



Government of Samoa

# Foreign Affairs and Trade Bulletin

MINISTRY OF FOREIGN AFFAIRS & TRADE  
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2009

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## Forum Ministers decide on way forward for PACER-Plus



At the recently concluded meeting in Apia, Forum Ministers met, discussed and made decisions on a number of trade related issues for the region including the way forward for PACER-Plus. Below is the statement issued by the Ministers at this meeting.

Ministers recognised the importance of deepening regional trade integration as a means to create jobs, enhance private sector growth, raise standards of living and advance the region's sustainable economic development. They affirmed that PACER-Plus provides the Pacific region with a significant opportunity to develop a truly innovative trade and economic agreement that takes account of the different stages of development of each nation. In addition, Ministers stressed the importance of progressing PACER- Plus as a means to underpin the economic security of the region through capacity build-

ing and market liberalization. They reflected their intention to bolster the capacity of all Forum Island Countries (FICs) to take advantage of trade opportunities to help their economies grow, and become more resilient to shocks such as the current global economic crisis. FIC Ministers welcomed and expressed gratitude to Australia and New Zealand for their stated funding contribution for the establishment of the Office of Chief Trade Adviser (OCTA). In reflecting the strong engagement at Ministerial and Officials levels over the past 12 months, Ministers recommended to our leaders that PACER- Plus negotiations commence after the conclusion of the Pacific Islands Forum Leaders Meeting in Cairns in August 2009. This decision responds to the direction given by Leaders in Niue 2008 to agree at the 2009 Forum to the commencement of negotiations.

In particular, Ministers have agreed to the following decisions:

1. Recommend to Leaders that PACER-Plus negotiations commence after the conclusion of the Pacific Islands Forum Leaders Meeting in Cairns in August 2009;
2. The Office of an independent CTA be established forthwith;
3. The OCTA be established initially as a special unit of the PIFS prior to the establishment of the permanent office in Vanuatu;
4. The Secretary General be requested to proceed immediately to advertise for a suitable candidate as Chief Trade Adviser (CTA), noting that the CTA would be responsible for recruiting necessary staff for the OCTA;
5. Further and future funding for OCTA building on the Australian and New Zealand contri-

*(Continued on page 2)*

butions be also sought from other donors;

**6.** A Board of Governors comprising FICs Lead Spokesperson on PACER-Plus matters as Chairman together with the two Alternate Lead Spokespersons being the Ministerial representatives and four Senior Officials to be selected from the remaining FICs in rotation, the first four to be chosen from Vanuatu, Nauru, Palau and Samoa to be responsible for the affairs, work programme and budget of the OCTA;

**7.** The CTA as required by FICs shall participate in the PACER-Plus negotiations;

**8.** Forum Trade Ministers should meet as soon as practicable following the meeting of the Forum Leaders in August 2009 to develop a framework for the PACER-Plus negotiations. This meeting is to take place in the Federated States of Micronesia not later than November 2009.

The framework would include:

**a)** issues of timelines (whether 2, 3

or 5 years) within which the negotiations are to be completed;

**b)** the identification of issues relating to PACER-Plus arrangements common to all Forum countries; and

**c)** issues in respect of which the CTA could negotiate, including common issues.

**9.** Annual review of the progress of the PACER-Plus negotiations and the arrangements for the OCTA.

## **Forum Trade Ministers' Meeting Opening Remarks by the Honorable Prime Minister, Tuilaepa Lupesoliai Sailele Malielegaoi.**

**17 June 2009, Apia.**



Rev. Dr. Iutisone Salevao,  
Honorable Ministers,  
Secretary General,  
Representatives from International Agencies,  
Distinguished delegates,  
Ladies and Gentlemen.

It's a great pleasure to warmly welcome you to Samoa and to make a few remarks in the opening ceremony of your very important meeting.

Our world is in the grip of the worst financial and economic crisis since the Great Depression. We are also being constantly reminded of the global challenges with food, energy and the environment, to name some, that affect all our island nations. This is the unavoidable backdrop against which your meeting takes place. But I know that this rather grim state of affairs will neither distract nor deter your meeting from making key decisions that would advance the individual interests of our countries and our region. Very importantly your decisions to improve trade arrangement and economic development in our region would in themselves, and together in

concert with decisions made by your ministerial colleagues dealing with other sectors of our collective interests, pave the way in making our countries better prepared and more resilient in responding to the impact of global shocks. In the course of the implementation of your decisions, our region will take important steps towards the goals of greater cooperation and integration in the Pacific Plan.

I am informed that in your deliberations you will consider the recommendations from your officials who met last week and make decisions on:

- ◆ A funding proposal for the Forum World Trade Organization office in Geneva;
- ◆ The establishment of a regional Intellectual Property Traditional Knowledge body and other intellectual property-related issues;
- ◆ Aid-for-Trade initiatives and the regional Trade Development Facility;
- ◆ The preparations to convene a food summit in the Pacific

region;

- ◆ The developments to strengthen partnership arrangements between government and the private sector at the regional and national levels; and
- ◆ A PACER Plus Roadmap and the Office of the Chief Trade Advisor.

On the PACER Plus, you would recall the Niue Forum Leaders endorsement of the outcomes of your meeting in the Cook Islands in July last year and in particular, the need to formulate a detailed road map on PACER Plus with the view to Leaders agreeing at this year's Forum in Cairns to commence the negotiations.

I understand a lot of work and a great deal of thought has gone already into a detailed examination of options on how this could be achieved in the series of informal consultations at which many of you, both honorable ministers and officials were involved with.

Those intense informal consultations were entirely  
*(Continued on page 3)*

necessary and appropriate in my view to prepare for negotiations and the inevitable attendance sensitivities and unknowns that would be encountered in the course of this important undertaking. That said I have no doubt that your meeting will take into full consideration your decision in July last year and that of Forum Leaders meeting in Niue. My own sense is that good preparations have been made as evidenced by the series of meetings already held to date on the PACER Plus. This is as it should be and the right thing to do. But it is only when you commence

negotiations that these preparations would be tested and the guesswork on the unknowns taken out of the equation, and enables a clearer picture to emerge of where our Forum Island Countries need more help and more time, to ensure that the eventual agreement delivers its intended benefits to our island countries and serve the purposes of our Forum.

In closing my remarks, I would like to wish you all, Honorable Ministers and your delegations an enjoyable time during your stay with us and a safe return home when you leave our shores.

I wish you a successful meeting over the next two days. It is an honor and great pleasure to now declare the 2009 Forum Trade Ministers' Meeting open.

Thank you,

Soifua



*The Samoan delegation outside the WTO headquarters in Geneva.*

## 18th Geneva Week

Samoa's Delegation to the 18th Geneva Week were:

1. Auelua Samuelu Enari (ACEO-MFAT)
2. Maumalo Ioane Alama (ACEO-MFR)
3. Donald Kerlake ( Legal Consultant)
4. Nella Tavita-Levy (Principal Trade Officer-MFAT)
5. Fiona Lene (Trade Officer-MFAT)

Cabinet in its meeting on the 21st May 2009 endorsed participation of Samoan officials particularly involved in its WTO accession to a week long meeting of the WTO held twice every year and at its headquarters in Geneva, 25-29 May 2009. Samoa's delegation was lead by Auelua Samuelu Enari former ACEO of Trade for MFAT. As pictured above, the delegation included a representative from the Ministry for Revenue and Attorney General's office plus a principal officer and an officer of MFAT. Samoa met individually with WTO member countries who are in Samoa's working party and negotiating bilaterally in trade in goods and services as per procedures of acceding to WTO.

Similar to previous Geneva week meetings, Samoa tries to utilize this opportunity to conduct bilateral con-

sultations and informal working party meeting to accelerate its accession process. These bilateral arrangements included meeting with Japan, USA, EU and Ukraine as the remaining bilateral negotiating countries in our working party.

Samoa was also requested to make a presentation on Rules within LDC accession guidelines within WTO during the Dialogue for Acceding Least Developed Countries. Ms Nella Tavita-Levy of Samoa presented on the Rules and the experience of Samoa in its accession with regards to LDC guidelines put forth by WTO. It was also emphasized to WTO members the need for a cut-off period for members to join the working party of acceding LDCs. Other countries who presented also shared their experiences and in particular the problems and difficulties

faced hindering an early accession.

The delegation in its last day in Geneva attended a meeting organized for all its working party members to discuss and clarify issues pertaining to Samoa's draft Working Party Report on its accession. This meeting was chaired by Mr. Chiedu Osakwe who is the Director for the Accessions' Division. Member countries represented were Australia, New Zealand, Japan, China, United States of America, European Union, Honduras and Ukraine. It was also the first meeting of Samoa's working party chairman, Ms Kuni Sato of Japan. The next Geneva Week is tentatively scheduled for November this year and Samoa hopes to achieve more milestones and drives further towards concluding its accession process before 2010.

# NES Learning Workshop, 26-28 May 2009, London

The Commonwealth Secretariat initiated and funded the organization of this workshop. The key objective of the workshop was to share experiences in the design, process and implementation of NES among Commonwealth member countries, where NES have been undertaken in the past 4-5 years. This would enhance the understanding of countries of what works and what doesn't in formulating NES projects in particular, and trade development in general.

The three (3) day workshop was conducted in six (6) sessions which covered the following topics:

- ◆ The NES process, the NES review, lessons learnt;
- ◆ Capacity building for sustainability;
- ◆ Key drivers of change in countries;
- ◆ Practical issues in developing and implementing a NES;
- ◆ Lessons from the NES process on a model for delivery of technical assistance;
- ◆ From strategy formulation to implementation.

Below is a summary of the issues discussed at the workshop.

## ***1. The NES process and lessons learnt***

Some countries have recruited foreign consultants to design the NES and other projects for their country and carry forward the process. However, it was recommended that the projects itself should be driven and owned by nationals (national team) of a country for they are the ones who fully understand their own values and norms. The main element achieved by some NES during the process, was the efficient networking skills shared between all stakeholders. As part of this, some countries have established their public-private organization/board to

better discuss issues related to the development of trade of the country.

## ***2. From blueprints to best fit***

Export strategies are designed to improve competitiveness of countries' local products in overseas markets, which thus lead to a better living for the people. Countries should focus on products which they think can yield high value (value added products), thus linked to the issue of export diversification. Blueprints are considered as: (1) trade agreements for preferential access; (2) adopt policies, develop institutions, provide public goods; (3) financial support; and why these blueprints failed, was also discussed.

Blueprints failed as a result of poor coordination between key players (government, private sector and civil society); lack of resources and capacity, and lack of financial support, to name a few.

## ***3. Key drivers of change***

Successful change needs strategic leadership, and in order to encompass this strategic leadership, a need to find credible and capable drivers from both public and private sector is necessary. Let them own the process and deploy resources on a transparent basis and most importantly, is to ensure top level backing (cabinet and heads of ministries/organisations). Both public and private sector are different in organizational roles and responsibilities but should have the same objective of improving the standard of living of the people. Public sector can not operate without the private sector and vice versa. Thus, motivate both sectors to work hand-in-hand and ensure an enabling environment for the development of trade of the country.

## ***4. Model for delivery of technical***

## ***assistance (TA)***

Samoa is an LDC with limited capacity to effectively address challenges it faces in building her economy. As a consequence, it is among many countries dependent on technical assistance from multilateral donors.

Making TA work will require:

- ◆ Ownership of projects by recipients accounts most for the success of projects. However, what matters is their vision and their development, but not donor's ideas and what they have to offer;
- ◆ More control over capacity building especially in the human resource; and
- ◆ The recognition that development is an indigenous, locally driven process.

Some of the key recommendations were as follows:

- ◆ Strengthen the public-private partnership to ensure efficient implementation of activities identified in the NES;
- ◆ The key drivers of change should strive towards building their human resource capacity to ensure an enabling environment for the development of our products, in order to meet the standards required by markets;
- ◆ Commitments from top level people such as Ministers and heads of government ministries/organizations, in every aspects of the project i.e. the process, implementation, etc is highly recommended; and
- ◆ Ensuring a close partnership with our development partners in working together to achieve the goals and objectives of our Samoa NES, and also the development of trade in general.

Samoa was represented by Ms. Wulf of MFAT and Mr. Percival of SAME to this workshop.

## Samoa and other PACPS determined to maintain and Improve Trade Relations with the European Union.

Samoa participated at a Technical Working Group committee meeting on Legal and Institutional Capacity building (TWG-LICB) held between the 20<sup>th</sup>–21<sup>st</sup> April, 2009 at Tanoa hotel Nadi, Fiji. Representing Samoa at this meeting, was the then ACEO Trade, Auelua Samuelu Enari, Mr. Ulupale. Fuimaono, Senior Legal Researcher Samoa Law Reform, and Mr. Musubire Stephen, Trade Policy Analyst (Hubs and Spokes, Comsec). Present at the meeting were also Trade and Legal Officials from the following Pacific ACP States (PACPS): the Cook Islands, Fiji, Kiribati, Nauru, Niue, Papua New Guinea (PNG), Republic of the Marshall Islands, Palau, Samoa, Solomon Islands, Tonga, and Vanuatu

The meeting was convened by PIFS to consider various issues arising out of recent Economic Partnership Agreement (EPA) negotiations between the Pacific ACP States (PACPS) and the European Commission (EC) relevant to the mandate of the TWG-LICB. Discussion at the meeting revolved around discussing further inputs in addressing the key outstanding issues in the draft PACP EPA legal text being negotiated with the EC with a view to progressing the PACP position.

The issues discussed included:

- ◆ Joint Conclusions of the September 2008 PACP-EC Joint Technical Working Group Meeting;
- ◆ Outcomes of the PACP Trade Ministers meeting held in October 2008;
- ◆ PACP proposals formulated since the last JTWG in September 2008 and EC responses;

- ◆ Update on London & Brussels Meetings: Realising the Development Dimensions of EPA;
- ◆ Recent EPA developments in other ACP regions of relevance to the PACPS.

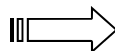
It was agreed among other things that the approach towards EPA negotiations for the remaining negotiation period would comprise of encouraging;

- ◆ PACPS which had not already done so be urged to consider submitting trade in goods offers for inclusion in the EPA, and to seek the assistance from the PIFS if necessary;
- ◆ The PACPS, including PACP Ambassadors in Brussels, and the PIFS monitor developments in EPA negotiations in other regions with a view to including in the PACP negotiating positions relevant proposals and provisions agreed in other negotiations, adapted to take account of local circumstances;
- ◆ The PIFS contact PACP Ambassadors in Brussels and London to seek their assistance in exploring the possibility of PACP representatives meeting with representatives of African negotiating groups during the forthcoming ACP Ministerial Trade Committee meeting to exchange experiences on EPA negotiations in their respective regions;
- ◆ The PIFS contact PACP Ambassadors in Brussels and London to seek their assistance in exploring the possibility of PACP representatives meeting with selected Members of the European Parliament in early May to

see how the European Parliament might support the region in its EPA negotiations;

- ◆ The PIFS propose provisions in certain trade-related areas for consideration by PACP Trade Officials for inclusion in the draft EPA which would focus on cooperation and capacity-building in the immediate future with references to the review of the situation after a certain period of time with a view to considering binding legal obligations in light of the PACPS' increasing capacities;
- ◆ The PIFS propose for consideration by the PACP Trade Officials the inclusion, as appropriate, of 'benchmark' provisions relating to the review of legal commitments assumed by the PACPS under the EPA and the assumption of new commitments;
- ◆ The PIFS review the provisions in the draft EPA text relating to institutional arrangements and making appropriate recommendations to the PACP Trade Officials, taking into account developments in other regions and the unique circumstances of the PACP region;
- ◆ PACPS considering participating in the trade in goods component of the EPA be urged to review in detail the draft Protocol on Administrative Assistance in Customs Matters and inform PIFS of any proposed amendments they might wish to make to the Protocol so that those proposals can be circulated to all PACPS for their consideration.

Samoa is in the process of reviewing her market access offer to the EC under the EPA, with a view of encouraging trade with the EC region but also bearing in mind that her development aspirations are catered for and both parties emerge better off in any arrangement or agreement concluded.



### MFAT NEWS BULLETIN

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*Please contact the Trade Division of MFAT or Fiona Lene ([fiona.lene@mfat.gov.ws](mailto:fiona.lene@mfat.gov.ws)) of any changes made to your ad-*

**PICTA Trade in Services - Third Round of Negotiations**  
**22-24 April 2009, Tanoa International Hotel**  
**Nadi, FIJI**

Following the previous first (Nadi – April 2008) and second round of PICTA TIS negotiations held in Rarotonga in July 2008, the 3<sup>rd</sup> round of PICTA Trade in Services and TMNP negotiations among the Forum Island Countries (FICs) was held from 22 to 24 April 2009 in Nadi, Fiji Islands. The following summary was agreed upon in the meeting as a published article coverage of this third round of negotiations and as contained in the Forum Secretariat’s website.

Senior officials from the fourteen Forum Island Countries (FICs) met in Nadi, Fiji from 22-24 April 2009 for the third round of negotiations of a trade in services agreement under the Pacific Island Countries Trade Agreement (PICTA). In acknowledging the efforts of Trade Officials, the Secretary General of the Pacific Islands Forum Secretariat, Tuiloma Neroni Slade, said that “in accordance with the Ministerial mandate, Forum Islands Countries must endeavor to conclude negotiations in 2 0 0 9 ” .

Mr Slade added: “The extent of liberalization of services among the FICs would have to be sufficiently extensive so that future commitments with other developed partners do not supersede the liberalization initiatives among the FICs.” He also emphasized the importance of liberalization of services being supported by relevant supporting mechanisms such as basic regulatory reforms and social impact assessments.

The FICs exchanged their offers and requests for the PICTA trade in services agreement at the negotiating sessions. A number of FICs also engaged in bilateral discussions at the meeting with interested parties to discuss their requests and offers further with the objective of having access to specific services sectors of the other F I C s .

Officials acknowledged the need for further work as they progress with the PICTA trade in services negotiations. As they revise their offers and requests, the officials agreed to engage in intensive consultations with the relevant authorities, and non-state actors, including the private sector over the next few months before reconvening for the fourth round of negotiations. A draft report on the proposed framework for a PICTA Temporary Movement of Natural Persons (TMNP) scheme was also discussed at the meeting. A draft conceptual framework for the scheme is expected to be finalized in May, which will be further discussed with relevant officials and other stakeholders at the national level in the coming months. The officials re-affirmed their commitment to conclude a PICTA trade in services agreement by end-2009, in line with the FIC Trade Ministers’ decision.

**Enhanced Integrated Framework (EIF)**  
**Status of Work**

A considerable amount of work has been carried out on the EIF front since the last update. Local esteemed consultancy firm KVAConsult Ltd was selected as the Team Leader for the DTIS project. Equipped with a very-respected portfolio of trade related projects around the Pacific, KVA Consult were underway in no time to start the ground work in preparation for the study.

Further to ongoing consultations with stakeholders, two (2) meetings for the Steering Committee have occurred. One in early March, and the more recent one in May where several documents and discussion papers were tabled, discussed, reviewed, revised and endorsed for the progress of the study. Significant input has been noted from not only line ministries but also from the representatives of the private sector, NGOs and bodies.

A mission from the IF Secretariat in Geneva & UNDP Geneva Office was scheduled for April, the result of the three day consultation reflected the drive of not only the Samoan Government but also the EIF Board to progress the work of the IF in the hope to mainstream trade. Prior to commencing the DTIS study, an Aide Memoire outlining the scope and coverage of the study is to be tabled in Cabinet for approval.

## Samoa Concludes Bilateral Negotiations With Australia : Another Milestone Of Its Accession To WTO

The conclusion of the Samoa-Australia bilateral negotiations under Samoa's accession to the WTO, marks another milestone in Samoa's process of integration into the multilateral trading system.

Recalling that Samoa's trade policy is to ensure that domestic production is enhanced, exports are promoted, and safeguards are in place to shield domestic sectors and industries against external anti-competitive practices, Samoa continues in her quest to accede to the WTO so to have a better platform to negotiate for the removal of trade barriers, promote free trade and gain access to new markets.

The bilateral trade agreement was

signed by Hon. Simon Crean, Australian Minister for Trade and Hon. Misa Telefoni, Samoa's Deputy Prime Minister and Minister for Trade Negotiations. The signing ceremony took place during Hon. Simon Crean's two day visit to Samoa on 3rd April 2009 at Aggie Grey's Resort and Spa at Mulifanua.

Australia is the fourth WTO member to have signed a bilateral with Samoa under the current accession to WTO and only the second country to have signed in Samoa.

Hon. Misa Telefoni thanked Hon. Simano Crean for Australia's understanding and commended the considerable efforts by officials from the Samoan Ministry of Foreign

Affairs and Trade's Trade Division as well as the Australian officials in Geneva, Canberra and Apia.

The Deputy Prime Minister also commended the involvement of stakeholders in the consultation process as well as the input from the Samoa National WTO Working Committee that included representatives of government, private sector and civil society.

Samoa enjoys a positive balance of payments with Australia. In 2007 merchandise trade between Samoa and Australia in 2007-08 amounted to A\$119million. Exports to Australia totaled \$180 million while imports from Australia were valued at \$56 million.

## WTO Reference Centre

The World Trade Organization (WTO) Reference Centre (RC) is now open at the Ministry of Foreign Affairs and Trade (MFAT). The RC offers a series of information about the WTO and trade related issues. Documents and publications from the WTO are regularly updated. The RC also offers limited internet access to the WTO

website and other trade related resources. The objective of this initiative is to enhance public awareness on the WTO system and offer interested users free access to WTO and information as well as trade related publications issued by other international agencies. The business community, government officials, students and researchers are welcome

to use the RC resources. We only require that you make an appointment prior to visit. Guidelines for the use of the RC have been developed.

For further information on the RC, please contact Ms Soifualupa Tinai-Wulf on 21171 or via email [soifualupa@mfat.gov.ws](mailto:soifualupa@mfat.gov.ws)

## TRADE DIVISION—UPDATE

The Trade Division is tasked with the responsibility of managing, coordinating and facilitating trade development and promoting initiatives as well as providing policy advice on national, regional and international trade matters. The following are the staff currently employed at the Trade Division:

- |    |                            |   |  |
|----|----------------------------|---|--|
| 1. | Mrs. Aida Savea            | - | Principal Foreign Service Officer, Trade                     |
| 2. | Mrs. Nella Tavita-Levy     | - | Principal Foreign Service Officer, Trade                     |
| 3. | Mr. Henry Tunupopo         | - | Principal Foreign Service Officer, Trade                     |
| 4. | Mrs. Terozita Uitime       | - | Senior Foreign Service Officer, Trade                        |
| 5. | Mrs. Soifualupa Tinai-Wulf | - | Foreign Service Officer, Trade                               |
| 6. | Ms. Fiona Lene             | - | Foreign Service Officer, Trade                               |
| 7. | Ms. Anna Tapusoa           | - | Foreign Service Officer, Trade                               |
| 8. | Mr. Stephen Musubire       | - | Trade Policy Analyst (Commonwealth, Hubs and Spokes Project) |

Departed Staff of Trade Division:

- |    |                          |   |                                  |
|----|--------------------------|---|----------------------------------|
| 1. | Mr. Auelua Samuelu Enari | - Assistant Chief Executive Officer , Trade | → CEO, MCIL                      |
| 2. | Mr. Petaia Leavai        | - Senior Trade Officer                      | → Malua Theological College      |
| 3. | Mr. Louis Ofele          | - Senior Trade Officer                      | → Posted to China, MFAT Mission. |

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