

FRIDAY 11th DECEMBER 2009

The Speaker, Hon. Clement P. Kengava took the Chair at 10.10 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Minister for Planning & Aid Coordination; Justice & Legal Affairs; Culture & Tourism; Foreign Affairs & External Trade; Women, Youth & Children Affairs; Environment, Conservation and Meteorology; Communication & Civil Aviation; Lands, Housing & Survey; Agriculture & Livestock Development; Infrastructure & Development; Forestry; Home Affairs; Public Service; Education & Human Resources; and the Members for Central Makira; East Are Are; Mbaegu/Asifola; Ngella; Central Honiara; West Are Are; Lau Mbaelelea; East Makira; Temotu Vattu; North Guadalcanal; West Honiara; North West Guadalcanal; Malaita Outer Islands & West Makira.

STATEMENT OF GOVERNMENT BUSINESS

SPEAKER'S ANNOUNCEMENT

Mr Speaker: Honorable Members, before we proceed I wish to advise the House that I have been informed by the Chairman of the Parliamentary House Committee that there is no private members business for today. On that basis, the House Committee, in consultation with the Honorable Prime Minister resolves to allot today, being a private members day, for business normally only brought on a government day. This, of course, means that motions, bills and questions that would normally be considered between Monday and Thursday may be brought on today. Honorable Members, with that we will proceed to our next item of business.

MOTIONS

Mr Speaker: Honorable Members, on Monday 7th December, the Chairman of the Foreign Relations Committee moved a motion that Parliament resolves itself into a committee of the whole to consider National Parliament Paper, No. 37 of

2009, Report of the Foreign Relations Committee on the Inquiry into the Facilitation of International Assistance Notice 2003 and RAMSI Intervention. Yesterday the debate adjourned to this date. Members may now speak on the general principles of the report under discussion. In doing so, I kindly remind Members to comply with the rules of the debate set out in our Standing Orders and the ruling I have just made. The floor is now open for debate and the Member for Temotu Nende has requested to speak first.

Mr. OTI: Thank you for this opportunity to briefly contribute to the motion moved by the Chairman of the Foreign Relations Committee on the report of the FRC on the Inquiry into the Facilitation of International Assistance Notice. On that note, I want to thank the Chairman for this report and those that have been involved in compiling the report including members of the Foreign Relations Committee that have travelled widely throughout the country to conduct public hearing on this matter.

In making my presentation, I will restrict my presentation on the documents that the Foreign Relations Committee and its secretariat circulated to us, Members of Parliament for which, in my understanding, are most important documents and instruments that this review will look at. I cited these four for purposes of clarity and for purposes whereby my presentation will be restricted to observations in those instruments. The following documents or instruments, as I know, have been circulated to us. The first one is the Facilitation of International Assistance Act, No. 1 of 2003. The second document was the Agreement between Solomon Islands, Australia, New Zealand, Fiji, Papua New Guinea, Samoa and Tonga signed in Townsville 24th July 2003. The third document was the Facilitation of International Assistance Notice 2003, Legal Notice No. 61, and the fourth document was the Facilitation of International Assistance, Weapon Surrender Notice, Legal Notice No. 65. What was not included as circulated was the BIKETAWA Declaration of 2000, which I happened to access on the website because it is critical to understand why the Visiting Contingent is here. Because of the language used in the Notice, you will find that I am not making any reference to RAMSI. I am making reference only to the Visiting Contingency, which is the legal requirement under the Facilitation of International Assistance Notice.

In my view, these instruments or documents I am referring to here are essential and ought to be understood, so as to contribute meaningfully to the task that the Foreign Relations Committee has been mandated by Parliament to do through a resolution on the 24th of July 2008, hence as I mentioned the distribution of these documents before the hearing began. Whether these documents reach all intended stakeholders or not, I cannot say. But even if they

did for which I have my doubts, making sense out of these documents is quite another matter, especially those community sector representatives, selected to represent provincial wards in the 50 respective constituencies throughout the country. I must stress this particular point to support the thinking that only through an informed audience or stakeholder could the FRC truly and adequately satisfy its terms of reference, and the terms of reference are there inside the report. For purposes of this debate and my presentation, and I quote:

- (1) Parliament refers the Facilitation of International Assistance Notice to the Foreign Relations Committee for inquiry, review and report.
- (2) In undertaking this inquiry the Committee may consider any matter relating to:
 - (a) the Facilitation of International Assistance Act 2003, hence the relevance of that document
 - (b) the Agreement concerning the operation and status of the Police and Armed Forces and other Personnel Deployed to Solomon Islands to assist in the Restoration of Law and Order and Security between the Government of Solomon Islands and the Governments of certain Assisting Countries, and
 - (c) any other notices made under the Act that will assist the Committee in informing and making recommendations to this House in relation to the Notice.

Some Honorable Members of this House including myself perhaps took pains to drive this point home in their constituency, at least I did. How many of us in this Chamber delivered the four documents referred to, to those participants singled out per provincial ward, per constituency. For Temotu Nende Constituency 35 sets of documents were distributed and one day workshops were held for each ward for the seven wards in the Constituency in April 2009 before the FRC started its public hearing on 5th May 2009.

The aim of the one day per ward workshop was to, at least, make the communities and their ward representatives aware of the contents of the documents cited above, particularly the Visiting Contingents mandate under the Notice and the Facilitation of International Assistance Act 2003. Incidentally, what rudimentary grasps by the community of the mandate of the Visiting Contingents paid off at public hearing on 5th of May 2009 at Lata, Temotu Province? Unfortunately, the FRC report only quoted one comment which relates to the taxation immunity provision for the visiting contingent under the FIA Act. There are no other quotations from Temotu quoted there apart from

that one. Those from the other constituencies were quoted more on what your people talked about.

Members of this House may be wondering why I am making this point, but if you care to consult the FRC report, Parliament Paper No. 37, you will realize the relevance of this submission, particularly in relation to the concerns raised in Chapter 3 of the report. In effect, this is perhaps the only chapter of the FRC report that is relevant to intentions of Section 3 of the Facilitation of International Assistance Act for purposes underpinned by Section 23 of the law.

The review by the Foreign Relations Committee, the outcome of which is now before the House in the form of Paper No. 37 2009 is a requirement pursuant to Section 23 of the Act. The review, however, should have narrowed its focus on the intentions and objectives of Section 3 of the Act, the section of the law authorizing the Governor General to invite the Visiting Contingent to undertake those functions and responsibilities, mutually agreed to by and between regional countries in an agreement made in Townsville on the 24th July, 2003. The specific tasks to be undertaken by the Visiting Contingent are specified in Section 2 of the Act under the definition of “public purpose” and Article 2 of the Townsville Agreement under the heading Security Assistance. By and large, the intervention in Solomon Islands was and is being made possible through the provisions of the Biketawa Declaration by the Forum Heads of Government’s meeting in Kiribati in October 2000.

Any intervention without the requisite internationally or regionally sanctioned framework would have amounted to interference in the domestic affairs of another sovereign state. Hence the need to adopt a declaration such as the one made in Biketawa in 2000. So we can rightfully assume that without Biketawa there could not have been an intervention by the Visiting Contingent in July 2003, although any internationally acceptable or permissible option or options could have been explored and invoked.

Mr Speaker, under Article 2 of the Biketawa Declaration, Forum Leaders took cognizant of members request for, “assistance for action to be taken on the basis of all members of the Forum being part of the Pacific Islands extended family”. Furthermore, article 2 of the Declaration further stipulates that, and I quote, “The Forum must constructively address difficult and sensitive issues including the underlying causes of tensions and conflicts”. Finally, Article 2 of the Declaration underlines the processes to be undertaken or satisfied by the Secretary General of the Forum including members view on the situation to the convening of an adhoc meeting of Foreign Ministers, hence what transpired in Townsville in July 2003 in the case of Solomon Islands. Annex (a) of the Declaration provides for the guidelines for dialogue etc. where intervention is

warranted. It says in the Declaration that it must be cost effective and the clauses must be concluded.

Why would I be raving on about the Biketawa Declaration provision in this debate? Simple, and as I alluded to earlier and must be reiterated here that without the Biketawa Declaration, which is a regional commitment and understanding, it would not have been possible to mount an intervention in the form of the Visiting Contingent under the Facilitation of International Assistance Act 2003. In fact, from the regional perspective, the Facilitation of International Assistance Act is only legitimate because of the declaration by the Forum Leaders in the Republic of Kiribati in 2000. It is also pertinent to acknowledge the Biketawa Declaration because it also provides the legitimate basis for the Townsville Agreement of 24th July 2003 by the Forum Leaders. As I said a collective undertaking, supposedly and mutually entered into by sovereign states of equal standing whatever economic or political prowess or age each individual Forum Member country may possess over other parties to the agreement. This being said, it is interesting to note certain statements in the report on interpretation of what legal intentions might have been intended in the law by RAMSI putting that entity, the RAMSI entity on the same footing or at par with sovereign states, as if it was party to the Townsville Agreement or the Biketawa Declaration. The Visiting Contingent is only an instrument and a conduit to implement the intentions of the Forum in this regard, nothing more, nothing less.

The Solomon Islands National Parliament in July 2003 passed the Facilitation of International Assistance Act 2003. Obviously, the Parliament of Solomon Islands was able to do this after the processes outlined in the Biketawa Declaration have been complied with both by the Solomon Islands Government and other regional member countries of the Forum, particularly Australia and New Zealand. Since the passage of the Act in July 2003 and the arrival of the Visiting Contingent more than five years, going six years now have lapsed hence the present task of inquiring into the Facilitation of International Assistance Notice as required by Section 23 of the Act. Indeed, and as others have alluded to, no serious or substantive action was taken by successive governments to invoke Section 23 of the Act, although it was explicitly expressed in the law that "Parliament shall be given the opportunity to review the International Assistance Notice every one year."

As already mentioned, the Notice was issued pursuant to Section 3(1) of the Act, and what does Section 3 of the Act says about the Notice? It says this, "in Section 3(1) the Governor General to publish a notice which, firstly, states that the government has requested the assistance of the governments of another country for a public purpose." These are definitions used in the Biketawa

Declaration. Secondly, that the assistance would be provided by a contingent of persons, which is the visiting contingent, and thirdly, it states that because of Section 3 the Act applies in relation to the visiting contingent. Section 3(2) of the Act then stipulates that the Notice may specify an agreement between the Government of Solomon Islands and the Governments of Assisting countries. This is the agreement that was signed by Forum Leaders in Townsville on 24th July 2003. So the Notice under review or inquiry is that which is stipulated under Section 3 of the Facilitation of International Assistance Act.

Let us examine the Facilitation of the International Assistance Notice, Legal Notice No. 61. The Notice has three sections. Section 1, cites the Notice itself. Section 2(a) says that on the 4th July the Government of Solomon Islands requested the assistance of the Governments of Australia and others, and this is the assisting countries for a public purpose. Again, this is a definition used by the Biketawa Declaration. In 2(b), assistance will be provided by a contingent of persons from the assisting countries, and (c) by reason, again of subsection 3 of the Act applies to the visiting contingent. Section 3 of the Notice makes reference to Section 3(2) of the Act and makes mention of the Agreement signed in Townsville, concerning the operation and status of the Police and Armed Forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security. This is to be found in Article 2 also of the Agreement.

In order for us to effectively and properly perform our obligations in this Parliament under Section 23 of the Act, we must first of all understand the scope and the extent of the task that the Visiting Contingent was mandated by the Act and through Legal Notice No. 61 since July 2003. This mandate is to be sighted in Section 2 of the Act under the definition “public purpose” and Article 2 of the Agreement titled “security assistance”.

Let us begin with Article 2 of the Agreement and read it in the context of the prevailing situation from 2000 until 2003, and I quote: “The assisting countries may deploy a visiting contingent of police forces and armed forces and other personnel to Solomon Islands to assist in the provision of security and safety to persons and property; maintain supplies and services essential to the life of Solomon Islands community; prevent and suppress violence, intimidation and crime; support and develop Solomon Islands institutions, and lastly, but not the least, generally to assist in the maintenance of law and order in Solomon Islands. Similarly, let us visit Section 2 of the Act. What I have just read out is Article 2 of the Agreement. Section 2 of the Act under the definition of “public purpose” was prevailing during the same period in 2000 and it says, “public purpose means the purposes of insuring the security and safety of persons and property; maintaining supplies and services essential to the life of the

community; preventing and expressing violence, intimidation and crime; maintaining law and order; supporting the administration of justice; supporting and developing Solomon Islands institutions and responding to natural catastrophic events. So what does reviewing of the Notice stipulated by Section 3 of the Act, and as required by Section 23 of the Act entail? The answer to this question could be found by dissecting Section 3 of the Notice, which really is the operational paragraph of the Notice, which reads and I quote: "Pursuant to Section 3(2) of the Act, the Agreement concerning the operations and status of the police and armed forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security between the Government of Solomon Islands and the Governments of certain assisting countries is specified as an agreement that covers the operations and activities in Solomon Islands of the Visiting Contingent." *end quote*. The Agreement referred to is the one signed in Townsville, I must repeat this, by Forum Leaders on 24th July 2003, and the contingent of persons as stated in Section 2(b) and (c) consists of the police and armed forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security. Note, the use of the word or phrase "to assist". Why is it not "to restore" but it says "to assist". This is where arguments about parallel governments come in. To restore would have been you take it on your own course, to assist, no, you are assisting, you are not taking over. The use of those words is so critical in understanding this.

Logically, therefore, the review as required by Section 23 of the Act is for Parliament and the people and Government of Solomon Islands to ascertain whether or not and to what extent during the past five or six years has the Visiting Contingent assisted Solomon Islands in the restoration of law and order and security? To what extent? Or was it merely meant for that time and confined to the hotspots on Guadalcanal?

The question really is, what is our benchmark for measuring the extent and degree of restoration of law and order that we want the Visiting Contingent to assist us in. Might we also remind ourselves whether it is within the spirit of the Biketawa Declaration that an intervention such as the one mounted by the Forum Member countries in Solomon Islands in 2003 was meant for the long haul or should it be allowed to mutate to take on a new shape and still pretend that it still maintains its original purpose and objective? Remember, Biketawa says it must be cost effective and concluded. Is that what is happening here? If this is the case, then what really is the objective of the purpose of Section 23 of the Act? Why should we review it if it was meant for the long haul?

Taking the above argument further, Article 2 of the agreement which really is the *modus operandi* of the Visiting contingent under the intervention is more explicit on the scope of the intervention as it pertains to the general

situation and atmosphere in July 2003. As quoted above, the Visiting Contingent was admitted to Solomon Islands, and I quote, “to assist in the provision of security and safety to persons and property; maintain supplies and services to the lives of the Solomon Islands community; prevent and suppress violence, intimidation and crime; support and develop Solomon Islands institutions and generally to assist in the maintenance of law and order in Solomon Islands”. Because the Notice under Section 3 specifies the agreement with governs the operation and status of the police and armed forces and other personnel deployed under the intervention, a review of the Notice under section 23 of the Act must inquire into and examine the extent to which the Visiting Contingent has or has not fulfilled its mandate under Article 2 of the agreement.

In reference to assistance in the provision of security and safety to persons and property, has this been achieved? Taking the situation in 2003, super imposed on today’s situation, has it achieved already the security of persons and safety to property? In my view, yes. Second is ensuring services and supplies are maintained. Were this achieved? In my view, again, yes. And ensuring that services and supplies are maintained. Were these achieved? In my view, yes. What about the prevention and suppression of violence, intimidation and related crime? From 2003 and now, absolutely yes. And, of course, to support and develop Solomon Islands institutions. These were normal and ongoing functions of governments before 2000, a normal policy matter for any government. There is, of course, assistance in the circumstances of law and order, which really in the main, is the daily recurrent activity of the police. Previously, I mentioned benchmarking equally in our assessment of whether or not the intervening forces have achieved all or some level of success in so far as Article 2 of the Agreement is concerned. It is absolutely pertinent that we do not lose sight of what was then the prevailing environment in 2003, and that which we are now in. This should allow us an objectively way up the margin of success of the intervention between then and now. This approach will then allow the Government and Parliament to invoke Article 3 of the Agreement which deals with duration assistance or Article 23, thereof which allows the parties; Solomon Islands and the participating regional countries to vary or suspend the Agreement. Should this be the case then Parliament could then invoke Section 23-3 or 23-4 of the FIA Act in 2003. These two sections are saying any party can give three months notice. That is a section of the law. But for purposes of Parliament Resolution of 24th July 2008, the outcome of which is now before us in the form of the report, I had this to say. In my view, the body of the report, the FRC report, has gone beyond the legal intentions of Section 3 and 23 of the Facilitation of International Assistance Act respectively, and therefore, of the 15 recommendations to Parliament, only four would be, in my understanding, relevant for purposes

intended by Section 23 of the intervention. These four recommendations are Recommendation 2 on page 52, Recommendation 3 on page 54, Recommendation 4 on page 58 and Recommendation 5 on page 60. These four cited recommendations entail appropriate legislative considerations and changes which, in my view, are quite in order for Parliament and Government to consider. On the other hand, I find Recommendation 9 on page 139 to be repugnant in that instead of Parliament or Solomon Island Government, this recommendation singles out the CNURA Government in consultation with RAMSI to consider gradual rearmament of certain units of the RSIP, etc. What if there was no CNURA, which is very likely or 100 percent sure to be the case in 2010, will this recommendation be obligatory on any government? Finally, all the other recommendations, 10 of them, 10 out of the 15, are mere administrative and policy matters that bear no significant relevance to the intentions of Section 23 of the Act. On that note, I resume my seat.

Mr. AGOVAKA: Thank you for giving me the floor. I too would like to join the choir of voices to sing praises to the Chairman of the Foreign Relations Committee, Committee members, the secretariat, staffs of Parliament including the Clerk, her deputy, Hansard and those that have assisted in putting together this report.

The comments made by other speakers are important, but it is not my intention to dwell on the issues they have raised. I think they have made their comments and it is important to take note of them as well. But allow me to go back just before the beginning of the tension. I was driving to work, and upon arrival at our office at King Solomon I saw a bunch of our employees sitting outside the office who mainly were our friends from Malaita and the other provinces. I asked them what the problem was, thinking that there is a mechanical problem to the bus that usually takes them to work at Gold ridge, or either the drive failed to pick them up. They responded saying there was a road block at Tenaru. Such was the tension then. One of the female employees was so terrified that she cried, and not only cried but wet herself. But that was the experience of that particular group at that time. I too had my own experience; a near death experience, intimidated and threatened, and I am sure Members of Parliament too have had your own experiences that you can tell. But whatever experiences we have gone through marks out and charted our lives into a new dimension. This book, the Committee's report on the inquiry into the Facilitation of International Assistance Notice 2003 and RAMSI Intervention cannot come at a better time.

It is now history that RAMSI came to our shores by our own making because if previous governments or successive governments had only listened to

the wish of the people, have only acted on the wishes of people, this problem might not have happened. RAMSI came to our shores because of our own actions; we took the law into our own hands. At this juncture, I would like to thank RAMSI. On behalf of my people of Central Guadalcanal I too would like to join the choirs of voices that gave praise to RAMSI for its work. The fine young women and men from the Forum Islands led by Australia and New Zealand have done a marvelous, a job well done in returning law and order and pacifying the violence between these two large island groups in Solomon Islands between our friends of Malaita and Guadalcanal. I would like to thank RAMSI for that. Like the Member for Temotu Nende said, we really have to look at what really are their terms of reference. Have they outlived the terms of reference?

Successive governments have not put their policies right to reflect the diverse cultures that we have and how various ethnic groupings regard the issue of land and their resources; how our people relate and attach to land and its resources. Any incoming government must take this into account so that we do not repeat history that shaped the course of our destination.

When the Foreign Relations Committee started its work, I listened to them on the radio, and when I came out of prison I also had the opportunity to be part of the hearing that was held at Tetere. When the Committee came to Tetere a lot has been shared. One thing that points directly to all of the evidences given to the Committee are the bona fide demands of Guadalcanal and the need for RAMSI to stay on to look after law and order in our country.

The Leader of Opposition and the Member of Parliament for East Choiseul in his wisdom made a good breakdown in his speech on the bona fide demands of Guadalcanal. I do not want to bore Parliament here on the demands which the Member for East Choiseul has outlined to us. It is not new that the bona fide demands of the people of Guadalcanal are still not addressed.

In my testimony, I told the Committee that each province in Solomon Islands has its own needs and aspirations. When you listen to the hearings you can hear the people of Isabel, people of Makira, people of the Western Province, people of Rennell/Bellona have their own needs and aspirations. The important issue here is between Malaita and Guadalcanal. This is where these things happen. This is where we need to re-look at how we address some of these issues.

I told the Committee that if we are to arrive at anything we really have to go back to history and find out where we came from hence reach this stage. Again, it boils down to resolving some of the issues the Member for East Choiseul mentioned yesterday; the bona fide demands of Guadalcanal. On another note, when I listened to the contribution by the Minister for Provincial Government yesterday, I was touched that he said something out of his heart.

Decentralization is an important issue that will, perhaps address some of the demands, and not so much the demands, but issues relating to internal immigration in Guadalcanal. I would like to point out the fact that there are three major projects that have been identified for Malaita; the Suava Bay, the Bina Harbor and, of course, the Auluta basin. If we could only get one of these projects going, to eventuate in Malaita, it will have a great impact on the people of Malaita, because through this project people will be able to work, people will be able to get spinoffs from it and people will be able to stay home and develop their land. They will not come looking for work in Honiara, they will not come looking for the bright lights of Honiara, but they will be in their province building their own province. When this budget comes I want us to support it and give allowance for the Auluta Basin oil palm to go ahead.

When I look at our friends from Malaita, I was reminded of what the Premier of Malaita said to me when we met some months ago. He said Malaita is one frustrated province, one frustrated province because there is no development there, no major national projects located there. That is why I said if we can only get one of those three national projects going in Malaita it will have a great impact on our brothers from Malaita.

On this note, I would also like to say that landowners need to come to their sense and allow their land for development because it is for their benefit. If we do not allow our land and close off foreign investors, how can we enjoy the benefit that we should derive from the God given assets and resource we have.

I do not wish to prolong my talk because many MPs have already said their bit, but reconciliation still remains the number one priority for Malaita and Guadalcanal people, the two largest islands in Solomon Islands. This report pointed out that the Truth and Reconciliation Commission is established by an act of Parliament to investigate, examine and gather statement and information regarding the ethnic tension, and I hope it does that. We are only talking about a handful of people here, not the majority Solomon Islands. We are only talking about 20 to 40,000 people here that the Truth and Reconciliation Commission would investigate, inquire, examine and gather information and statements from to reveal the pain and hurt behind these people, and not only the hurt but to be forgiven and to accept forgiveness. It gives people who are the perpetrators and the victims an opportunity to reconcile, to forgive and accept forgiveness.

This report points to some of the problems related to the crisis. The report simply indicates that Solomon Islands should and must reassess and refocus how leaders are taking this nation and where we are taking this nation to. Institutional strengthening, capacity building and good governance are pillars all mentioned in the report have had its fair share of development. It is now time we reassess and focus on economic reforms. In any economic development, land

is an important element, an important equation in development. Like I said, landowners need to reassess and allow their land to be developed for their own good and for the good of this country. It is important that any future government takes heed of the recommendations in this report. And their policies and work program should be guided by these recommendations. It is only then that we will be able to satisfy our people. We will fail miserably if we overlook the recommendations in the report and not take them into account in any government policies and work programs.

There are three things that I would like to remind us of in the 2007 RAMSI Review Taskforce. The report says: “the challenges of identifying and dealing with the causes of the ethnic tension, moving ahead with reconciliation and mapping out the course of federalism is of overwhelming importance to the future of Solomon Islands”. This is true. If we ignore the challenges of identifying and dealing with the causes of the ethnic tension, if we ignore moving ahead with reconciliation, if we ignore mapping out the course of federalism then we failed miserably in addressing what this book pointed out. And it is important that we take heed of land reform, decentralization of national projects and revenue sharing. This book is really a roadmap as to how we should chart ourselves in 2010, if some of us come back.

I challenge any government that comes in next year that it needs to identify and deal with the causes of the ethnic tension, move ahead with reconciliation and mapping out federalism. These are, in my view, fundamental and I quite agree with the 2007 RAMSI review taskforce for saying this.

I will not go any further but these are my comments and these are my contributions that we really need to look at. With these I would like to support the motion by the Chairman of the Foreign Relations Committee, my good friend the Member for West New Georgia/VonaVona and thank you.

Hon. HILLY: I shall be very brief in my contribution to this very important motion before this honorable House.

The process under which this report is being tabled in this House, together with this motion is the continuous process under which we are required under law to carryout annual review of the Notice.

At the outset, in reading through the report it does not suggest one way or the other nor indicate anywhere that we in this House should amend the Notice. This is a very good exercise, in my view, that before we can amend the Notice, we have to see why we should and why we should not. Sometimes we forget very quickly the things that happened during the ethnic tension.

I would like to focus my brief comment on why things happened the way it was. To me, things happen the way it was because the government and the

facilities the government has, especially in terms of security have been very inadequate. The various criminal activities started earlier but our Police Force were not able to contain those activities and thus they escalated to a point where we had the problem that we all understand it to be. It is the incapacity of our security that allowed the situation to escalate to the point where things became uncontrollable. It is this area that we have to address for the future.

Our friends, the International Assistance Mission are here to do exactly that. And it is in our judgment whether we have redeveloped our security force to the level where they can look after us in years to come or not. When we think we have developed our police force and they will be able to contain any uprisings in the future, then we can say to our friends, 'thank you very much, you can now go home'. But I am yet to see when we are going to develop our forces to be able to contain, even the level of problems we had just prior to 2000 and even in 2000.

It is not only security, but it is the whole government structure that was falling down before our eyes. It is the general weakness in the system that has brought us to the stage where we cannot even contain it. Lest we forget, that period of time was a very bad experience for people, especially those living in Honiara, and I am sure we do not want to see that again.

The legality and constitutional concern of the presence of RAMSI in this country has already been dealt with in the courts, and this is in the report which we can read for ourselves and satisfy ourselves that RAMSI's presence in the country is legal in all aspects of our consideration. The bottom line is the Facilitation Act and the Notice that are now before us. It is not because of the Biketawa Declaration. This legislative framework and the presence of RAMSI in this country is a result of none other but a request of our sovereign government. It is a request of our sovereign government for assistance that eventually led to the signing of the Townsville Agreement and the legalizing of some aspects of those agreements in the Facilitation Act and the system of giving notices. The presence of RAMSI in this country is because we want them to come and help us because we ourselves cannot contain the situation that happened in 2000.

Security is one aspect of the system. That is why they come not only to restore security but try to help us in strengthening the other divisions of our government so that everything is back to normal and we can be proud of our government and our people can forward to a brighter future. Thank you.

Hon. GUKUNA: Thank you Mr. Speaker. Like the previous speaker I will be very brief in my contribution.

I first of all would like to thank the Committee for a very good work it has done, a very extensive work. I also want to join my colleagues in thanking them

for the hard work in compiling the report. Listening to what have been said, I note that the Opposition Bench is basically saying the same things. I sense their contribution as wanting to oppose this report, but somehow did not frankly say it but just beat around in their statements. The Member for West Makira said something that is totally strange to any normal thinking person. I think he just wants to make a show of himself with his statement. I think he himself misrepresented the people of West Makira because I believe the people of West Makira really support RAMSI except for their MP.

My concern is that this report is very thick. It is too thick not worth talking about something that is very good. Why should we produce a very thick report on RAMSI, the best thing that has ever happened here? I think that a very short and report brief with six or seven pages is enough. We wasted so much time talking about a lot of things that are totally irrelevant. As I said we are talking about something that is good, and so we do not need to talk very much about it. We just need to do what needs to be done for the job to be done and that is it.

The honorable Leader of Opposition went to length talking about the ignorance of people in the rural areas that the Committee visited. This is not the first thing that they are ignorant of. Even some of us here in this house are ignorant of a lot of things. The Constitution, which is the basic law of this country that gives us our rights, a lot of us are ignorant of it too. But we assume it is good for us. A lot of people are ignorant of how we use the RCDF, but that is life.

One of the reasons why we agreed to take this review to our rural people is because there is the need for the people to feel the sense of ownership of that review. That is basically why we took it down to the provinces otherwise it could have been done here in Honiara. If that demand had not been there we would have done that review here in Honiara, which will take a few days, no need to spend a lot of money, no need to go out to the provinces, it is done here and done properly and that is it. But that was the basic reason why it was taken down to the provinces and we sought the opinions of our people. Even though we knew they do not really understand the mandate of RAMSI and the FIA Act. As I said it was to give them some sense of ownership for this review. As we know the review was supposed to happen every year.

The Member for Temotu Nende is concerned that the review made reference to the CNURA Government. Of course, that is perfect, that is alright because the next review is due when the CNURA Government went out or is renewed but this report is about one year, and so it is quite perfect for this review to refer to CNURA. When it is due for its next review in July next year, the next report can make reference to the next government or will use the word

government, and that will be relevant at that time, but how it is worded right here is alright.

Another point that was raised which I think is not right is reference to the fact that RAMSI is not here to deal directly with the root causes of the ethnic tension. There have been a lot of complaints saying that RAMSI is here to impose its will impose whatever it wants. The worse thing that we can expect is for RAMSI to come here and impose solutions that maybe unsustainable.

Sometime ago, a few weeks ago I read a report in the newspaper about the exchange of soldiers in Afghanistan. There was this France contingent that came in initially and then left and some Italian soldiers went in. The Italian soldiers went in undermining hostilities in that particular area. What apparently happened was that the French soldiers were paying the warlords, they were paying huge sums of money to the warlords and the warlords actually helped kept the peace. So when the Italian soldiers came in, they underestimate the hostilities around those areas. They did not know that the warlords were being paid and because of their underestimation of the hostilities they went into an ambush at one time and I think about eight of the soldiers were killed. The point I would like to raise here is that if we allow RAMSI to come in and impose solutions to the root causes of the tension, we could end up with the same thing that after they leave the whole thing will just flare up again. I think the statement in the report which says that RAMSI is not here to deal directly with the root causes of the tension is proper and holds water.

The other argument that holds is that RAMSI is here basically to make sure the situation in this country is conducive for us to come up with some kind of solutions. There is nothing wrong with that basic argument, it is proper because when RAMSI eventually leaves, which I hope they will not leave quickly we will be able to hold those solutions in place, sustainable and we will feel as if we own them because we created those solutions.

This FIA Act is due for review every year, annually; it is going to be reviewed again next July; those of us who are going to come back here are going to review it. We are talking here about other people's money here. We are talking about how that money is to be used properly here. Just imagine the small island of Niue is even contributing to this Mission. A small country with not enough money and yet it has fork out its wallets to pay for the problems of a big Melanesian country. Kiribati, too is forking out its money to pay for the problems of this big rich country. The other 11 Forum countries have all given their resources to this country. May be in the next review we should change the Act to allow them to review how much money they have spent here, how much is costing them, for them to quantify the actual costs to their taxpayers. Instead of us making statements here that can be easily interpreted as unappreciative

when we are talking about the use of somebody else's money. I suggest, as I said that in the next review maybe we should tell them to quantify to us and send us the quantity, how much money it costs them for these six years, it costs their budget to support us.

I have no problem with this review. Some of the good points that were raised is that it is too long. Some of the points may not enter into the review. But as I said earlier, at least we are satisfied, our people are satisfied that they are part of this review, something they felt they have been denied over the past six years. They now should not feel they have been left out. They should feel that they have contributed significantly or meaningfully to this particular review.

I would like once again to thank the Chairman of this Committee for the work they have done. I totally agree with this motion and I resume my seat.

Mr GHIRO: Thank you for allowing me the floor to contribute to the motion. I will be very brief in contributing to this report.

This report is straightforward but when we talk about it here on the floor of Parliament we seem to confuse each other. This report contains the recommendations of our people. That is what we must understand.

Firstly, we should look back at the history of RAMSI that RAMSI is here, not because of its own doing but it was here at the invitation of the government. When we give an invitation we are also given conditions, and it is some of these conditions that we are reviewing in this report because they are not workable to this country. But we are in a problem situation so beggars have no choice, we have to take on the conditions.

I would like to say that this is one of the best reports. Why? Because it is widely consulted, the Committee went around the whole Solomon Islands consulting our people, getting their views and that is why I said this report is a very good report because everyone gives their views and opinions. What are in this report are not your thoughts or my thoughts but they are our people's thoughts, our voters' thoughts. That is something special about this report.

The other thing too is that we seem to forget why we invited RAMSI to Solomon Islands. We invited RAMSI to come because we have a problem. The environment at that time was not conducive to us, and that is why we would like to change it now to conditions that are appropriate for Solomon Islands. Those are the things we easily forget and we start to speak nonsense. We talk about rice when it has nothing to do with this report. We should talk about things that will help our country in terms of putting in suggestions for RAMSI to follow or to govern it. To make decision on these reports is not RAMSI itself but the Solomon Islands Government too must take part. Both of them have to decide on it. This report is for those two parties, RAMSI and the Solomon Islands

Government to decide on the recommendations. That is the whole context of the report. What you people are saying is out of context. The recommendations proposed in this report are for RAMSI and the Solomon Islands Government to take onboard whether RAMSI played its part and government also played its part. That is what this report is all about. This report is not talking about the things some of us here talked about. These are recommendations by our committee. It is the government that has to decide on whether it takes on board the recommendations by looking at what sort of sector it is going to fund and come in at, and the same is with RAMSI, it will look at what sort of sector it is going to fund. It is not asking RAMSI to take onboard everything. It is just the recommendations that this report is asking. That is what this report is all about, and that is what I would like to clarify here. We seem to be out of context in our debate of this report. This is just a straight forward report. It is asking RAMSI and the Solomon Islands Government to look at this report because they are ready to take on a new partnership, and this report will help them in that partnership. It is not what you people are talking about. This report will help RAMSI and the Solomon Islands Government to decide on the new partnership framework. It will show them which way the Government will be taking and which way RAMSI will be taking. That is the important thing about this report and this is exactly what this report is all about. It is not asking for rice or all those kinds of things you are talking about. That is beside the point. It is up to RAMSI and the Government to decide on which sectors they are going to take onboard to fund. The partnership is for what? You have to have common understanding on the funding aspect, and this is the report, recommendation.

So I am asking my good Prime Minister, as head of the Government, RAMSI Coordinator for both of them to decide on this report on what areas each one of you will come in to assist. What area is for RAMSI and which one is for the Government, whether it is shipping or whatever is up to the government to take onboard or RAMSI to take onboard. That is why this report comes up with recommendations, and which area to fund is up to the government and RAMSI.

As I said, this report is for both parties to look at and decide upon. The special thing about this report as I said earlier is that this report is from the people. Every people throughout the whole Solomon Islands, from whatever sector is in this report, and therefore there is no excuse because consultation is widely held throughout the whole country so do not treat this report as the report of my committee because it is not. It belongs to the Solomon Islands Government and its people. With these few remarks, I resume my seat.

Hon. SOALAOI: Thank you for allowing me to add my voice on the debate of this motion by the Chairman of the FRC, not because I once was a member of the

Committee, but because this is a job well done. I think the report is a very good report, an excellent report done by a group of dedicated and professional members and staff of Parliament, an improved Parliament. I must thank the Chairman and his members for taking their time having to go through rough seas and strong winds sometimes. I was once a member of the Committee and so I know what I am talking about. We had to go through rough seas sometimes and rough roads too when we went to Lake Tengano. So the Member of that constituency needs to work on the road.

Like I have said, the report is a very good report and I think it also contains good recommendations that the Government needs to take note and act accordingly. Our problem most of the times is that we only take note of a lot of things that we should have acted on until this world comes to an end. I believe this Government, as a responsible government we will take note and then act according to the recommendations contained in this report, and also the government that comes after the election next year should do likewise.

A lot of important points have been raised since the debate started, and I would like to add my support on some of the comments made during the debate. I think what happened to our beloved country is not somebody else's fault, but it is our fault; we only have ourselves to blame. I continue to think and I used to say this in Parliament that what has happened in our country is a result of governments not listening to what their people wants. It comes up with policies and development structures that are not appropriate and relevant to the different needs of our nine provinces. Most of the times if we only, like we see on this problem we have we only develop Guadalcanal and we make people come to Guadalcanal looking for job opportunities and also looking for new lives. I think we need to know about the different development needs of our different provinces that will cause us to come up with strategies that are relevant to different needs in our different provinces. We come from different provinces that make up this country, Solomon Islands. Therefore, some of the recommendations in the report itself, to me is a demand for any government that comes to the power and also for any government in this country to come up with development strategies that are relevant. Sometimes we come up with plans that our people are not aware of and do not accept. Or we develop places that our people do not want to inhabit, and also the need for us to decentralize developments and spread them out. This country has nine provinces and we need to take note of that in all our development strategies so that we not only develop one place causing people to move towards that one central location.

I also believe that we do not have anyone to blame for what had happened. We cannot blame the people of Guadalcanal nor the people of

Malaita for what had happened. This is a natural response to what people see as not according to what they want.

I want to be very, very brief, like I said because most of the points have been raised. One of the clear messages when we went out to the provinces is that the bona fide demands of the people of Guadalcanal must be addressed. Interestingly, this was not only expressed by the people of Guadalcanal but it was also expressed by other provinces. I strongly believe that anytime we have money we must address the demands. We must start planning to address the bona fide demands of the people of Guadalcanal. Like I said, I think it is time we listen to our people and then formulate strategies according to what we hear from our people. Relying on what we think is right for our people have taken us nowhere, and so I think it is time for us to come up with a new way of doing things.

Before I sit down, in regards to some of the comments raised about the review, I would like to say that as a member of the Committee before I left the committee, this is the first time that Parliament has gone to the rural areas which was really appreciated by people in the rural areas. They were very happy that Members of Parliament were able to reach the rural areas. They were also very happy to talk with some of the MPs, and some of them said that this is their first time to see Members of Parliament because their own Member used to hide from them in Honiara. Luckily we went with the Member for Central Makira, and so his people have the chance to see him in Kirakira. I think we must congratulate ourselves for taking Parliament to the people who are the rightful owners of this Parliament.

With that, I urge us not to repeat history because it will only mean that we are not listening. It will only mean we are going around the circle. Let us listen to our people and by doing so we will never go wrong. Thank you for this opportunity and I support the motion.

Hon. FONO: I decided to contribute briefly to this motion moved by the Chairman of the Foreign Relations Committee.

In my contribution I shall make a few brief comments in my personal observations on some of the points I heard during the interviews because it was widely publicized on the One News TV. But at the outset I would like to thank the Chairman of the Foreign Relations Committee and his very hard working committee members, also the secretariat to the committee for putting together a very comprehensive report, reflecting the very high standard that Parliament is now in by producing quality reports that gives Members of Parliament very good information on the issues raised in the report.

Much of the debate by colleague MP's in the last few days have been very good as I observed. I came in on Thursday and could hear the lengthy contribution by colleague MPs, including, of course, the well researched contribution by the Leader of Opposition who raised a lot of important issues the Government needs to take onboard during the process of considering the report. Also, the Honorable Prime Minister's intervention yesterday made it very clear that this report has to come to Cabinet so that Cabinet decides on some of the recommendations highlighted in the report for implementation.

I believe this is the first review of its kind within the six years that RAMSI has been here working alongside the Solomon Islands Government to address the law and order situation and the mandate given to it through the various agreements.

I will not dwell on the legality of the agreements as some of my colleague MPs have done, especially the MP for Temotu Nende. I leave that to the lawyers to interpret, however, it would be remiss of me not to thank RAMSI on behalf of my people of Central Kwara'ae for the splendid work they have done since their arrival to help us.

To the peace loving law-abiding citizens of Solomon Islands, and more so the Christian churches it is an answered prayer. Let us not forget the situation our nation went through since the ethnic crisis we face from 1999 up until 2003 when RAMSI came in.

Credit must also go to the government then led by the MP for Savo during his time that invited RAMSI to come in, although it was late intervention because successive governments I was a part of in 1999, the former Prime Minister then also requested Australia and New Zealand to intervene, however, maybe the request was not in line with their foreign policy and so they rejected the request. But that is now history and we must thank the intervention for coming in and restoring law and order and allowing Solomon Islands people to consider a second chance to live together as a nation.

As I have said congratulations must go to the Foreign Relations Committee and the secretariat for embarking on an extensive tour of the provinces getting the views of our people throughout the provinces, even visiting the remotest areas of the country and getting the views of the people on RAMSI intervention and their understanding of RAMSI.

From my personal observations, some of the questions asked by the committee members were designed in such a way that the answers coming back from the people shows there is a misunderstanding of the role that RAMSI comes in to play. I have even observed in some provinces the people's understanding of RAMSI is shortsighted or a bit narrow. I do not blame them; it is very important that we Members of Parliament should help to educate our people on

the role of RAMSI in the country so much so the program that RAMSI has embarked on in the past, the outreach program, which I understand at some stage successive governments did not allow them to pursue, I see as very important. This is because some of their outreach programs give a much better understanding on the roles of RAMSI. When I hear or watch the interviews and the questions raised during the process of putting together the report, one of the perceptions that people have is that RAMSI should be addressing all the problems our nation is facing. That is not the case. As we know, there are only three pillars under the mandate that RAMSI came to do within the country.

There is a great need for civic education and public awareness on the role that RAMSI comes into play. I even noted some of the questions our rural people asked, they even want RAMSI to help out in the chiefs role, communities work to address the problems they are facing in the villages. As we know, those kinds of work is the government's responsibility both the national and provincial governments to address those kinds of problems. Lest we forget, the three important pillars mandated by RAMSI are law and order, addressing it, which we know that much has been achieved in that area. After the ethic situation, the illegal guns or weapons that were in the hands of our young boys that had guns, those guns were retrieved and it is a big achievement done by RAMSI.

Economic governance and growth as the second pillar, also much has been done with the help of RAMSI through their civil programs which continues to assist the government to address the machinery of government. There is ongoing work in the various government ministries to build the capacity of our people to take on the tasks and the responsibility is on us Solomon Islanders in the various ministries, which I hope through public service programs our people are trained to be fully equipped to take on those roles.

On the partnership framework between the Solomon Islands Government and RAMSI, which was also highlighted in the report, as a minister in the current government who was very instrumental in negotiating with RAMSI and its officials before the report was put up to the Ministerial Action Group, it is a very clear indication of government at the forefront or government in the driver's seat. Rather than criticizing RAMSI from outside, it is important that government takes ownership of the programs RAMSI is currently doing in Solomon Islands. Credit should go to the current CNURA Government for making that very important move in establishing a partnership framework that was absent over the last six years when RAMSI arrived. Now with this partnership framework in place, as the Honorable Prime Minister has said, there is already a monitoring group in place to monitor how the partnership is to be implemented. It is important that if there are suggestions from the public or

from colleague Members of Parliament including the Opposition, let us know so that those suggestions can be included during our annual reviews.

The partnership framework is a living document. It is not the Bible so that it cannot be changed. It is important that the Government takes ownership of it. It is also very important that our views are given to RAMSI so that they can be taken up as high as the ministerial standing committee on RAMSI and, of course, including Foreign Affairs Ministers from the region that are responsible for approval, and further up the heads of governments of the Forum. That is the structure it follows. It is important the government is at the driving seat to see areas included in the partnership framework are implemented. That is basically the importance of this partnership framework between the Solomon Islands Government and RAMSI that we see as important areas that need to be included that RAMSI has to address, then it must be agreed to by both parties. It is very important that the partnership framework is regularly reviewed and monitored by the Committee so that further changes can be made to it.

As I have said, the recommendations are very important. The recommendations highlighted in the report are very important and so the government will take time to consider them. Should there be any suggested or recommended changes to the legislations governing RAMSI, they certainly will find their way to Parliament.

Finally, my contribution will touch on the realistic law and order situation in the country. We tend to find there are two groups of people in the country in which some support RAMSI and some do not support RAMSI in regards to what they are doing here. If we are to take a very realistic view on the law and order situation in the country, even with RAMSI's presence there is an increase in criminal activities happening not only here in Honiara but even in provincial centers. The production of kwaso and illicit drugs are on the rise amongst our young people. Whilst Parliament has made changes or improvements to laws, criminal activities are happening, and one tends to question if RAMSI leaves will these criminal activities reduce? Will the drinking of kwaso and illicit drugs reduce? I could cite examples even in Auki town where drunkenness and disorderliness is also very evident. Sometimes I would be staying in one of the motels in Auki and watch disorderliness by people in public places, which is on the rise. As I said, the brewing of kwaso and illicit drugs is also on the rise and even their sale in the markets, and one would tend to think where our police officers are, why are they very laxity or complacent in addressing those problems? Will these problems be improved if RAMSI is not here? Those are questions hovering above us as leaders. We appreciate very much the work that the Royal Solomon Islands Police has been doing. Our local officers are very

competent but the files and ranks need to improve in their work in order to address these problems.

There have been cases on Malaita where improved telecommunication has helped some of our rural communities have phones that they can ring police when incidences of criminal activities happen in their communities. However, when they rang up the police, the Police was not able to respond to their request for assistance. The Police was not able to send vehicles to go and attend to problems in the communities. This is an area I see needs to be improved.

Sometimes I tend to think that the attitude of our officers inherited during the ethnic tension has not gone away as yet. But that is the sort of attitude I very much want to see improved, and I have every confidence in the senior management of the Royal Solomon Islands Police to address these problems so that law and order comes back to normal whereby we can say there is normalcy in the country. Evidence has it that there has been increased criminal activities, the worse here in Honiara, the main capital, which sometimes made people to think that because of the presence of RAMSI people want to do such criminal activities like this. And one would ask if RAMSI leaves the country will those criminal activities decrease? Will there be improvement to the law and order situation? Those are questions the government has to consider and take whatever steps to address or implement some of the recommendations for the welfare and good of Solomon Islands as a nation.

These are my comments on the report. I fully support the report and I must congratulate once again the hard working Committee for putting together this very important report for the first time since RAMSI came into our country. It is up to the Government now to implement some of the recommendations highlighted in this report. With these few remarks, I support the motion.

Mr Boyers: I believe that the Prime Minister and Ministers have to attend a meeting shortly, and so it will not do justice to me to wind up under time constraints, and so I move that debate on the motion that Parliament resolves itself into a Committee of the Whole House to consider National Parliament No. 37 of 2009, Report on the Inquiry into the Facilitation of International Assistance Notice 2003 and RAMSI Intervention be adjourned to the next sitting day.

Debate on the motion adjourned to the next sitting day

Hon Sikua: I beg to move that Parliament do now adjourn.

The House adjourned at 12.00 pm.