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Pacific Islands Forum: Eine völkerrechtliche Annäherung an Institutionalismus und Regionalismus in Ozeanien

In August 2011, the Pacific Islands Forum celebrates its 40th anniversary: forty years of evolution from an informal meeting of the then few independent Oceanic states to the most preeminent political body of the region. Nevertheless, the Forum remains a marginal note in the academic literature on public international law.

The present study seeks to close that gap. After a brief introduction into the Forum's economic and political work, the study's first main chapter describes the legal order of the Forum, with an emphasis on its organizational structure, on its memberships, and on the Forum's and its Secretariat's legal status. It follows an identification of the changes to this order that the new Forum's foundation agreement of October 2005 will entail upon its entry into force. Furthermore, the legal relationships of the various Secretariat agreements and the new Forum agreement are analyzed. The chapter ends with a discussion of the legal validity of the suspension of Fiji from participation in Forum events since May 2009.

A second main chapter assesses the 2001 resolution of the United Nations General Assembly that treats the Forum as a regional arrangement within the meaning of chapter VIII of the United Nations Charter. The study describes the Forum's activities relating to the maintenance of international peace and security in Oceania, chiefly its contributions to the non-proliferation of nuclear weapons as well as its deployment of the Regional Assistance Mission to Solomon Islands, and subsumes it under the legal characteristics of a chapter VIII arrangement.

The thesis closes with a brief outline of the general framework for the future development of cooperation in Oceania, i.e. the CROP mechanism, the Pacific Plan, and the Regional Institutional Framework.