Regional Workshop for the Pacific Region on Universalisation of the Biological Weapons Convention
Nadi, Fiji, 27–28 July 2017

Hon. Lemalu Taefu Lemi Taefu
Associate Minister
Ministry of Natural Resources and Environment MNRE
SAMOA
Role of Parliamentarians
Parliamentarians for Global Action (PGA) Samoa Plan of Action - March 2008

Cook Islands, Kiribati, FSM, New Zealand, Niue, Samoa, Tonga and Tuvalu.

- As elected representatives, they have a unique individual legitimacy and credibility.
- Upholding the principles of good governance holding the executive branch accountable.
- To have a greater role in regional co-operation, unity and development.
- They advocate for executive support for important international treaties and give effect to these treaties in domestic law; eg ATT and BWC.
- They are at the core of every properly functioning democratic system.
Samoa BWC Background

- BWC opened for signature – 10 April 1972
- Effective/enforced 26 March 1975
- June 2017 update:
  - 178 States parties;
  - 6 signatories that have not ratified
  - 12 states have not acceded or ratified
  - 5 of 12 (almost half) are Pacific island countries; Kiribati, Micronesia(FSM), Niue, Samoa and Tuvalu
- **Samoa** did not sign the convention and in the process of accession.
- The process (my involvement) began in **May 2016**
Existing & Related National Legislations

- Arms Ordinance 1960
- Chemical Weapon Act 2010
- Cluster Munitions Prohibition Act 2012
- Counter Terrorism Act 2014
- Conventional Arms Act 2017 (2nd Reading in June 2017)
- Conventional Arms Act 2017 will domesticate the Arms Trade Treaty
PGA Advocacy

- PGA member May 2016
- GOPAC member Sept 2016, Chairman for the Samoa Chapter
- PGA was given BWC to work on for Samoa towards accession.
- June 16: Wrote to the PM (Minister for MFAT)
- Jul/Aug 16: MFAT worked on it with relevant Government Ministries eg; MNRE
- Sept/Oct 16: Follow up with emails, and informal interactions
- Nov 16: Accession documents submitted to AG Office for clearance...
PGA Advocacy

- Jan 17: Accession document returned to MFAT with queries.
- Feb 17: MNRE and MFAT responded to and completed AG’s queries.
- Mar 17: AG finalised clearance
- Apr 17: MNRE prepare Cabinet Submission
- 5 May 17: Cabinet Submission submitted to MPMC ...
- 20 Jun 17: Cabinet Decision issued by MPMC
- Jul 17: MFAT to prepare instrument for accession
- To date, a draft instrument of accession is with the legal advisors for final clearance.
PEPA MO LE KAPENETA

Faamaoniaga o le Feagaiga Faava o Malo mo le Faasaina o Aupeaga O'ona Fa'alenuatu Malo

[Mo le: Sliafa]

(Ratification of the Prohibition of Biological and Toxin Weapons Convention (BTWC))

[SAUNIA E LE AFIQGA MINISITA O FUNAOA FAALENATURA & SIOSIOMAGA]

1. Mafusaga:
   Ua tuiina atu lelei talosaga i le Kapaneta mo se faaiga ina ia talla e Samoa le "Faamaoniaga (Ratification) o le "Feagaiga Faava o Malo mo le Faasaina o Aupeaga O'ona Fa'alenuatu (Prohibition of Biological and Toxin Weapons)"

2. Faamaotaga:
   O le faamaotaga o lelei Feagaiga ua faapitoa lea mo le Faasaina ou Aupeaga oona e faasia mai i mea faailatura oona. O nei aupeaga ua faamaonina ooa aafiaga ogaga i le siosiomaga ma le sofia maloloina u tagata.
   Mo le sliafa, o lelei feagaiga e o gati'a lea ma le Feagaiga o Aupeaga e Faamagona ai Vaiiasai (Chemical Weapons Convention) lea na faamaonina e Samoa ia Setema 2002, ina ia mafai ai ona fa'aiaga ni aafiaga ma faaiga e ni lea ai lea fa'siaiga, fa saogoaga ma le faapiaina o nei aupeaga oona.
   Afa'i e faamaonina e Samoa lelei Feagaiga mo le Faasaina ou Aupeaga Fa'alenuatu oona, o le'a fa'aga a lea le talo atumua i fa'amatai ma polotai lea lese ga'aga mai pa'aga o lo'o lagalagai lelei feagaiga. O le'a mafai ai fo'ou faasoasai atu i galogoa faatino mo le Puipuipu o lavai tasi o feta'atuaiga ma le taunuu mai o cia i totonu o le atumua.
   O neia vaega taula ni lelei faaiga o le'a le mafai ai ona fa'ae'ale a so'o se aupeaga e lai ni vailaaga oona, i so se atumua o le'a saini i lelei maliliga, faapiga foi le mauninaaga o le malo puipui ni faa'atai e ono tana mai ona o aafiaga ogaga o nei aupeaga oona.
   O lea ua talosaga mai le Ofisa Tutonu o le Feagaiga [Biological and Toxin Weapons] i atumua aiala e faamosia aloia atu le tautu "Faamaoniaga o le Biological and Toxin Weapons Convention".
   I lona sofeleka, e lelei ni mafusaga ogaga pou na papa puipui i laulo o le "Feagaiga" e ono fa'aga a ona fa'ayiti a Samoa e Samoa.

3. Fa'amatalagaga:
   Ua ma'a o fa'amatalagaga aulili lelei talosaga ma le Mutagae'ae o Va'i'afo ma Fefatatalagaga (MFA) fa'api i le Ofisa o le Lo'io Sili (OAG)ma na maunai fo'ou atumua i le faaiga atu i lelei talosaga.

4. Fa'atua:
   E tusa ai ma manau ua folasia atu i luga, o lea e talosaga e atu ma le faaiga'i lole le Kapaneta ina ia faamaoniaga fa'atua i lea i laulo:

   [Signature]
   05 MARCH 2017
   Cabinet Secretary
   J. Tu'ivaga
GOVERNMENT OF SAMOA

CABINET SECRETARIAT

APIA • • • SAMOA

Mo le Faatinoina
Ministra o Pumaoa Faasamata o Siosiomaga
Ofisa Sili o Pulega Matagaluega o Pumaoa Faasamata o Siosiomaga
Ofisa Sili o Pulega Matagaluega o le Va-i-Fafo ma Fefaatauiaga

Mo le Silafia (ma nisifaufuagatalafe'aga)
Palemia
Minisita o Tupe
Pule ma Su'etusi Sili

Fa'amoniaga o le Fagaiga Faavuomalalo mo le Faasaina
o Aupaega Oona Faasamata Malosi

FK(17)18

I lama Fonotaga FK(17)18 o le Aso Lu'a 16 Me 2017, na talanoaina ai e Kapereta le Pepe
FK(17)745 ma faamoniaga ai le Fagaiga Faavuomalalo mo le Faasaina o Aupaega Oona Faasamata
(Prohibition of Biological and Toxin Weapons).

Una faamoina le Matagaluega o le Va-i-Fafo ma Fefaatauiaga ina ia saania le Tusi Talaiaina
faapitoa e le Malo o Samoa o le "Faamoniaga" (Instrument of Ratification of the Biological
and Toxin Weapons Convention);

(Aagaflia Shem Leo)
PULE SILI/FAIL AUTUSI O LE KAPENETA

FK toe te tore 2006 – fa'amoeina o le Matagaluega e Faatinoina lensi
Faaliga o le MNRE ae le o le MPI

CONFIDENTIAL

20 Iuni 2017
Follow up by emails etc

- .... the documents are with the AG’s office for their clearance. Once clearance is advised then we will prepare the instrument for ratification. (MFAT)
- I wish to clarify with you the progress if any of the above convention. .... (AG)
- Constance is on leave but she did tell me that they will be providing their advice on the Biological Convention within 2 weeks to MFAT. ... (AG)
- ... It was stamped received on the 5th of May, and since then it became a mystery. (MPMC)
- Could you please send me a copy of the Cabinet Submission that you sent to Cabinet. Agafili, CEO is unaware of it. (MNRE)
- Third attempt, 2 unanswered. ..... (MPMC)
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<td>04/10/72</td>
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<tr>
<td>Nauru</td>
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Issues and Challenges

• Red tapes, lengthy processes; across Ministries
• National priorities or lack thereof; relevancy
• MFAT; responsible ministry? core function?
• Government circle; check and balance, accountability as UN members
• Transparency; Parliament & Ordinary MPs are not aware.
• Relax approach, no deliberate delays ...
• Important role of PGA, GOPAC, etc
Parliamentarians for Global Action (PGA)  
Peace and Democracy Programme

- ... advocate for **executive support** for important international treaties
- PGA provides technical advise and is always on standby. ...
- State parties, non state parties, signatories
- Succession to Accession to Ratification
- Domestication of Convention
- Deposit of instrument; Depository States
6 Signatories

1. Central African Republic 4/10/72
2. Egypt 4/10/72
3. Haiti 4/10/72
4. Somalia 7/03/72
5. Syria 4/14/72
6. Tanzania 8/16/72
7 of 12 Non State Parties

1. Chad,
2. Comoros,
3. Djibouti,
4. Eritrea,
5. Israel,
6. Namibia,
7. South Sudan
HOW ABOUT PACIFIC?

1. No Security issues
2. Very peaceful
3. No Development
4. No Production
5. No Stock piling
6. Must join the BWC and keep the Pacific peaceful
7. Endorsing the activities of the culprits
Summary

• More than **40 percent** of countries that have not ratified the BWC are from the Pacific.

• Samoa is in the process of accession.

• Kiribati, Micronesia (FSM), Niue and Tuvalu

• Biological Weapons Convention has little to do with Pacific Island countries.

• Pacific Island countries are among the countries most vulnerable to climate change.

• We need to compromise; reciprocate, trade off; giving and receiving ....
Recommendations

• To achieve the objective of the regional workshop Universalisation of the Biological Weapons Convention. *Increase awareness, stimulate adherence and promote greater engagement.*

• It is strongly recommended;
  - that Samoa completes the accession process as soon as possible.
  - that Kiribati, Micronesia (FSM), Niue and Tuvalu should seriously consider the accession process soonest. ........
  - that we get the right people to involve, ...
  - that Forum Secretariat to update the Leaders
CONCLUSION

- US pulled out of the Paris Agreement; ... a set back to the world. ... ...
- ... its the same thing with BWC ... ...
- Must play our part in making the world a safer place to live.
- Please .... ....
- .... .... .... .... accede
- .... .... .... .... .... .... .... .... to the BWC

THANK YOU
ACKNOWLEDGEMENT

• UNODA
• European Union (EU)
• Government of Fiji
• PGA - Peace & Democracy Programme; Peter A. Barcroft and team
• Samoa Ministry of Foreign Affairs & Trade (MFAT)
• Samoa Office of the Attorney General (AG)
• Ministry of Natural Resources & Environment (MNRE)
• Ministry of the Prime Minister & Cabinet (MPMC)