

No. 29909

---

**MULTILATERAL**

**Agreement establishing the South Pacific Forum Secretariat  
(with annex). Opened for signature at Pohnpei on 29 July  
1991**

*Authentic text: English.*

*Registered by Fiji on 23 April 1993.*

---

**MULTILATÉRAL**

**Accord portant création du Secrétariat du Forum du Paci-  
fique Sud (avec annexe). Ouvert à la signature à Pohnpei  
le 29 juillet 1991**

*Texte authentique : anglais.*

*Enregistré par les Fidji le 23 avril 1993.*

## AGREEMENT<sup>1</sup> ESTABLISHING THE SOUTH PACIFIC FORUM SECRETARIAT

The Governments of Australia, the Cook Islands, Fiji, Nauru, New Zealand, Tonga and Western Samoa, comprising the founding members of the South Pacific Forum, together with the Governments of the Federated States of Micronesia, Kiribati, Niue, Papua New Guinea, the Republic of the Marshall Islands, Solomon Islands, Tuvalu and Vanuatu.

Recognising the need for increased co-operation in matters relating to trade and economic development in the South Pacific region,

Desiring to identify opportunities for the removal of barriers to trade between states within the region and also between those states and states outside the region and for the modification of current trade patterns,

Desiring also that consideration should be given to the possibility of establishing a free trade area for the South Pacific region,

Noting that the collection and dissemination of information and the preparation of reports and studies will be essential to facilitate these ends,

Concerned to ensure co-ordination of studies relating to transport services within the region,

<sup>1</sup> Came into force on 23 April 1993, i.e., the date of deposit of the last of the instruments of ratification by the fifteen member Governments, in accordance with article XII (4):

<i>Participant</i>	<i>Date of deposit of the instrument of ratification</i>	
Australia.....	3 July	1992
Cook Islands .....	3 September	1991
Fiji.....	29 July	1991
Kiribati.....	23 April	1993
Marshall Islands .....	15 April	1993
Micronesia (Federated States of).....	4 March	1992
Nauru.....	21 October	1992
New Zealand .....	14 July	1992
Niue.....	23 April	1993
Papua New Guinea.....	26 August	1992
Samoa.....	12 March	1993
Solomon Islands .....	26 August	1992
Tonga.....	7 July	1992
Tuvalu.....	11 September	1992
Vanuatu.....	21 April	1993

Concerned also to obtain advice and assistance in the operation of regional trade and tourism promotion services,

Convinced of the need to work towards co-operation and co-ordination in the planning and siting of new industries and development projects within the region,

Concerned that all these activities should, wherever possible, be undertaken in co-ordination with the work of other international and regional organisations,

Concerned also to ensure the effective co-ordination of economic, political and security matters which are of importance to the region, and

Having become members of the South Pacific Bureau for Economic Cooperation,

Have agreed as follows:

#### **ARTICLE I** **The South Pacific Forum**

For the purposes of this Agreement, the South Pacific Forum (hereinafter called "the Forum") comprises the Heads of Government of Australia, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, the Republic of the Marshall Islands, Solomon Islands, Tonga, Tuvalu, Vanuatu and Western Samoa and such other Heads of Government as may be admitted to the Forum with the approval of the Forum.

#### **ARTICLE II** **Establishment of the South Pacific Forum Secretariat**

1. There is hereby established the South Pacific Forum Secretariat (hereinafter called "the Secretariat").
2. The Secretariat shall be located in Suva and shall operate in accordance with the provisions of this Agreement.

### **ARTICLE III**

#### **Purpose**

The purpose of the Secretariat is to facilitate, develop and maintain cooperation and consultation between member governments on economic development, trade, transport, tourism, energy, telecommunications, legal, political, security and such other matters as the Forum may direct.

### **ARTICLE IV**

#### **Membership**

1. The Governments of Australia, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, the Republic of the Marshall Islands, Solomon Islands, Tonga, Tuvalu, Vanuatu and Western Samoa shall be entitled to membership of the Secretariat and shall become members pursuant to Article XII.
2. Other Governments may be admitted to membership of the Secretariat in accordance with Article XII.

### **ARTICLE V**

#### **South Pacific Forum Officials Committee**

1. The Secretariat shall have an Executive Committee to be known as the South Pacific Forum Officials Committee (hereinafter called "the Committee").
2. The Committee shall be composed of one representative of each of the members of the Secretariat.
3. The powers and functions of the Committee shall be to give general policy directions to the Secretary General and to make reports and recommendations to the Forum. In particular the Committee shall:
  - (a) approve, reject or amend the annual budget estimates and any interim budget submitted by the Secretary General;

- (b) receive, examine and comment on the Annual Report of the Secretary General on the operation of the Secretariat; and
  - (c) lay down staff establishment, salary policy and scales.
4. The Committee shall appoint a Chairman at its first and subsequent annual meetings who shall remain in office until the next annual meeting.
  5. The Chairmanship shall rotate annually as decided by the Committee.
  6. The Committee shall hold a meeting at least once in each calendar year and shall meet prior to meetings of the Forum.
  7. The Secretary General, in consultation with and at the request of the Chairman, shall convene meetings of the Committee.
  8. All matters shall be decided wherever possible by consensus or if necessary by a majority of the representatives present and voting. Each representative on the Committee shall have one vote.
  9. The Committee shall establish its own rules of procedure.

#### **ARTICLE VI** **Secretariat Staff**

The Secretariat Staff (hereinafter called "the Staff") shall consist of a Secretary General, two Deputy Secretaries General and such further staff as may be appointed by the Secretary General in accordance with the establishment and salary policy and scales laid down by the Committee.

#### **ARTICLE VII** **Appointment of Secretary General**

1. The Secretary General shall be appointed by the Forum for a term of three years under such conditions as the Committee may determine.