

# **DRAFT TERMS OF REFERENCE FOR A WESTERN PACIFIC NAVAL SYMPOSIUM ENVIRONMENTAL WORKING GROUP**

## **INTRODUCTION**

1. Many maritime environmental issues are global in nature and can be the subject of public and interest group focus. A global media and modern information technology ensure that specific critical environmental incidents or poor management standards can quickly become a focus of attention and adverse comment. Issues attract even more attention if they affect people's livelihoods and wellbeing.
2. Navies are vulnerable to adverse public opinion and to constraints on training and operations due to perceptions of poor environmental management practises. As a consequence, some member navies have significant experience in managing specific issues that may be of particular interest to other members.
3. The EWG aims to foster cooperation between member navies on environmental matters, focusing on maritime environmental issues with regional implications for member states, and other matters of mutual interest, including but not limited to:
  - a. impacts of climate change;
  - b. sustainability of fisheries;
  - c. maintaining biosecurity;
  - d. compliance with International Conventions;
  - e. response to regional environmental disasters;
  - f. managing the impacts of environmental issues on member navy reputation; and
  - g. maintaining navy capabilities in an increasingly regulated maritime domain.
4. Importantly, environmental challenges for navies are escalating as the scale of impacts of human activities become more apparent, and as individual coastal states and the international community increasingly regulate activities in the maritime domain.
5. The WPNS EWG will facilitate collaboration and information sharing on future environmental challenges and practices, and benefit all member navies seeking to adapt to and manage these future challenges.

## **PURPOSE**

6. The WPNS EWG seeks to foster exchange of information among WPNS navies on environmental matters, with the intent to enhance environmental compliance standards and credentials, and to understand environmental challenges applying to member navies that may assist in future interoperability.

## **OBJECTIVES**

7. The WPNS EWG will aim to:
  - a. foster cooperation between member navies on environmental matters;
  - b. identify maritime environmental issues with regional implications for member navies;
  - c. discuss environmental compliance challenges and options for member navies;
  - d. facilitate alignment of environmental impact mitigation measures between member navies;
  - e. identify opportunities for collaborative projects to address environmental issues of relevance to member navies;
  - f. share relevant research information and outcomes to facilitate interoperability of respective member navies;
  - g. provide specialist advice to the WPNS on environmental matters; and
  - h. report meeting outcomes to the WPNS Workshops and Symposia.

## **COMPOSITION**

8. The EWG is to be chaired by an appointed officer of the WPNS Workshop host nation, who will remain the Chair of the EWG during out of session communications for the period until handover to the next WPNS host nation Chair.
9. The EWG membership is open to all member navies on a volunteer basis, and the delegated representative is at the discretion of each nation.
10. The Chair may invite representatives to present to the EWG at their discretion, including representatives and subject matter experts from government research and development laboratories, academic institutions, industry and other organisations to meet EWG objectives in accordance with Addendum One of the WPNS Business Charter.

#### **MEETINGS / COMMUNICATIONS**

11. The EWG will meet at least annually, with preference for the meeting to be scheduled prior to a WPNS Workshop to complement the activities of these meetings and to maximise the effectiveness of the EWG.
12. Informal electronic communications between EWG members to promote the objectives of the EWG are encouraged. The EWG may consider means to facilitate communications including a limited access website.
13. The Chair of the EWG will prepare a summary record of the meeting, coordinate it with the other country's senior meeting participant, and forward it for signature by EWG delegates from each participating navy. The record of meeting will be submitted for consideration and action as appropriate by the subsequent WPNS Workshop or Symposium.

#### **LEGAL**

14. All cooperation and technology transfer conducted under these TOR will be executed in accordance with respective national laws, regulations, and policies. Co-operation and technology transfer is predicated upon the safeguarding of information exchanged or shared in accordance with the provisions of the arrangements under which the exchange or sharing occurs.
15. Respective navy representatives have the right to ensure to their own satisfaction that their information will be protected before it is exchanged. EWG members will cooperate as fully as possible with the understanding that the members must comply with their respective country's national security provisions, laws, regulations, and policies.
16. These TOR are an expression of member navies' intention to cooperate in matters relating to environmental compliance and impact management, or other activities appropriate for the proposed EWG activity. The TOR is not an agreement binding under international law.
17. These TOR do not establish legally binding commitments or obligations on members. These TOR do not create any rights, duties, or responsibilities enforceable against any person or entity in any court of law or equity, or before any Third Party.

#### **REVIEW**

18. The WPNS Workshop will review these TOR as necessary, but no less than annually, to determine if mutual objectives are being met and whether the benefits derived from the Working Group are commensurate with the resources involved.
19. The WPNS Workshop shall forward any recommendations for TOR modification or changes to Working Group structure/role to the subsequent Symposium for review and decision.