure legally binding. It establishes a list of covered chemicals and requires parties seeking to export a chemical on that list to first establish that the intended importing country has consented on the import.</td>
<td></td>
</tr>
<tr>
<td>International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) [1978] [1984 amended 1995]</td>
<td>IMO</td>
<td>IMO Sets minimum qualification standards for masters officers and watch personnel on seagoing merchant ships and large yachts at an international level.</td>
<td>29OCT91 28JAN92 Accession</td>
</tr>
<tr>
<td>International Convention on Oil Pollution Preparedness, Response and Cooperation OPRC 1990</td>
<td>IMO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protocol on Preparedness, Response and Cooperation to pollution Incidents by Hazardous and Noxious Substances 2000 OPRC-HNS</td>
<td>IMO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>International Convention on Liability and Compensation for damage in connection with the carriage of hazardous and noxious substances by Sea [HNS 1996]</td>
<td>IMO</td>
<td>12MAR80 12JUN80 Accession 23JAN02 Denunciation</td>
<td></td>
</tr>
<tr>
<td>International Convention on Civil Liability for Oil Pollution Damage [CLC 1969]</td>
<td>IMO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>International Convention on Civil Liability for Bunker Oil Pollution Damage [2001]</td>
<td>IMO</td>
<td>22JAN02 22JAN01 Accession</td>
<td></td>
</tr>
<tr>
<td>Protocol to the International convention on the establishment of an International Fund for the Compensation for Oil Pollution Damage [FUND1992]</td>
<td>IMO</td>
<td>18MAY76 15JUL77 Accession</td>
<td></td>
</tr>
<tr>
<td>The Brussels Collision Convention [1913] = the Convention for the Unification of Certain Rules of Law with respect to Collisions between Vessels</td>
<td>IMO International Regulations for Preventing Collisions at Sea 1972 (COLREGs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Brussels Convention for the Unification of Certain Rules with Respect to Assistance and Salvage at Sea [1910]</td>
<td>Replaced By: International Convention on Salvage is a treaty 1989</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Hong Kong International Convention for the safe and Environmentally sound recycling of ships [2009]</td>
<td>IMO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protocol concerning Co-operation in Combating Pollution Emergencies in the South Pacific Region (Nouméa, 1986)</td>
<td>3NOV87 15SEP89</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protocol for the Prevention of Pollution of</td>
<td>3NOV87 15SEP89</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the South Pacific Region by Dumping (Noumea, 1986)</td>
<td>(SPREP) developed the Pacific Regional Waste and Pollution Management Strategy 2016 - 2025, to help member countries address their waste management challenges. The strategy highlights emerging waste issues in the Pacific region and outlines various actions that must be taken to protect the pacific people and environment from the adverse impacts of waste.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>