

**No. 47291**

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**Multilateral**

**Agreement establishing the Melanesian Spearhead Group. Port Vila, 23 March 2007**

**Entry into force:** *12 March 2010, in accordance with article 19*

**Authentic texts:** *English and French*

**Registration with the Secretariat of the United Nations:** *Melanesian Spearhead Group, 30 March 2010*

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**Multilatéral**

**Accord établissant le Groupe de fer de lance mélanésien. Port Vila, 23 mars 2007**

**Entrée en vigueur :** *12 mars 2010, conformément à l'article 19*

**Textes authentiques :** *anglais et français*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Groupe de fer de lance mélanésien, 30 mars 2010*

**Participant**

**Ratification**

Fiji	17 Jan	2010
Papua New Guinea	30 May	2008
Solomon Islands	4 Mar	2010
Vanuatu	11 Mar	2010

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

## **AGREEMENT ESTABLISHING THE MELANESIAN SPEARHEAD GROUP**

The Republic of the Fiji Islands, Independent State of Papua New Guinea, Solomon Islands, the Republic of Vanuatu and Front de Liberation Nationale Kanak et Socialiste (hereinafter referred to as “FLNKS”) of New Caledonia:

**Believing** the Melanesian region within the Pacific can be a region of solidarity and cooperation in accordance with shared national interest with the objective of strengthening wider institutions of regional and international cooperation;

**Determined** to have a region that is respected for the quality of its governance, the sustainable management of its resources, the respect for and promotion of its Melanesian cultures, traditions and values and for its defence and promotion of independence as the inalienable right of indigenous peoples of Melanesia and the promotion of their human rights;

**Respecting** the principles of international law governing relations between nations, such as principles of sovereignty, equality of independence of all states and non – interference in the domestic affairs of states;

**Recalling** the Agreed Principles of Co-operation Among Independent States of Melanesia signed by the parties in Port Vila in 1988 as well as the Agreed Principles of Co-operation Among Independent States in Melanesia signed by the parties at Kiriwina, Trobriand Island on 7<sup>th</sup> June, 1996 wherein the parties undertake inter alia to promote economic co-operation between States;

**Convinced** that the promotion of harmonious economic development of their States calls for effective economic co – operation largely through a determined and concerted policy of greater self reliance;

**Desiring** to further these goals through the strengthening and deepening of links between countries of the Pacific region including through the Revised Trade Agreement among the Melanesian Spearhead Group Countries.

**Wishing** formally to establish the Melanesian Spearhead Group as a sub – regional organization in its own right and to provide for its purpose and operation by means of a Secretariat;

**Having** previously consolidated as the “Melanesian Spearhead Group”;

HAVE AGREED as follows:

## ARTICLE 1

### **Melanesian Spearhead Group**

1. The Melanesian Spearhead Group (hereinafter referred to as “the MSG”) is hereby established as a sub - regional organization.
2. The MSG comprises the Republic of the Fiji Islands, Independent State of Papua New Guinea, Solomon Islands, the Republic of Vanuatu and FLNKS of New Caledonia.
3. The MSG Leader’s summit (hereinafter referred to as “the Leaders’ Summit”) may determine from time to time, the criteria for observer and associate membership and the nature and extent of such rights and obligations or whereby other governments, territories or organizations may be admitted to observer and associate membership of the MSG.
4. The MSG Leaders may from time to time invite other countries, territories and intergovernmental organizations to be either MSG observers or Special Guests. The nature and extent of such rights and obligations of such observer status shall be determined by the MSG Leaders from time to time.

## ARTICLE 2

### **Purpose**

The purpose of the MSG is to promote and strengthen inter – membership trade, exchange of Melanesian cultures, traditions and values, sovereign equality, economic and technical cooperation between states and the alignment of policies in order to further MSG members’ shared goals of economic growth, sustainable development, good governance and security.

## ARTICLE 3

### **Establishment of the Melanesian Spearhead Group Secretariat**

1. Pursuant to Article 19.5 of the Revised MSG Trade Agreement between the members thereto, it is hereby established a Secretariat for the MSG and which establishment is to be known as “the Secretariat”.
2. The headquarters of the Secretariat shall be located in Port Vila, Efate in the Republic of Vanuatu.
3. The working languages of the Secretariat including all the constituent bodies of the MSG shall be English and French.

## **ARTICLE 4**

### **Principle of Dialogue**

1. The parties agree to adopt the principle of open dialogue as the means of engaging one with the other. They also agree to engage regularly in a balanced and comprehensive political dialogue leading to commitments by all parties.
2. The objective of the dialogue shall be to foster mutual understanding, exchange information and to facilitate the establishment of agreed priorities and common interests, in particular by recognizing existing links between the various aspects of relations between the parties and the various areas of cooperation laid down in the Agreement.
3. The dialogue shall cover all the aims and objectives laid down in this agreement. The parties shall contribute to a peaceful, secure and stable democratic political environment in the MSG region by pursuing broad based policies to promote peace and to prevent, manage and resolve conflicts, through dialogue.
4. The dialogue shall be conducted in a flexible manner either formally or informally according to the need, and conducted within and outside the institutional framework, including through the Melanesian culture, tradition and spirit of dialogue, mediation and consensus.

## **ARTICLE 5**

### **Sustainable Development and Human Rights**

1. The parties agree to direct their cooperation towards sustainable development centered on the human person, who is the main protagonist and beneficiary of development; this entails respect for and promotion of human rights, including communal rights and the rights of indigenous peoples and communities.
2. Respect for all human rights and fundamental freedoms, including respect for fundamental social, cultural and indigenous rights, democracy based on the rule of law and transparent and accountable governance shall be an integral part of sustainable development within the MSG region.
3. The parties affirm that democratization, development and the protection of fundamental freedoms and human rights and mutual reinforcing are interrelated. In addition thereto, the parties further affirm that, democratic principles are universally recognized principles underpinning the organization of the state to ensure the legitimacy of its authority, the legality of its actions reflected in its constitutional, legislative and regulatory system.