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Pacific Islands Development Forum – Emergence of the New Participant in the Pacific Regionalism

Forum Rozwoju Wysp Pacyfiku – powstanie nowego uczestnika regionalizmu pacyficznego

SUMMARY

Pacific Islands Development Forum (PIDF) was formally established through signing of an agreement in 2015. The two previous gatherings were informal and did not bring any legally binding documents. The 3rd summit, entitled "Building Climate Resilient Green Blue Pacific Economies" introduced not only the constituting agreement, being an international treaty, what in turn made PIDF an intergovernmental organization having its own legal personality, but also created the pivot for the new wave of the Pacific regionalism. The regional cooperation among the small island states is being made ineffectively and economically inefficiently due to many reasons. The most relevant of which are the over fragmentation of the existing regional organisations and constant creation of ad hoc institutions which have no personality, powers or sanctions for non-fulfilment of the jointly adapted agreements.

Keywords: PIDF; Pacific; South Pacific; regionalism; IGO

INTRODUCTION

The purpose of this article is to present the newest Pacific organisation, the Pacific Islands Development Forum (PIDF). It was formally established through signing of an agreement on 4 September 2015. South Pacific regionalism is weak, ineffective and economically inefficient due to many reasons. The most relevant of which are the over fragmentation of the existing regional organisations and constant creation ad hoc institutions which have no personality, powers or sanctions for non-fulfilment of agreements.

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This article also depicts the current state of the South Pacific regionalism, where a new player has just entered. The paper has an introduction and the seven following parts: the second portrays the historical background of the PIDF, the third shows the outcome of the 3rd meeting of PIDF, the fourth focuses on membership, the fifth describes its structure, the sixth compares PIDF with some regional organisations in the Pacific, the seventh presents the features of PIDF with the previously the largest most active IGO in the region – Pacific Islands Forum, while the eight is the conclusion. The method used here is primarily the analysis of the content of legal regulations, mainly agreements establishing IGO, as well as political communiqués after the conferences or summits, explanatory notes as well as governmental declaration. As the Pacific organizations do not make legally binding norms, they do not issue any hard copy official gazettes, therefore the only source of information of their functioning are the websites and occasionally in daily newspapers' articles published in the Ocean region.

HISTORICAL BACKGROUND OF PIDF

The 3rd summit of the Pacific Islands Development Forum was held at its headquarters in Suva, the capital of Fiji on 2–4 September 2015. The two previous gatherings were informal[1]. Since the inauguration of this regional organisation, there was no official request from the Pacific states for formal linkages. A draft of a constituent document was developed through many consultations involving regional stakeholders through discussions, written submissions and workshops[2]. The 2015 summit saw promulgation of the PIDF Charter. The Charter of the Pacific Islands Development Forum formally established the PIDF as an international organisation. The constitutional framework was adopted at the First Regional Workshop on the PIDF Establishment Agreement in May 2015[3].

The name of this regional organisation is similar to that of the Pacific Islands Forum (PIF). For this and other reasons, PIDF is commonly perceived as a challenge to PIF[4]. The newly established organisation was welcomed by the South Pacific member countries as a hope for "engaging with the Pacific", free from the politics

[1] The Inaugural Summit of the PIDF (so-called "PIDF1") took place on 5–7 August 2013. The second summit ("PIDF2") was held on 18–20 June 2014. Two forums were organised in Nadi, Fiji. The idea of establishing an organization was endorsed already in 2012 during Pacific leaders' meeting on 23–24 August, entitled "Engaging with the Pacific".

[2] Background of drafting the Charter along with its explanation is available in: Explanatory Notes on the PIDF Charter from the PIDF3 Leaders' Summit 2–4 September 2015.

[3] First Regional Workshop on the PIDF Agreement, PIDF Secretariat, 29 May 2015.

[4] PIF had suspended Fiji in the years 2009–2014. The Fijian government was unwilling to hold general elections, while PIF insisted on introducing the basic democratic requirement.

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of the PIF[5]. According to the website of the Pacific Islands Development Forum, the organisation is the "only platform" that meets the needs of the legal and political regionalisation process on the Pacific[6].

In accordance with the PIDF's guidelines, sustainable development rests on three pillars: economic growth, social development, and environmental sustainability. As for the confirmation of those idealistic sounding values, PIDF recalls its successful role, for instance in "establishing the Pacific's first and truly representative and participatory platform on the Green Economy, […] giving value to voices never heard at this level of decision making in the Pacific, empowering the people of the Pacific to handle challenges"[7].

THIRD, FUNDAMENTAL MEETING OF PIDF

The 3rd summit was entitled "Building Climate Resilient Green Blue Pacific Economies". The theme is understood as the most timely and relevant to the Pacific Island Countries and Territories (PICT), as was underlined by the Deputy Prime Minister of the Kingdom of Thailand at the opening ceremony[8]. The term "green economy" was introduced by the United Nations as the main theme during the environment summit in Rio de Janeiro in 2012[9]. But there was an immediate response from the Small Island Developing States (SIDS), which started promoting the "blue economy", to reflect their marine environment[10]. The Pacific island countries are aware of the huge and, unfortunately, unexploited opportunities coming from the largest ocean on earth, the Pacific Ocean. In addition, they feel threatened by the greenhouse gas emissions, and by the rising sea level. Therefore, Josaia Voreqe

[5] Mainly the political struggle over leadership in the region between Fiji and Papua-New Guinea. See J. Hayward-Jones, *Pacific island leadership: PNG steps up*, "The Lowy Interpreter", www.lowyinterpreter.org/post/2014/08/28/Pacific-island-leadership-PNG-steps-up.aspx [access: 17.08.2019]; D. Vukailagi, *Bainimarama urges PIDF members to unite*, http://fijione.tv/prime-minister-calls-on-pidf-members-to-remain-united [access: 17.08.2019].

[6] PIDF's guidelines, http://pacificidf.org/overview [access: 17.08.2019].

[7] *Ibidem*. It is noted that there are also other regional organisations that deal with environmental matters: both the Secretariat of the Pacific Regional Environment Programme (SPREP), as an intergovernmental organisation (www.sprep.org), and PIF have worked on fisheries, climate change and natural resources, mainly through the latest Declaration on Climate Change Action from 10 September 2015.

[8] Keynote Address by His Excellency General Tanasak Patimapregorn Deputy Prime Ministry of the Kingdom of Thailand at the Opening Ceremony of the 3rd PIDF Leaders' Summit in Suva, Fiji, 2 September 2015.

[9] United Nations Conference on Environment and Development (UNCED) in 1992. More on this topic, see UNCED, *Green economy*, https://sustainabledevelopment.un.org/topics/greeneconomy [access: 17.08.2019].

[10] C. Claudio, *From green to blue economy*, "Philippine Daily Inquirer", 23 June 2013.

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Bainimarama, the Prime Minister of Fiji, took the opportunity of international publicity for PIDF and reprimanded Australia. He called on the Australian government on the first day of the summit to put the welfare and survival of Pacific island neighbours before the expansion of the coal industry[11].

Besides the green economy, the six "tracks"[12] were introduced to the public by the leaders at the September meeting: Health, Water and Sanitation; Marine Environment, Oceans and Fisheries; Energy and Transport; Agriculture and Forestry; Gender, Youth, Disabilities and Human Security; Technology, Finance and Capacity Building, Infrastructure and Built Environment[13].

The main outcome of the 3rd summit was the Suva Declaration[14]. Each state unanimously supported the authority of this document. It was adopted as the Pacific islands' input and own, regional proposition for the 21st Conference of Parties (COP21)[15] taking place in Paris on 7–8 December 2015. The key premise of the Declaration signed on 4 September 2015 was a commitment "to limit global temperature increases to below 1.5°C above pre-industrial levels"[16].

MEMBERSHIP

According to Article 1 (9) of the Charter of the Pacific Islands Development Forum: "Member State means a member of PIDF that is also a state to legally distinguish them from Pacific territories, regional civil society organisations and regional private sector organisations". Article 7 discusses membership, which is "open to Pacific Islands and Pacific Organisations able and willing to exercise the rights and assume the obligations of membership". The Charter enumerates 17 countries as foundation members along with 2 organisations, the Pacific Islands Association of Non-Governmental Organisations (PIANGO) and the Pacific Islands Private Sector Organisation (PIPSO): the Cook Islands, the Federated States of Micronesia, Fiji, French Polynesia, Guam, Kiribati, the Marshall Islands, Nauru, New Caledonia, Papua New Guinea, Solomon Islands, Timor-Leste, Tokelau,

[11] The Fijian Government, *Hon. Prime Minister Josaia Voreqe Bainimarama's Welcome Speech at the Opening Ceremony of the Third PIDF Summit*, www.fiji.gov.fj/Media-Centre/Speeches/HON--PRIME-MINISTER-JOSAIA-VOREQE-BAINIMARAMA%E2%80%99S-AD [access: 17.08.2019].

[12] PIDF, http://pacificidf.org/3rd-pidf-leaders-summit-presentations [access: 17.08.2019].

[13] *Ibidem*.

[14] Suva Declaration on Climate Change, signed on 4 September 2015 in Suva.

[15] Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC) functions as a governing body of implementing the international environmental treaty adopted by UNCED on 4 June 1992. See the official website of the 21st meeting in France: www.cop21paris.org [access: 17.08.2019].

[16] Suva Declaration on Climate Change, Article 8.

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Tonga, Tuvalu, Vanuatu, Wallis and Futuna[17]. There are also development partners: the People's Republic of China, the Republic of Turkey, the Russian Federation, the International Union for the Conservation of Nature (IUCN), the Melanesian Spearhead Group (MSG), the Secretariat of the Pacific Community (SPC), the University of the South Pacific (USP), and the World Wildlife Fund (WWF)[18]. In addition to Pacific states, there are some regional institutions engaged with PIDF. This creates a space of cooperation, as well as networking to implement common values within the Pacific[19].

The countries that are "eligible"[20] to participate in the PIDF activities, but which are not yet members, are: American Samoa, the Commonwealth of the Northern Mariana Islands, Niue, the Republic of Palau, the Pitcairn Islands, and Samoa[21]. This shows the possibility for an entity to join or to cooperate with PIDF, regardless of its international law status (sovereign state, dependency or freely associated state). What is more, there is no fixed list of members. That can be explained by the very broad vision of this newly established organisation. On the one hand, it allows for working on and applying wide undertakings among the island states, but at the same time, such openness of this organisation might result in decisions being of a very general and, therefore, blurred nature. This kind of regional politics might in some cases lead to real problems and in the end, to the legal and political impossibility of solving any conflict[22].

STRUCTURE OF THE PIDF

Nonetheless, the fundamental change brought by the 3rd summit is undoubtedly the adoption of the constitutional document expressing the formal framework of cooperation. The Charter of the Pacific Islands Development Forum, in only 24 articles, regulates the basic components of an international organisation, such as purposes and functions, main institutions, financial provisions, international immunities and privileges, and membership. Therefore, PIDF can be called an

[17] Attachment to the PIDF Charter, Schedule 2: "Foundational PIDF Members and Development Partners".

[18] Attachment to the PIDF Charter, Schedule 3: "Foundational PIDF Development Partners and Technical Partners".

[19] Those are: Papua New Guinea Development Forum, Solomon Islands Prime Minister's Roundtable, Micronesia Chief Executive Summit, Tonga/Ha'apai Roundtable, Vanuatu Green Growth Dialogue, Fiji Development Forum, Pacific Green Growth Coalition. For more about the PIDF partners, see http://pacificidf.org/partners [access: 17.08.2019].

[20] According to the official list on the PIDF website: http://pacificidf.org/eligible-countries-2 [access: 17.08.2019].

[21] *Ibidem*.

[22] Explanatory Notes on the PIDF Charter from the PIDF3 Leaders' Summit 2–4 September 2015.

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international organisation due to fulfilment of the legal prerequisites in accordance with international law. Article 3 establishes the legal personality of the organisation in the international arena[23]. This can be seen as the formal transformation from a simple regional gathering to a regional organisation. Such transition, in turn, lays new foundations for Pacific regionalism.

The minimalist approach used in the Charter was intentional. It leaves space for further deliberation and possible detailed legal documents being adopted by PIDF at future summits. There is also a lack of strict obligations on members or any sanctions. This might be the reason for slow regionalisation progress. However, strength of the document appears in the institutions that it established, all designed to achieve consensus and defer regulatory processes to the governance organs, not to member states themselves. Due to this, PIDF protects itself against possible political conflicts of interest, or in other words, against putting state interests over regional ones.

PIDF AND THE MAIN PACIFIC ORGANISATIONS

From the comparative point of view, it is worth distinguishing the Pacific Islands Development Forum from other regional organisations, by comparing their membership, legal bases, special internal organs, and financing. The more influential and well-established regional organisations are PIF, SPC, MSG and the Polynesian Leaders Group (PLG). PIDF is the newest (functioning from 2013). This regional entity has a long list of advantages and sets itself apart from those local organisations. The wished-for domination of PIDF in the Pacific over other local organisations is justified by the multi-level, multi-stakeholder, and multi-sector inclusivity and promotion of South-South cooperation amongst the Pacific Small Island Developing States (PSIDS)[24]. This statement explains why there is no closed membership in this organisation[25]. Every other Pacific institution consists of either founding countries or those of a secondary nature, while PIDF is open to a "broad alliance of public sector, private sector and civil society organisations"[26].

The widely accepted way of establishing an international organisation in international law is by treaty. It usually occurs at the first meeting or conference of the interested parties. This happened in the case of both PLG (by the memorandum of understanding signed on 20 November 2011 in Apia, Samoa during the first meeting

[23] Charter of PIDF, Article 3 (1).

[24] For more advantages enumerated by PIDF itself, see http://pacificidf.org/why-pidf [access: 17.08.2019].

[25] Compare footnote No. 19.

[26] See http://pacificidf.org/introduction [access: 17.08.2019].

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of the leaders and representatives of Polynesian countries)[27] and SPC (though the Canberra Agreement of 6 February 1947)[28].

As for the Melanesian Spearhead Group and the Pacific Islands Forum, they did not elaborate any official document on the first meeting. PIF argued during the first communiqué that: "It was considered premature to institute a formalised arrangement, although this could emerge in due course as and when the need for it became apparent"[29]. MSG, in turn, recalled, in its establishing agreement, two previously signed documents (the Agreed Principles of Cooperation Among Independent States of Melanesia from 1988, as well as the Agreed Principles of Cooperation Among Independent States in Melanesia from 1996)[30].

A secretariat plays a major administrative and representative role in most of the international organisations. PIF, PIDF, and MSG act through their special organs, having internal powers to manage the functioning of the whole institution and to implement agreed policy. Since the adoption of the PIDF Charter, the institutional structure of this organisation comprises the Conference, the Leaders' Summit, the Members' Representative Council, National/Local Sustainable Development Boards, and the Secretariat. The latter organ is the principal administrative body[31]. The first permanent Secretary General is François Martel from Samoa[32].

By contrast, Article 3 of the Agreement Establishing the Pacific Islands Forum Secretariat[33], states that the Secretariat of PIF was established "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". A unique feature of PIF is the absence of the elaborate structure. The Secretariat is the main organ of

[27] M.H. Ilalio, *Polynesian Leaders Group Formed in Samoa; Regional Sub-Group is Samoa PM's 'Dream Come True'*, www.pireport.org/articles/2011/11/21/polynesian-leaders-group-formed-samoa [access: 17.08.2019]; L. Keresoma, *Polynesian Union finally realized 35 years after*, www.talamua.com/polynesian-union-finally-realized-35-years-after [access: 17.08.2019].

[28] Canberra Agreement; Agreement establishing the South Pacific Commission signed on 6 February 1947, which entered into force on 29 July 1948.

[29] South Pacific Forum, Wellington 5–7 August 1971, Joint Final Communique; E. Shibuya, *The Problems and Potential of the Pacific Islands Forum*, [in:] *The Asia-Pacific: A Region in Transition*, ed. J. Rolfe, Honolulu 2004, pp. 102–115.

[30] Agreement Establishing the Melanesian Spearhead Group signed on 23 March 2007.

[31] About the functions of the Secretariat, see Charter of PIDF, Article 14 (2).

[32] Samoa is not a member of PIDF, though. François Martel is experienced in natural resource management and climate change. He was also the COP21 adviser for Tokelau, the Director in Conservation International (www.conservation.org/Pages/default.aspx), as well as former expert in SPREP. See *Martel lands top role*, "Samoa Observer", 8 September 2015; *New PIDF Secretary General Appointed*, http://pacificidf.org/new-pidf-secretary-general-appointed [access: 17.08.2019].

[33] Agreement done in Tarawa on 30 October 2000. The amended Agreement Establishing the Pacific Islands Forum signed in Port Moresby on 27 October 2005 will enter into force after the ratification by all 16 Forum members.

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the organisation, in accordance with the establishing agreement. It is responsible for executing the common regional policy. The auxiliary organ is an executive committee, known as the Pacific Islands Forum Officials Committee. Its functions and powers can be delegated to the Secretary General[34].

Finally, according to Article 8 (1) of the Agreement Establishing the Melanesian Spearhead Group, "the Secretariat is the administrative arm of the MSG". This organ has additional internal divisions, which are responsible for implementation certain regional policies[35].

Financing of a regional organisation needs to be agreed among its members, which is usually done in some formal arrangement. The constituent treaties might have a special chapter with the organisational budget or include the financing issues in an additional annex. This latter situation occurs in PIF's case, where the scale of contribution to the common budget is set out. Australia and New Zealand pay 37.16% of the budget, whereas the other island states pay around 1% or 2%[36].

A similar pattern, relying on the national economy, was used by the Secretariat of the Pacific Community. The SPC adopts an annual budget to cover its administrative expenses, however, the expenses will be allocated among the governments (Australia 30%, New Zealand, the United Kingdom, and the Netherlands 15%)[37]. The PIDF budget will, in contrast, be funded through voluntary gifts and contributions made by members[38].

BRIEF COMPARISON WITH PIF

PIDF is perceived as a potential competitor for PIF in the region. Therefore, it is worth comparing these two regional entities. The founding members of both Forums were: the Cook Islands, Fiji, Nauru and Tonga. Additionally, the common members in both organisations are: the Federated States of Micronesia, Kiribati, Papua New Guinea, the Republic of Marshall Islands, Solomon Islands, Tuvalu and Vanuatu. Australia, New Zealand, Niue, Palau and Samoa are present only in the Pacific Islands Forum. In contrast, New Caledonia, French Polynesia, Tokelau, Wallis and Futuna, which are PIDF foundational members, possess associate membership status in PIF[39].

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[34] Agreement Establishing PIF, Article 5.

[35] For more on the structure of MSG, see www.msgsec.info/about-msg-secretariat [access: 17.08.2019].

[36] Papua New Guinea has the second largest input of 5.49%. Compare Annex to the Agreement Establishing the Pacific Islands Forum Secretariat.

[37] Canberra Agreement, Article 14 (49).

[38] Charter of PIDF, Article 16 (2).

[39] Comparison made on the basis of the PIDF Charter and the PIF website: www.forumsec.org/about-us [access: 17.08.2019].

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The functioning of the two Forums depends on documents, which differ from each other from the legal point of view too. The Pacific Islands Development Forum Charter launches the entity as an international organisation, stating its legal personality. The structure of the whole text is precise. The Charter enumerates institutional organs along with their competences.

The legal basis of the Pacific Islands Forum is currently the Agreement Establishing the Pacific Islands Forum Secretariat[40]. As the name of this document states, the constitutive treaty refers only to the main PIF organ – its Secretariat, while to the organization as a whole. Therefore, it is only the Secretariat, which enjoys a legal personality. In addition, that occurs only in the 16 member countries, not internationally. The PIF Secretariat is an administrative body, directly responsible to the Forum Leaders. Finally, the various arrangements on financing those two Forums can also be explained by different forms of membership. Relying on voluntary gifts and contributions to the PIDF budget is caused by its "open-ended" form of participation. PIF decided on fixed rates from its member countries, depending on their economy[41].

CONCLUSION

The 3rd summit of the Pacific Islands Development Forum formalised the institution by the establishment of its Charter. Since September 2015, the Pacific island countries are finally able to jointly act on the international arena through this organisation which represents their common interests. The latest 4th summit took place in Honiara, the Solomon Islands on 12–13 July 2016[42]. There was, so far, no other summits of PIDF, but there was organize proudly called "1st High Level Pacific Blue Economy Conference" under the title "Sustainable Oceans in a Changing Climate" (23–24 August 2017)[43].

Professor Sandra Tarte, from the University of the South Pacific located in Fiji, emphasises that PIDF is a response to the need for new regionalism, new diplomatic strategies and new development approaches within the region. The 2015 gathering included an unconventional, for intergovernmental organisations, mix of participants: head of states, politicians, diplomats, business leaders, academics and civil

[40] *Ibidem*.

[41] Compare footnote No. 36.

[42] The most momentous effect after the 4th summit of PIDF was adoption of the Resolution for the Observance of the Pacific Year for the Ocean 2017 from 13 June 2016, which, however, has only declarative, non-binding character.

[43] PIDF, http://pacificidf.org/1st-high-level-pacific-blue-economy-conference [access: 17.08.2019].

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society representatives[44]. Secondly, the PIDF meeting in September 2015 resulted in an important document on climate change: the Suva Declaration[45]. It will was already taken as a common view of the small developing states by the rest of the UN members during COP21, but also as a Pacific response to the global (in)activity in the green blue matters. Finally, emergence of the new regional organization gives hope for more effectively and economically efficiently regionalism for the common benefit of the poor, slowly developing Pacific nations.

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[44] S. Tarte, *A New Regional Pacific Voice? An Observer's Perspective on the Pacific Islands Development Forum, Inaugural Summit, Denarau, Fiji, 5–7 August 2013*, "Pacific Islands Brief", 28 August 2013.

[45] Not to be confused with the PIF Declaration on Climate Change Action from 10 September 2015. Compare footnote No. 8.

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STRESZCZENIE

Forum Rozwoju Wysp Pacyfiku (*Pacific Islands Development Forum* – PIDF) zostało formalnie ustanowione przez podpisanie umowy w 2015 r. Dwa poprzednie spotkania były bowiem nieformalne i nie przyniosły żadnych prawnie wiążących dokumentów. Trzeci szczyt, zatytułowany „Budowanie odpornego na warunki klimatyczne zielono-niebieskiego Pacyfiku", wprowadził nie tylko konstytuującą podstawę prawną, będącą wszak umową międzynarodową, co z kolei uczyniło z PIDF organizację międzyrządową posiadającą osobowość prawną, lecz także stworzyło podwaliny nowej fali regionalizmu na Pacyfiku. Współpraca regionalna pomiędzy małymi wyspiarskimi państwami jest nieskuteczna i ekonomicznie nieefektywna z wielu powodów. Najważniejsze z nich to nadmierne rozdrobnienie istniejących organizacji regionalnych oraz ciągłe tworzenie instytucji *ad hoc*, które nie mają osobowości prawnej, uprawnień ani sankcji za niewykonanie wspólnie przyjętych porozumień.

Słowa kluczowe: PIDF; Pacyfik; Ocean Spokojny; Pacyfik Południowy; regionalizm; IGO