



## DECLARATION OF COMMITMENT TO FIJI AND ITS NATIONAL OCEAN POLICY TO ADVANCE BLUE PROSPERITY

### A Memorandum of Understanding (MOU) between the Fijian Government and the Waitt Institute

The Government of Fiji and the Waitt Institute and its BLUE PROSPERITY COALITION partners (hereinafter “the Parties”) have entered into this MOU as a declaration of their mutual intent to support Fiji’s commitment to management of its ocean resources and the Blue Prosperity Program (Program) in recognition that sustainable use of ocean resources is critical for long-term economic well-being, improved livelihoods, and ecosystem health.

The Blue Prosperity Coalition (BPC) is willing, as a friend to Fiji with shared aims, to assist Fiji in its implementation of the National Ocean Policy (NOP) and amongst other things this includes Fiji’s commitments to designate marine protected areas (MPAs). BPC has significant technical expertise to assist Fiji and its leadership to implement its ocean commitments and this will focus on 3 core areas being: marine spatial planning (MSP) and MPAs, Blue Economy, and Sustainable Fisheries. BPC is also interested in assisting with the coordination of NGO involvement under the leadership of the National Ocean Policy Steering Committee with inter-ministerial representation that will oversee the progress of the NOP’s implementation and deliverables.

This MOU between the Parties further sets out the type of assistance that BPC is able to offer to the Government of Fiji in recognition that sustainable use of ocean resources is critical for Fiji’s economic growth, improved livelihoods and ecosystem health. In crafting this ambitious agenda, this Program seeks to assist Fiji in its efforts to designate 30% of its waters as fully protected marine protected areas well in advance of the 2030 target in order to achieve the goal of having successful implementation of the MPA system as well as 100% of its EEZ managed by 2030. The Parties hereby agree to the following:

#### I. **Whereas:**

- (1) The Government of Fiji has demonstrated global and regional leadership, and has made significant commitments, towards the protection and management of its ocean and ocean resources. This includes the historic achievement of adopting Fiji’s first National Ocean Policy that sets out how Fiji will meet its aims to effectively manage 100% of its marine and coastal waters with 30% protected through sustainable ocean planning that includes the designation of MPAs and sustainable fisheries. This aligns with Fiji’s existing commitments to sustainable management of its resources to protect the Environment in Section 40 of its Constitution and recognizes Fiji’s jurisdiction, sovereignty and sovereign rights across an archipelago of 332 Islands and 1,290,000 km<sup>2</sup> of marine and coastal waters.
- (2) The challenges and opportunities for Fiji are great and include threats posed by the effects of climate change, overfishing and from pollution (both land and marine-based) as well as major threats to Fiji’s nearshore and offshore ecosystems and resources, including biodiversity loss, habitat destruction, waste management, and territorial integrity and security.
- (3) The Government of Fiji has recognized the opportunity to implement a more integrated approach to ocean governance and coordination between government Ministries and to work collaboratively with traditional communities, NGOs and various regional and international organisations.
- (4) Further challenges exist that include but are not limited to the financial cost and the delicate economic balancing exercise to implement Fiji’s NOP and ensure that MPAs are designated that can be both enforced and recognize the importance of sustainable fishing for Fiji’s economy and people. The economic challenges for Fiji have been exacerbated by the economic and other

effects of the Covid 19 pandemic. However, Fiji remains committed to sustainable economic management, ocean health, and preservation of economy, livelihoods and culture.

- (5) Fiji has many partners, friends and supporters that share Fiji's wider goals for its ocean spaces and the successful implementation of the NOP. This includes but is not limited to regional organisations and technical agencies like the Pacific Islands Forum Secretariat (including the Office of the Pacific Ocean Commissioner), the Forum Fisheries Agency (FFA), and the Pacific Community (SPC) as well as donor agencies and externally funded marine conservation NGOs.
- (6) Fiji and its existing partners have already completed significant body of work related to marine protection, marine spatial planning, blue economy, and fisheries, which will form the building blocks of this MOU.
- (7) At the 2016 United Nations Ocean Conference, Fiji committed to expansion of large-scale marine managed areas, undertaking integrated coastal management to preserve ecosystem services, improve climate resilience and sustain livelihoods, and delivering improved coastal fisheries management services.
- (8) The current Convention on Biological Diversity (CBD) Aichi Target 11 and United Nations Sustainable Development Goal 14 call for the conservation of at least 10% of the marine environment 'through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures' and the current CBD Aichi Target 6 calls for the sustainable management and harvest of all fish, invertebrates, and aquatic plants.
- (9) Resolution 050 of the International Union for Conservation of Nature calls upon nations to designate and implement at least 30% of each marine habitat within a network of highly protected marine protected areas.
- (10) There are growing calls from countries around the world to achieve 30% marine protection, including the High-Level Panel for A Sustainable Ocean Economy, High Ambition Coalition for Nature and People, and the Global Ocean Alliance.
- (11) There are growing calls from world leaders to achieve 100% sustainable ocean management of areas within national jurisdiction by 2025 including members of the High-Level Panel for a Sustainable Ocean Economy.
- (12) A marine spatial plan should include fully protected MPAs to maintain and restore marine biodiversity and ecosystems, as well as achieve social and economic objectives.

**II. Therefore, and recognizing the need to be science-based, context-specific, and participatory, the Parties agree to pursue the development and implementation of a Blue Prosperity Program that will include three core pillars of work:**

- (1) **Marine Spatial Planning (MSP)** to achieve a comprehensive marine spatial plan designed to sustainably manage 100% of Fiji's marine and coastal waters, including:
  - a. Developing, adopting, and enforcing legislation and policies to achieve a legally-binding marine spatial plan that includes MPAs and other use designations.
  - b. Fully protecting at least 30% of Fiji's marine and coastal waters.
  - c. Collecting, collating, and sharing existing knowledge and information about Fiji's marine and coastal environment, its condition, current and future uses, and areas of environmental value, including support for an open-source geospatial data platform.

- (2) **Blue Economy (BE) Planning** to promote economic growth, social inclusion, and the preservation or improvement of livelihoods while at the same time ensuring environmental sustainability of the oceans and coastal areas, including:
  - a. Assisting with the coordination and evaluation of blue economy projects and programs.
  - b. Scoping Fiji's blue assets, conducting rigorous analysis and identifying options for core focus of partnership efforts.
  - c. Shaping the blue economy through the design and adoption of a blue economy strategy, utilizing a process that is inclusive of the private sector, government, academic and other institutions.
  - d. Accelerating sustainable economic diversification and blue economy growth through implementation of selected highly focused initiatives.
- (3) **Sustainable Fisheries** to safeguard long-term, sustainable ocean production, including:
  - a. Assessing status of Fiji fisheries sector, conducting rigorous analysis and identifying options for core focus of partnership efforts.
  - b. Designing a Sustainable Fisheries Plan that supports local food security, fishery livelihoods, economic well-being, and ocean ecosystem health through a process that includes fishers, government, academic and other institutions.
  - c. Undertaking fisheries projects in support of the Sustainable Fisheries Plan.

**III. Guiding principles. In undertaking a Blue Prosperity Program, the Parties agree to the following principles:**

- (1) Support an integrated approach to ocean-based sustainable development by advancing marine spatial planning, sustainable fisheries, blue economy, and marine protection that achieves fair and equitable benefits sharing for now and for future generations.
- (2) Adopt science and knowledge-based processes, including local and traditional knowledge.
- (3) Understand the necessity for legally-binding approaches and effective compliance and enforcement systems.
- (4) Aim for long-term financial independence and viability of implementation.
- (5) Recognize the important roles that national and local governing bodies play in managing Fiji's marine waters.
- (6) Develop local knowledge, expertise, and capacity.
- (7) Ensure robust public participation in the program's planning and implementation processes.
- (8) Recognize that revisions and adjustments may be needed over time to maximize effectiveness.
- (9) Respect and integrate local cultures, traditions, and values into management and protection regimes.

**IV. Joint responsibilities. In undertaking a Blue Prosperity Program, the Parties agree to the following:**

- (1) Ensure Parties work in partnership through collaboration and transparent communication, as well as clear lines of authority and actions, by establishing terms of reference and work plans.
- (2) Strive to meet agreed upon deadlines and accomplish the Program described herein.
- (3) Develop additional agreements and MOU as necessary to achieve the goals of the partnership.
- (4) Clearly articulate Program partnership, including identifying key roles and responsibilities and how this Program aligns with and complements existing partnerships and programs.

**V. Fiji's responsibilities. Fiji agrees to undertake the following activities in support of a Blue Prosperity Program:**

- (1) Provide vocal, non-partisan endorsement for the Program.
- (2) Appoint a high-level government official to serve as the key point of contact, provide advisory support, and coordinate activities in support of the Program.
- (3) Establish a Government working group including high-level government officials from all relevant ministries.
- (4) Create an advisory committee of stakeholders that will meet regularly to provide input into the Program processes.
- (5) Actively engage in the Program throughout the project by participating in meetings and other activities and providing technical and logistical support where needed.
- (6) Lead the creation of a legal and administrative framework for a dedicated fund to assist with the sustainable financial implementation of Fiji's commitments as envisioned in the NOP, potentially including developing incremental funding mechanisms, recognizing that this action will have no financial cost implications to the Fijian Government.
- (7) Lead public consultation processes.

**VI. The Waitt Institute, which serves as the organizing body of the BLUE PROSPERITY COALITION (BPC), will lead and coordinate work with Coalition partners and others to deliver core technical support to achieve the pillars of work identified in Section II, including:**

- (1) Program management and coordination to ensure the timely completion of this complex body of work.
- (2) Scientific research, synthesis, and analysis.
- (3) Legal analysis and drafting (in consultation with the Solicitor-Generals' Office).
- (4) Support the creation of sustainable finance mechanisms including but not limited to the dedicated fund referred to in Part V (6).
- (5) Knowledge exchange and government and civil society capacity building.
- (6) Communications and outreach.
- (7) Community consultation, education, and outreach.
- (8) Enforcement planning, monitoring, and compliance.
- (9) Other related activities identified by mutual agreement of the Parties.



**VII. The Parties will accomplish this Program according to the following phases and timeline:**

- (1) **Phase 1 | Work Planning.** Within 6 months of signing this Declaration, the Parties will:
  - a. Establish a system of program governance, draft terms of reference, and identify the program oversight team.
  - b. Determine a 5-year program of work and 1-year detailed work plan among the Parties for a Program to achieve the adoption of a legally-binding Marine Spatial Plan, advance blue economy activities and enhance sustainable fisheries in support of Fiji's National Ocean Policy.
- (2) **Phase 2 | Assessment, Planning and Legal Development.** Whereas, the National Ocean Policy aims to protect its oceans with the designation targets of 5% by 2023, 10% by 2025, and 30% by 2030 supporting conservation and protection, this Program will aim to accomplish these goals at least by these dates. However, given the global urgency for action, this Program strives for a timeline of achieving the designation of fully protected 30% marine protection by 2025 allowing for the implementation in line with government's legal framework by 2030.

Therefore, within 36 months of completion of phase 1, the Parties will:

- a. Complete assessment, planning and legal development needed to achieve marine spatial planning, blue economy, and sustainable fisheries objectives.
  - b. Support the adoption of any necessary new laws, regulations, and/or policies to develop and adopt enforceable, comprehensive to all marine and coastal waters, Marine Spatial Planning approaches designed to sustain the marine environment while growing the blue economy.
  - c. Strive to designate at least 30% of Fiji's marine and coastal waters as fully protected MPAs based on best available science, identification of sustainable financing mechanisms and meaningful stakeholder consultation through the marine spatial planning process.
  - d. Develop improved sustainable management plans for the remainder of the EEZ not fully protected.
  - e. Supporting other activities as jointly agreed.
- (3) **Phase 3 | Implementation.** If Phase 2 is successfully completed within the 30-month time period, the Blue Prosperity Coalition will support a 30-month Phase 3 focused on implementing legal frameworks and plans, potentially including but not limited to:
    - a. Developing implementation plans.
    - b. Establishing management frameworks and systems.
    - c. Establishing licensing programs.
    - d. Further legal development as needed.
    - e. Supporting further development of compliance and enforcement programs.

**VIII. Data Sharing**

- (1) All intellectual property rights in scientific data owned by Fiji that is shared with BPC under this MOU shall be owned by Fiji and used in accordance with the terms of use specified in one or more data-sharing agreements.

- (2) All intellectual property rights in scientific data generated by the Program under this MOU shall be co-owned by Fiji and the BPC for the duration of the project and beyond. BPC and Fiji shall jointly have the right to make, have made, reproduce, modify, distribute, perform, and otherwise use all data generated by the project, including Work Product produced under the MOU, for non-commercial research, scholarly work, government purposes, and other non-commercial purposes without payment or accounting to the other party.
- (3) Parties commit to timely development and execution of data-sharing agreements as necessary in order to implement the Program.

**IX. Respect for sovereignty**

- (1) At all times, BPC acknowledges and will respect the sovereignty and sovereign rights of Fiji over its resources and its EEZ and this includes but is not limited to respecting that the Fiji government in conjunction with the NOP Steering Committee is the final decision-maker in relation to the implementation of the NOP.
- (2) At all times, BPC acknowledges that its role is limited to providing advice, support and assistance in consultation with the Ministry of Economy and Fiji's government upon the specific request from the Fijian government and in order to assist the Fijian government's leadership in the implementation of the NOP and in relation to the agreed Focus Areas below.
- (3) Any activity carried out pursuant to or in connection with this MOU or technical assistance, advice or support shall be with due consultation and approval by the Ministry of Economy in accordance with the Joint Work Plan approach set out in this MOU, and the Parties agree to consult with each other on any issues or challenges associated with this provision.

**X. Amendment, review, and consultation**

- (1) The Parties may amend any provision of this MOU in writing. Any party to this MOU may request the other to enter into consultation on any aspect or issue under the MOU.
- (2) The Parties shall review progress on implementation of their commitments or any issues relating to any part of the MOU.

The Parties have executed this MOU on the dates set forth below.

Signed:



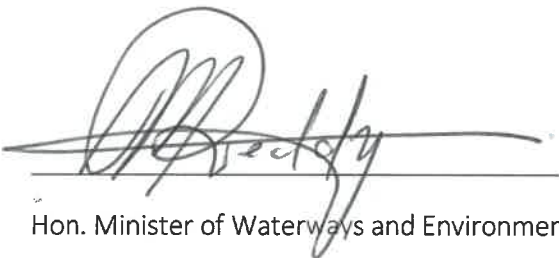
Hon. Attorney-General and Minister for Economy,  
Civil Service and Communications  
On behalf of Fiji

Date: 03/12/2021



Hon. Minister of Fisheries  
On behalf of Fiji

Date: 03/12/21



Hon. Minister of Waterways and Environment  
On behalf of Fiji

Date: 03/12/21



Ted Waitt  
Founder & Chairman  
Waitt Foundation and Waitt Institute

Date: 03/12/21

## **ADDENDUM [Specifics for Country for the value proposition]**

[Country] [Ocean Policy Name]

### **ADDENDUM**

BPC Pillars of Work | In undertaking the 5-year program of work, and complementing existing national laws, regulations and/or policies of [Country], the Parties shall support the following activities:

- (1) Scientific research, synthesis, and analysis
  - (a) ...
  - (b) ...
- (2) Legal analysis and drafting
  - (a) ...
  - (b) ...
- (3) Development of sustainable finance mechanisms
  - (a) ...
  - (b) ...
- (4) Knowledge exchange and government and civil society capacity building
  - (a) ...
  - (b) ...
- (5) Communications and outreach
  - (a) ...
  - (b) ...
- (6) Community consultation, education, and outreach
  - (a) ...
  - (b) ...
- (7) Enforcement planning, monitoring, and compliance
  - (a) ...
  - (b) ...
- (8) Other related activities identified by mutual agreement of the Parties
  - (a) ...
  - (b) ...

### **EXAMPLES**

- (1) Marine spatial planning that includes the designation of a national MPA Network, in alignment with key partners.
- (2) Development of sustainable financing mechanisms to support oceans management in perpetuity.
- (3) Support scientific surveys and assessments of Country's coastal and marine environment.
- (4) Legal analysis, development, and advocacy to support implementation of policies and plans.



- (5) Community consultation, education, and outreach, including strengthening traditional knowledge and governance.
- (6) Communications and political strategy.
- (7) Improve EEZ monitoring and enforcement to stop IUU fishing and revenue loss, including comprehensive electronic monitoring and identifying other capacity needs.
- (8) Capacity building for key government agencies and local organizations.
- (9) Customized implementation strategy and transition plan; and
- (10) Other customized solutions that align with the National Ocean Polity as agreed by all Parties.

## DEFINITIONS

- (1) [Country's] Marine Waters include [Country's] waters from the shoreline to the seaward boundary of the nation's water, including bays, estuaries, reefs, territorial seas, and the exclusive economic zone.
- (2) Fully protected - (as defined in the Marine Protected Area Guide) No extractive or destructive activities are allowed, and all impacts are minimized.
- (3) Marine Protected Area (MPA) - (as officially defined by the IUCN) - is "a clearly defined geographical space, recognized, dedicated, and managed through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values."
- (4) Marine Spatial Planning - (as defined by the Intergovernmental Oceanographic Commission (IOC) of UNESCO) is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that usually have been specified through a political process.
- (5) Blue Prosperity Program - a program of work with partner governments, local NGOs, and relevant stakeholders that is locally relevant and participatory ensuring that all voices are heard and input is provided to shape the program priorities and outcomes that will facilitate the policymaking process through working with government partners and local legal experts to build capacity for effective implementation and long-term success for effective ocean plans.