

ATTACHMENT I

MEMORANDUM OF UNDERSTANDING ON THE UNITED STATES/PACIFIC ISLAND NATIONS JOINT COMMERCIAL COMMISSION

Whereas, in a meeting of the Leaders of the Pacific Island Nations, or more particularly, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Papua New Guinea, Republic of the Marshall Islands, Solomon Islands, Tonga, Tuvalu, Vanuatu and Western Samoa, on the one hand, and the President of the United States of America, on the other, at the East-West Center, Honolulu, Hawaii, on October 27, 1990, the President of the United States proposed that the Pacific Island Nations and the United States of America agree to form a joint commercial commission, and that the leaders of the Pacific Island Nations welcomed this proposal; and

Whereas, the purpose of the commission is to promote the development of mutually beneficial commercial and economic relations between and among the Pacific Island Nations and the United States of America (hereinafter the "Parties"),

Recalling the desire for a joint declaration of cooperation setting a commitment for the Pacific island countries and the United States of America to cooperate in a broad range of the region's political, economic, and cultural relations including the principle that cooperation and exchanges between the Parties shall be mutually beneficial and with the full participation of all parties.

Therefore, the Government of the United States of America, on the one hand, and the Governments of the Pacific Island Nations who have signed this memorandum of understanding, on the other, have reached the following understanding to guide the implementation of their agreement to establish a United States-

Pacific Island Nation Commercial Commission (hereinafter "Commission"),

ARTICLE I

The functions of the Commission shall be to:

1. Monitor trade and investment relations, identify and consult regarding the removal of impediments to, and problems affecting, trade and investment flows, and develop specific opportunities for expanding trade and investment in goods and services;
2. Exchange information on mutually beneficial development projects and activities;
3. Promote educational, training, technical assistance, and other related exchanges;
4. Undertake other appropriate actions to promote greater commercial cooperation between the Parties and their private sectors;
5. Provide a forum to foster private sector development initiatives and economic policies;
6. Facilitate relations between United States business enterprises and government, and the governments and private sectors of the Pacific Island Nations;
7. Promote involvement of United States business enterprises in the Pacific islands region by facilitating dissemination of information on emerging opportunities in the region; and

8. Discuss related issues of mutual interest.

ARTICLE II

1. The Commission shall consist of a United States Section and a Pacific Island Nations Section. The Commission shall be co-chaired by the Assistant Secretary of Commerce for International Economic Policy of the United States of America and a designated representative of the Pacific Island Nations (Co-Chairs).

Members of the Commission shall include government officials of both Parties responsible for the mutually agreed agenda items.

2. The Commission shall hold meetings as mutually agreed by the Parties. The meetings may be convened in conjunction with any regional meeting to be attended by the appropriate representatives of the Pacific Island Nations. The meetings shall take place either in the Pacific Island Nations, or in Hawaii or elsewhere in the United States. The Co-Chairs or their designated representatives shall preside over meetings of the Commission. Each Section may invite advisors and experts, including representatives of the respective private sectors, to participate at any meeting of the Commission.

3. The Parties shall advise each other in advance of the persons designated by them to participate at any meeting of the Commission.

4. The Parties shall agree on an agenda for any meeting prior to the scheduled date of the meeting. The Commission shall consider matters included in such agenda, as well as further matters which may be added to the agenda by mutual agreement.

5. In order to fulfill the tasks of the Commission, the Co-Chairs may establish Working Groups to consider specific matters, including, but not limited to, the exchange of information on specific industry sectors, including market trends, export/import procedures, channels of distribution, major projects, technological developments, and other areas deemed appropriate. The Commission shall determine the assignments of such Working Groups, which shall conduct their work in accordance with the instructions of the Commission.

6. Decisions as to the activities and actions to be taken by the Commission and the Working Groups shall be decided by mutual agreement.

7. The Commission will liaise closely with other South Pacific regional institutions, organizations and agencies, and coordinate its activities closely with them to maximize mutually beneficial cooperation and minimize duplication of program activities.

8. Each Section shall appoint an appropriate official to arrange the work of the respective Section of the Commission, coordinate the activities of the Working Groups and perform other tasks of an administrative nature in connection with the meetings of the Commission. These officials shall communicate with each other as necessary to perform their functions and shall designate respective co-chairs for any Working Groups established.

9. Any document mutually agreed upon during the work of this Commission shall be in the English language.

ARTICLE III

1. This agreement is undertaken in the spirit of mutual cooperation and assistance to the benefit of all Parties. Nothing in this Memorandum of Understanding shall be construed in such a way as to obligate either Party to commit funds to carry out any of its terms of responsibility. Activities undertaken pursuant to this Memorandum of Understanding shall be subject to availability of funds.

2. This Memorandum shall enter into force between the United States, on the one hand, and as many of the Pacific Island Nations as may sign it, on the other hand, as soon as the former and any one of the latter shall have signed this Memorandum. The understandings contained in this Memorandum shall apply from and after signature to those Parties who have signed it. Any Party may terminate this Memorandum of Understanding insofar as it applies to that Party upon six months written notification to the other Parties.

3. Upon written concurrence of the Parties, other island nations may join the Pacific Island Nations referred to in the first paragraph of the Preamble.

4. This Memorandum may be reviewed from time to time at the request of any Party and be revised with the concurrence of both Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Memorandum.

DONE AT Honolulu, Hawaii, in duplicate, this twelfth day of January, Nineteen Hundred and Ninety-Three in the English language.

FOR THE GOVERNMENT OF THE
COOK ISLANDS:

FOR THE GOVERNMENT OF THE
FEDERATED STATES OF MICRONESIA:

FOR THE GOVERNMENT OF THE
REPUBLIC OF FIJI:

FOR THE GOVERNMENT OF THE
REPUBLIC OF KIRIBATI:

FOR THE GOVERNMENT OF THE
REPUBLIC OF NAURU:

FOR THE GOVERNMENT OF NIUE:

FOR THE GOVERNMENT OF
PAPUA NEW GUINEA:

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE MARSHALL ISLANDS:

FOR THE GOVERNMENT OF THE
SOLOMON ISLANDS:

FOR THE GOVERNMENT OF THE
KINGDOM OF TONGA:

FOR THE GOVERNMENT OF TUVALU:

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE
REPUBLIC OF VANUATU:

FOR THE GOVERNMENT OF THE
INDEPENDENT STATE OF WESTERN SAMOA: