



## 25TH PACIFIC ISLANDS LAW OFFICERS' MEETING BIKENIBEU, TARAWA, KIRIBATI ~ 9-12 FEBRUARY 2007

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### REPORT OF THE CHAIR

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As Chair of the 25th Pacific Islands Law Officers' Meeting, I had the privilege to welcome delegates from Australia, the Cook Islands, the Federated States of Micronesia, New Zealand, Samoa, Tonga and Vanuatu to Kiribati. Due to last minute airline disruptions, our colleagues from the Marshall Islands, Nauru and the Solomon Islands were prevented from attending. Apologies had earlier been received from the Fiji Islands, Palau and Tuvalu.

Representatives from the Commonwealth Secretariat, the Pacific Islands Forum Secretariat, the International Committee of the Red Cross, the Pacific Legal Information Institute, the Secretariat of the Pacific Community and the University of the South Pacific attended as observers.

After opening formalities, the meeting received a report on the work of the PILOM Review Team. The Review Team had been established by the previous PILOM, held in Vanuatu in September 2005, with the task of building on the recommendations of the *Mending the Nets* paper presented by the then Attorney-General of Samoa, Brenda Heather-Latu. The Review Team's report made various recommendations for the reform of PILOM.

PILOM members agreed that reform of PILOM was necessary to ensure the entity's continued relevance. Members wanted a body that could identify and take action on issues common to law officers across the Pacific, without duplicating the efforts of existing regional organisations.

Members agreed on the following key outcomes—

- a. PILOM will in future be known as the Pacific Islands Legal Officers' Network (PILON). This reflects members' desire that renewed emphasis be given to the information-sharing role of the organisation, as well as signifying the importance of progressing an agreed work plan between meetings;
- b. the decision made at the Vanuatu PILOM to establish a permanent secretariat was confirmed. It was agreed that the secretariat should, if possible, be located in Suva within the Pacific Islands Forum Secretariat premises, but as an entity separate from the Forum Secretariat. Agreement will be needed from both the Forum and the Fiji Islands government for this to occur. For now, the meeting gratefully accepted the offer from the Australian Attorney-General's Department to host the secretariat on an interim basis;
- c. a steering committee was established to advance the work done so far in the key areas of the reform of PILON and the structure and duties of the secretariat. Kiribati will chair the committee, with the Cook Islands, the Federated States of Micronesia and Tonga as members. The interim secretariat will facilitate the committee's activities. A work plan for the committee was adopted, and is attached as Annex 1;

- d. future meetings of PILON are to focus on key issues arising for the region's law officers. The development of issues-based agendas for the meetings will be facilitated by the secretariat. Country reports will still play an important role, but the time allocated for their presentation will be reduced. Meetings are to produce an action-oriented outcomes document;
- e. where relevant issues are likely to arise, PILON should be represented at meetings of the Pacific Islands Forum Regional Security Committee, as well as those of the Forum working groups on Border Management Issues and Electronic Crime;
- f. consideration is to be given to convening a Pacific Law Ministers' Meeting, possibly in co-operation with the Forum Secretariat, but not before 2008;
- g. the PILON secretariat is to develop and maintain a website, to facilitate interaction amongst the region's law officers between PILON meetings. Care will need to be taken to address members' concern that sensitive information be kept secure;
- h. the next meeting of PILON to be convened before the end of 2007 if possible, with the host to be determined.

The extent of discussions concerning the future of PILOM/PILON left little time for the presentation of country reports, however a number of matters of interest were flagged by participants, with extradition having particular significance for some members. Appreciation was expressed for the support of the Australian and New Zealand governments to the law and justice sectors in the region, with particular reference made to the Australian Pacific Legal Knowledge Program and New Zealand's litigation skills training. Australia was also thanked for its offer to provide the interim PILON secretariat.

Participants appreciated the assistance provided throughout the meeting by the observers, each of whom gave a presentation detailing their activities. Consideration of a request from the Pacific International Maritime Law Association for observer status was deferred until the guidelines for observer attendance (to be drafted by the steering committee) have been adopted.

In the closing statement, particular reference was made to the invaluable contributions made over many years by Brenda Heather-Latu, former Attorney-General of Samoa, and Nainendra Nand, former Solicitor-General for the Fiji Islands. Both were significant contributors to the PILOM review process. In their respective roles they conducted themselves with integrity and commitment. Their departures from office during 2006 have left large shoes to fill, not just within their home countries but for the region as well.

It is my modest hope that the future will regard the 25th PILOM as a watershed in the history of the government legal sector in the Pacific. Important decisions have been taken that will set the course for the future of PILON, although it is the work to follow that will determine whether or not these foundations are strong enough to build upon. I thank my fellow participants for the positive manner in which they approached our discussions, and for their support to me as Chair. I trust that all returned home with warm memories of their time in Kiribati, and a determination to work to strengthen ties between colleagues across the Pacific.



**DAVID LAMBOURNE**  
Solicitor-General for the Republic of Kiribati,  
and Chair of the 25th Pacific Islands Law Officers' Meeting.

## *Annex 1*

### **Work plan – PILON steering committee**

#### *PILOM reform*

1. Examine the implementation of the PILOM review recommendations, as amended and adopted by the 25th PILOM, relating to the reform of PILOM.
2. Develop a draft for an appropriate foundation document for PILON, for consideration at the 26th meeting of PILON.
3. Develop membership criteria for PILON.
4. Develop guidelines on observer attendance.
5. Develop a proposal on hosting arrangements for PILON.

#### *Secretariat*

6. Consolidate terms of reference on the role of the secretariat, including with reference to the outcomes of the 24th and 25th PILOM, and the Australian 'Proposal for a Permanent Secretariat' paper.
7. Agree with the Pacific Islands Forum Secretariat on legal and practical arrangements for the PILON secretariat.
8. Determine resources required and approach donors for medium and long-term possibilities to fund the secretariat, and report on apportionment of funding and member contributions.
9. Consider recruitment arrangements for the PILON secretariat.

#### *Other issues*

10. Develop an annual work plan and three-year strategic plan for PILON secretariat.
11. Identify a host for the 26th PILON meeting, as early as possible, and develop thematic issues to be discussed at that meeting.
12. Develop a proposal for a possible Pacific Law Ministers' Meeting.
13. Undertake, where appropriate, other matters and tasks within the purview of the PILON secretariat.