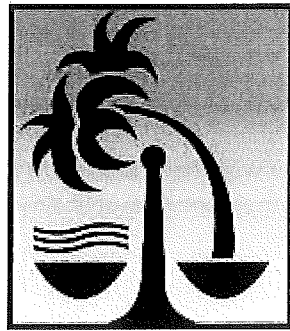


2015



## **P I L O N** Secretariat

### **Pacific Islands Law Officers' Network Annual Meeting Outcomes Report**

This year's annual meeting took on a new format in breaking up the annual meeting into three parts.

#### **PILON Illegal Fishing Technical Workshop: Monday 7<sup>th</sup> December**

On Monday 7<sup>th</sup> December, PILON member countries participated in a joint FFA and PILON technical workshop on illegal fishing. This workshop took place in accordance with the Illegal Fishing Working Group work plan for 2015. Legal Adviser for the FFA, Dr Filimon Manoni briefed participants on the international legal framework for fisheries and in particular the provisions of the Law of the Sea Convention 1982 and how it frames national legislation. Participants learnt the implications of these instruments, and in particular, the rights duties and obligations of parties under international fisheries law, and the application of these instruments.

The FFA Monitoring, Control and Surveillance (MCS) team comprising of Peter Graham, Allan Rahari and Ambrose Orianiha'a presented on key MCS tools such as the Vessel Monitoring System (VMS), the Regional Fisheries Surveillance Centre and the team's annual operations as well as on Observer coverage. Participants were treated to an informative visit to the Regional Fisheries Surveillance Centre after signing a confidentiality agreement not to disclose the information seen in the Centre.

Participants were divided into teams for group exercises to use their new found knowledge on fisheries laws to solve problems in the exercises provided which were actual scenarios of issues faced by Pacific countries in their enforcement of their fisheries' laws.

At the end of the workshop, participants were provided information on the opportunities for capacity building and technical assistance the FFA provides to FFA member countries.

#### **1. PILON STRATEGIC PLAN PRIORITIES MEETING: Tuesday 8<sup>th</sup> December**

Tuesday was dedicated to the three PILON working groups to wind up activities under the first Strategic Plan. Each Working Group Chair provided a summary of their Working Group's activities

under the first Strategic Plan. Member countries presented updates from their respective countries on the PILON legal policy agenda.

The new PILON Strategic Plan was discussed and adopted by members and countries nominated for each working group and Chairs for the new working groups. The new PILON legal priority areas are: Sexual and Gender Based Violence (SGBV); Cybercrime and, Environmental Crime and Corruption. Working Group members are as follows:

- (i) **SGBV:** Samoa (Chair); Australia, Cook Islands, FSM, Nauru, PNG, RMI, Tonga, Solomon Islands, Vanuatu.
- (ii) **Cybercrime:** Tonga (Chair); Australia, Cook Islands, Nauru, New Zealand, Solomon Islands, Vanuatu.
- (iii) **Environmental Crime & Corruption:** Nauru (Chair), FSM, Palau, RMI, Solomon Islands

More details on future activities will be determined by Working Group teleconferences convened in early 2016.

## **2. 34<sup>th</sup> PILON Annual meeting, 7<sup>th</sup> – 11<sup>th</sup> December 2015**

The co-Chair, the Director of Public Prosecutions, Ronald Talasasa, welcomed the PILON member countries as well as the Observer members to Honiara, and spoke on the meeting theme *“Protecting Natural Resources to Grow Economies: Regional Strategies”*.

PILON member countries represented at the meeting included Australia, Cook Islands, Federated States of Micronesia, Kiribati, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, and Vanuatu. Apologies were received from Niue, Republic of the Marshall Islands and Tuvalu.

The following observer members also attended: the Commonwealth Secretariat; Pacific Islands Forum Secretariat (PIFS); Pacific Legal Information Institute (PacLII); Secretariat of the Pacific Regional Environment Program (SPREP); the Pacific Islands Forum Fisheries Agency (FFA); International Committee of the Red Cross (ICRC); the International Federation of the Red Cross and Red Crescent Societies (IFRC), the Secretariat of the Pacific Community – Economic Development Division (SPC/EDD), South Pacific Lawyers’ Association (SPLA), the United Nations Office on Drugs and Crime (UNODC) and the University of the South Pacific (USP). Representatives from the New Zealand Parliamentary Counsel Office, Pacific Islands Chiefs of Police (PICP) Secretariat, and the New Zealand Ministry of Foreign Affairs and Trade (MFAT) observed the meeting.

This report summarises the outcomes of discussions at the meeting. It is the official record of meeting resolutions and a summary of key discussions. Documents relating to the meeting are available on PILON’s website at [www.pilonsec.org](http://www.pilonsec.org) or otherwise from the Secretariat.

The opening prayer and benediction was provided by Reverend Maezama. The programme also included musical items provided by the Melanesian Brother - Tambalea Choir.

The meeting commenced with the handover of the PILON Chair from Kiribati to Solomon Islands, and was followed by a formal opening ceremony.

#### **A. Opening Ceremony**

A formal Opening Ceremony programme was conducted, with the Honourable William Marau, Minister of Justice and Legal Affairs in attendance as the Guest of Honour. An opening address and formal welcome was provided by the Minister. Mr Marau welcomed member country delegates and representatives of regional and international organisations who support PILON member countries, and thanked them for their efforts in travelling to the Solomon Islands.

Mr Marau discussed the theme of the meeting and stressed that protecting our natural resources should be the ultimate duty of every Pacific islander as the future is dependent on these resources. The Minister challenged PILON members that as senior government lawyers, PILON members have an even greater responsibility of ensuring legal frameworks in various jurisdictions work effectively to protect natural resources and at the same time render sufficient room for economic growth.

Mr Marau encouraged PILON members to build on the strength of colleagues and networks created at the meeting. He called on PILON member countries to be advocates for change and provide necessary support for each other in areas of weakness.

The Co-Chair Mr Talasasa expressed thanks to the Hon. Minister for his wise words.

#### **B. Outgoing PILON Chair's address**

The Kiribati Director of Public Prosecutions, Ms Pauline Beiatau, on behalf of the Kiribati Attorney General, Titabu Tabane, commenced the meeting with an official address to PILON members on behalf of Kiribati, as the outgoing Chair. Ms Beiatau started by thanking the Government of the Solomon Islands and in particular the co-chairs – the Attorney General's Chambers and Office of the Director of Public Prosecutions for the warm welcome and outstanding hospitality which had been shown to delegates since their arrival.

On behalf of the Executive Committee, the outgoing Chair thanked Members for their support of PILON.

#### **C. Incoming PILON Chair's address**

Mr Ronald Talasasa, Director of Public Prosecutions of the Solomon Islands as co-chair provided an opening address to PILON Members and welcomed delegates to Honiara, Solomon Islands. Mr Talasasa acknowledged the contribution of the outgoing Chair in chairing PILON for the preceding year, and the guidance he provided to the Executive Committee and the Secretariat. Mr Talasasa paid tribute to the long standing active members of PILON: Mr Tuatagaloa Aumua Ming Leung Wai, Attorney General of Samoa, the Director of Public Prosecutions and Acting Attorney General of Tonga, Mr 'Aminiasi Kefu, and Dr Lawrence Kalinoe, Secretary for Justice and Attorney General of Papua New Guinea.

The Co-chair emphasised that the theme for this year's meeting 'Protecting Resources to Grow Economies: regional strategies' expressed Members' desire to protect the region's natural resources to benefit regional economies and the people of the Pacific.

**D. Session One - Plenary and Panel Discussion: Topic 1 - Supporting Government Lawyers:  
Supporting Good Governance**

Senior Government legal officials from the Solomon Islands, Tonga, Nauru, Samoa and Australia highlighted issues relating to the topic identified for this panel discussion.

The presentations by the panelists included the following practices which could assist in attracting and retaining government lawyers:

- strong legislative frameworks to protect the appointment and independence of government lawyers;
- establishing a remuneration tribunal to ensure lawyers are appropriately remunerated to address the primary reason for lawyer attrition – the offer of enhanced conditions in the private sector;
- offering flexible, part-time and home based work arrangements to retain lawyers;
- having a whole of Government approach on recruitment and maintaining graduate and intern programs;
- creativity in managing staff at middle level including structuring part-time teams, job sharing and work rotations;
- establishing a good working environment, where lawyers enjoy their work and look forward to coming to work;
- good workplace infrastructure – kitchen, free coffee and tea, reliable transport;
- strong leadership with an open door policy as well as promoting team work and collegiality;
- need strategic plan for legal office capacity building including with respect to effective human resource managements
- ensuring succession planning, as well-educated and experienced lawyers will always have other opportunities;
- moving the starting salary point for new lawyers to a higher pay grade;
- increasing remuneration packages, including additional allowances to attract and retain regional lawyers;
- introducing a rewards system when key milestones are achieved under respective TORs; and
- raising motivation and sense of public service and responsibility to the public.

#### **E. Session Two – Presentation: Report by the International Centre for Advocates Against Discrimination (ICAAD) on Sexual and Gender Based Violence (SGBV) sentencing in Pacific Island Countries**

Mr Hansdeep Singh, co-founder and Director of Legal Programs at ICAAD and Ms Emily Christie, Pro bono Associate, from DLA Piper presented on their organisations' analysis of sentencing in SGBV cases in seven Pacific island countries, which recommends:

- Building a culture of judicial accountability and consistency in sentencing by:
  - delivering training for legal and judicial officers in eliminating gender bias / stereotypes in decision making;
  - advocating for legal and policy reforms to prohibit judicial stereotyping;
  - challenging judicial stereotyping through petitions and expert evidence;
  - development of a regional guidebook around sentencing practices in SGBV cases;
- Establishing a system of sentence monitoring; and
- Only incorporating customary reconciliation in sentencing in accordance with CEDAW (i.e. agency in decision making for women and girls, equal access to justice, exclusion of discriminatory customs).

In response to the report, PILON members discussed the limits placed on courts by appeals court precedent and the potential offence that could be caused by prosecutors attempting to 'educate' the judiciary on sentencing reform. PILON members discussed a potential need for legislative reform if the judiciary is to be directed to hand down increased sentences. PILON members also discussed the challenges presented by considering sentencing at a regional level and across several offence types. Members agreed that the utility of the report may be enhanced by further breakdown of the case analysis by jurisdiction and offence type.

#### **F. Session Three – Plenary and Panel Discussion**

##### **(i) Topic 2: Responsible stewardship of natural resources through good governance and effective regulations**

Dr Eric Kwa from the PNG Constitutional and Law Reform Commission's presentation centred on the rule of law and the role of lawyers in protecting and promoting the sustainable use of natural resources, which must translate into improvements in the livelihoods of the people. Key recommendations asserted by Dr Kwa included that:

- natural resources are critical to the survival and livelihoods of Pacific islanders and lawyers have an important role in the responsible development of natural resources;
- the principal challenge in promoting responsible stewardship of natural resources is corruption and lawyers must work to address this by promoting rule of law;
- governance reform is necessary for promoting prosperity including:
  - investing in women;
  - transforming agricultural, fisheries and forestry systems;

- increasing support to sub-national governments;
- increasing participation by people in development; and,
- developing infrastructure.

**(ii) Topic 3: Protecting the environment: the role of regulators**

Mr Robert Leichtner representing the Secretariat of the Pacific Regional Environment Program provided an overview of the organisation and the nature of its work. The presentation described not only the economic development, which impacts on the environment but also the detrimental environmental consequences of unmanaged development, which can accumulate rapidly. Mr Leichtner concluded by:

- recommending the use of environment assessments as a proactive form of environmental regulation;
- suggesting that prosecutions for breach of environmental laws may be necessary if proactive measures are unsuccessful, though acknowledged that these can be problematic to the extent that they involve a discretionary element.

**G. Sessions Four and Five: Country Reports**

Each participating PILON member presented their Country Report, in accordance with the meeting theme and recent key legal developments.

The Co-Chair thanked countries for the frankness and openness of their country reports and advised that all reports would be published on the PILON website.

**H. Session Six: Plenary and Panel discussion**

**(i) Topic 4: Towards effective land registration and equitable land use**

The presentation by Ms Maria Elder Ratutokarua from the Land Resources Division of the Secretariat of the Pacific Community highlighted three key issues. Firstly, that customary land makes up over 80% of all land in the Pacific and most of this land has not been registered, which can lead to a lack of consensus or conflict over land use. Secondly, lack of data on rural land use impacts on food security, sustainability and other policy development. Thirdly, increasing demand for natural resources, land for agriculture and tourism can lead to conflict between landowners, lessees, government and investors.

Ms Ratutokarua recommended: a participatory, whole of government approach to land use planning that links to the national strategic plan. Furthermore, that political will is needed for land policy reform and strengthened land tenure / development legislative frameworks. Lastly, effective land administration is crucial for land tenure security, effective land use and the prevention of land disputes.

**(ii) Topic 5: Sustainable exploitation and exploration of marine resources: effective legal strategies.**

The Forum Fisheries Agency Legal Adviser, Dr Filimon Manoni's presentation focused on tuna fisheries resources as the largest extractive use of wildlife in the world, which needs to be managed sustainably. Dr Manoni stressed that the economic cost of Illegal, Unreported and Unregulated (IUU) Fishing to the Pacific region is estimated to be around half a billion \$USD annually. IUU fishing occurs due partially to the inability of flag states to control their vessels, as well as the increasing financial reward available.

The presentation highlighted how the Pacific region has made great progress since the establishment of the FFA in 1979, including with respect to implementing the extensive international and regional legislative framework addressing IUU fishing. He emphasized that effective national implementation of international and regional frameworks and strategies remains a challenge. In particular there is a critical need to further progress ratification and implementation of the Niue Treaty Subsidiary Agreement (NTSA), 2012. Dr Manoni ended his presentation by confirming how the FFA can assist with national implementation of the NTSA.

**J. Session Seven: Ideas to go – summary of thematic discussions**

Members discussed ideas to take forward from the thematic discussions, highlighting the following:

- a strong office means better productivity from Government law offices. The approach to capacity building should be more formalised in taking this into account when putting together a structure of the office and, have a strategic plan set out for the capacity building of the office;
- there has to be guidelines in the decision making process as to what or when a matter is to be referred for prosecution to Government law offices and the prosecutions heads should be responsible for the development of such guidelines;
- governments need proper mechanisms in place to ensure equitable distribution of proceeds obtained by providing access to customary land;
- governments need to support their people to balance the protection of customary land with the revenue raising needs of landowners and to avoid corruption in this process, including through broad consultation;
- governments need to address the problem of investors going outside of government processes to directly approach land owners, as well as addressing the issue of private consultants who participate in negotiations and do not fully reflect the interests of the people;
- small scale, family owned tourism operators should be promoted to effectively balance competing needs of land protection and sustainable utilization;
- land disputes need to be addressed early and effectively to avoid progression to criminal disputes;
- governments need to proactively address the issue of land owners remaining on government leased land without authorization (i.e. exercising squatter rights);

- governments should develop a strategic plan focused on building the capacity of law officers to effectively manage and resolve customary land issues within their jurisdiction; and,
- Legal protection of the environment for sustainable economic growth as demonstrated recently by several PILON members.

#### **K. Session Eight: Presentation – Pacific Regional Model Forensics Provisions**

A report was provided by the Pacific Islands Chiefs of Police and the Australian Attorney General's Department on the regional forensics model provisions and the importance of implementing these provisions at the domestic level to support the effective investigation and prosecution of crime. Considerable interest in implementation of the model provisions was demonstrated by PILON members. PILON members also discussed the need for support to police to implement new forensic laws in their policies and procedures. The report containing the model provisions is available on the PILON website.

#### **L. Session Nine: Update and discussion – regional issues and initiatives:**

##### **(i) PILON Secretariat Report on activities in 2015**

The Secretariat presented a summary of its activities in 2015 and the work carried out pursuant to the 2015 Secretariat Work Plan.

The Secretariat report highlighted that support was provided to the PILON Executive Committee, Working Groups and members in the implementation of the inaugural strategic plan, including regional legal policy priorities of sexual and gender based violence, anti-corruption and proceeds of crime and illegal fishing. The 2015 Work Plan required the Secretariat to carry out allocated tasks under the PILON Strategic Plan, support the three priority issue Working Groups as required, and ensure appropriate monitoring and reporting on progress in implementation of the Strategic Plan. This was carried out by way of:

##### **(a) Information sharing and communication**

- The Secretariat has endeavoured to provide updates to members of relevant developments and events across the membership through monthly email updates and through the Talanoa newsletter. The PILON Talanoa Newsletter was revived with three issues published over the course of the year which contained articles provided by members and development partners, latest developments in PILON member countries and information on trainings, meetings and workshops PILON members have taken part in. The newsletter is also uploaded onto the PILON website.
- The dedicated PPA and Drafters' Forum web pages are updated.
- To ensure the Annual Meeting is as constructive and useful as possible for the network, the Secretariat has prepared a questionnaire for members to provide feedback in relation to the 2015 PILON Meeting – particularly with the new format this year (i.e. 3 part meeting). This covers organisational processes, established meeting components, and structure of the meeting. Feedback will assist the Secretariat and Executive Committee to assess whether established meeting

arrangements continue to meet member's expectations of this forum, or how the meeting may be further developed.

- As part of PILON Meeting preparations, members were provided an updated Country Report template by the Secretariat. The template was amended to incorporate the specific reporting requirements introduced under this Plan. Member comment in relation to the template and format of Country Reports will also be sought as part of the abovementioned questionnaire.

**(b) Cooperation and coordination in relation to regional law and justice issues**

- Dedicated web pages for each priority area - the web pages contain summaries of relevant updates from Member countries from 2014, a summary of current regional law and justice-focused projects or initiatives in relation to the priority issue, and links to resources from Members or other organisations, key documents and organisations. The individual web pages are available via the *Strategic Plan* page of the PILON website. Maintenance and consolidation of the web pages will be an ongoing task for the Secretariat, to ensure this is a comprehensive and up to date resource for members. Feedback from members regarding contents of the web pages is welcomed, as is submission of relevant updates or information.
- As previously mentioned, the Country Report template was updated to incorporate a section for reporting in relation to priority issues. As well as a valuable contribution to information sharing and facilitation of discussion between members, submission of this information will be invaluable to the Secretariat and the Working Groups in undertaking further activities under the Strategic Plan legal policy agenda.

**(c) Engagement and collaboration with regional and international organisations**

- This strategy – active engagement with key regional and international organisations - has been a key focus of the Secretariat in recent years. This had continued and strengthened during 2015. The priority issues identified in the Strategic Plan legal policy agenda have provided more of a framework for these activities. Constructive engagement with relevant organisations has continued during 2015, in particular with organisations relevant to the priority issues (outlined as part of Working Group reports). The Secretariat has endeavoured to liaise with key organisations in relation to Strategic Plan and Working Group activities, aiming to ensure that work undertaken in each area takes into account and is guided by existing work and projects currently being undertaken. Detailed information regarding organisations' activities and technical assistance opportunities has been provided to members through Working Groups and the Secretariat's information sharing activities (priority issue web pages, email updates, technical legal assistance database).

**(d) Technical legal assistance, capacity building, training and mentoring opportunities**

- Secretariat has endeavoured to remain updated and distribute to members information regarding technical legal assistance opportunities, and where possible

support members to access this. The web pages regarding priority legal issues each contain a summary of technical assistance available.

**(e) Planning and Development**

- Teleconferences and working groups' meetings were organised.
- At last year's meeting, the approved Secretariat Work Plan included having the Secretariat work with members to develop a new draft Strategic Plan.
- The new PILON strategic plan was developed based on member survey responses and consultation, which resulted in the new strategic plan adopted with the legal policy priorities of sexual and gender based violence, cybercrime, environmental crime and corruption.

Secretariat support was also provided to three regional law and justice initiatives: Pacific Prosecutors' Association; Legislative Drafters' Technical Forum; and, the PILON Litigation Skills Training Program. Further details on each of these initiatives are set out below.

During the latter part of 2015 a new Assistant Secretariat Coordinator was recruited to replace the former Assistant Secretariat Coordinator. The report provided additional details on the activities of the Secretariat and a copy of the report will be placed on the PILON website following the meeting.

**(ii) Legislative Drafters' Technical Forum**

Ms Lorraine Kershaw, International Legal Adviser for the Pacific Islands Forum Secretariat (PIFS) presented on the fifth Legislative Drafters' meeting convened in Apia, Samoa, in partnerships with the Samoan Attorney-General's Office and PILON, to strengthen rule of law in the Pacific. Special thanks to Samoa for their very organised hosting and significant engagement across government and the justice sector.

The Drafters' Forum identified key new policy issues and the drafting challenges associated with these, and had diverse participation in the conference across the region, in levels of experience of lawyers and regional organisations. The country reports addressed domestic challenges in legislative drafting, including retention of drafters and access to training. A technical workshop attached to the meeting focused on the implementation of the *Convention on the Rights of Persons with Disabilities* (CRPD) in domestic laws.

PIFS is committed to continuing the forum but has not currently set dates for 2016, pending confirmation of funding. PIFS also provides drafting support to Pacific countries through its in-house legislative drafter and by sponsoring the participation of Pacific lawyers to undertake courses in legislative drafting.

**(iii) Pacific Prosecutors Association (PPA)**

The sixth Pacific Prosecutors' meeting was successfully convened in Tonga in July with a meeting theme and technical workshop focused on the use of expert evidence (pathology and forensic accounting). Panel discussions focused on: Pacific prosecutions and good governance, prosecutor welfare and improving police relations. Technical presentations were delivered on prosecuting SGBV and cybercrime as well as the Pacific forensic model provisions.

The issue of PPA membership fees was discussed but this has been referred to the Executive Committee. Nauru volunteered to host the 7<sup>th</sup> PPA meeting in 2016.

A new PPA Executive Committee was elected with Tonga (Chair), Samoa (Vice-Chair), Tuvalu (Polynesian representative), Vanuatu (Melanesian representative) and Nauru (Micronesian representative)

**(iv) PILON Litigation Skills Training Program**

An overview of the Programme, including past trainings conducted by NZ Crown Law was provided to members. This year's training was convened by NZ Crown Law and hosted by Samoa. The program delivered important and intensive training based on an American model, to Pacific lawyers. Participants identified the need to encourage greater Pacific country engagement in the program.

An Advanced Litigation Skills course is expected to be run in 2016, with the next Basic Programme to be conducted in 2017.

**M. Session Nine: PILON Observer Members**

Presentations were provided by a number of Observer members and were noted by PILON members.

**(i) Commonwealth Secretariat**

Ms Emma Thwaite of the Commonwealth Secretariat explained the Commonwealth Secretariat's focus on implementation of MDG 16 on justice.

Ms Thwaite highlighted that the Commonwealth is developing a network of contact persons –for informal communications prior to engaging in mutual assistance processes for cyber matters. The Commonwealth Secretariat already sent out requests for contact details on this and is looking to arrange a meeting to launch the network in early 2016. Ms Thwaite invited comments from PILON members on any issue the members may wish to discuss during the Senior Officials of Commonwealth Law Ministries Meeting (SOLMM) and the Law Ministers of Small Commonwealth Jurisdictions Meeting (LMSCJ) which will both be held in London in October 2016.

The Secretariat is also providing assistance around oceans natural resources, and PILON members can make requests for assistance in this area.

(ii) International Committee of Red Cross (ICRC)

Ms Netta Goussac of the ICRC highlighted progress in Pacific ratification and implementation of humanitarian law treaties, including the recent workshop hosted by MSG with respect to the Arms Trade Treaty. The ICRC can assist Pacific island countries with ratification and implementation of International Humanitarian Law (i.e. by providing advice, model laws and training).

The 4th Commonwealth Red Cross Red Crescent Conference on IHL was held in Australia in July 2015, with participants from across the region attending. The 32nd International Conference of the Red Cross and Red Crescent (involving all States Parties to the Geneva Conventions, all National Red Cross and Red Crescent Societies, as well as the ICRC and the IFRC) was currently taking place in Geneva, and Ms Goussac encouraged participants to take note of three key themes: preventing and responding to sexual and gender-based violence, protecting and respecting the provision of health care in armed conflict and other emergencies, and strengthening compliance with IHL.

The ICRC encouraged the Pacific region to continue to engage with IHL and the ICRC, noting that the Pacific can have a positive moral influence in this field.

(iii) International Federation of the Red Cross (IFRC)

Ms Finau Limuloa of the IFRC congratulated Tuvalu on becoming the newest member of the IFRC. The IFRC have national offices in all Pacific countries other than Nauru. The organisation focuses on disaster law and policy reform, including legislative frameworks to ensure that national governments are in control of responses to disasters.

The organisation also develops best practice guidelines for national disaster management.

(iv) NZ Parliamentary Counsel Office (NZPCO)

Mr Richard Wallace of the NZPCO explained to PILON members that his office has a memo on NZ Pacific desk assistance which will be circulated to PILON members for their information. The NZPCO has provided manuals on legislative drafting which have been uploaded on the PILON website.

The NZPCO is happy to do work for Pacific island countries beyond Cook Islands, Niue and Tokelau but are limited by available resources. One legislative drafter is available for assistance to the Pacific with assistance including: drafting of laws; review of legislation; developing or providing electronic templates and manuals for drafting laws; and, providing training for drafters.

(v) South Pacific Lawyers Association (SPLA)

SPLA Executive Director Mr Peter Thomson explained that SPLA is made up of Pacific Law Societies and is led by an Executive Committee. The SPLA Conference was convened in Brisbane in September with over 100 participants. The next SPLA Conference is to be held in Samoa in October 2016. This year's conference highlighted the need for strong law societies, including to fight corruption by promoting ethical legal services.

SPLA has developed model legal professional practice rules to address existing gaps in current regulation of the legal profession (i.e. need for professional indemnity insurance).

(vi) United Nations Office on Drugs and Crime (UNODC)

Ms Annika Wythes presented on behalf of the UNODC and informed members that the UNODC together with the United Nations Development Program, delivers the United Nations Pacific Regional Anti-Corruption (UNPRAC) Project, which implements the United Nations Convention Against Corruption (UNCAC). The UNCAC has 178 States parties with 11 in the Pacific and is the only legally binding international instrument to address corruption. UNCAC focuses on four areas, preventative measures, criminalization and law enforcement, international cooperation and asset management.

UNCAC incorporates an implementation review mechanism.

The UNPRAC project is a four year project that concludes in June 2016 but is expected to be extended for another four years.

(vii) University of the South Pacific – Law School

The Head of School, Professor Eric Colvin, promoted the importance of PacLII, which is currently entirely funded by Australian aid, which concludes on 30 June 2016. PacLII is likely to be removed from project to core funding of USP. If further funding is not obtained then services provided will be limited and basic. Professor Colvin invited PILON members to consider alternate funding models for PacLII and potential contribution.

Professor Colvin raised the distinction between the skills and knowledge that can be provided by USP Law School and the skills that need to be provided on the job and promoted the idea of a PILON session to discuss in which agencies different areas of training should lie. This session could also provide an overview of training currently provided by USP, as well as in-house by government agencies. He highlighted that PILON members from Samoa and Tonga already sit on the USP Law School board. Professor Colvin also invited PILON members to contact USP with feedback on what they would like to see in Law School education programs.

Professor Colvin advised that significant change is expected in how the Law School and Professional Diploma in Legal Practice (PDLP) will be delivered by USP. There has been a great reduction in the number of students from across the Pacific to the Vanuatu Law School, with the majority of students now from Solomon Islands but with Solomon Islands currently building a new law school. The majority of law students now study in Fiji or online. USP is looking to deliver PDLP online also, with materials adapted for each jurisdiction.

Litigation skills training should be delivered by USP but there is no funding for this currently.

(viii) University of the South Pacific Senate

Ms Jenni Lightowlers, legal adviser to the USP Senate discussed the proposed multilateral agreement to legally recognise USP, which is expected to soon be put to Pacific island countries for ratification.

In drafting this multilateral agreement, the Senate considered whether such a legal approach was necessary, in light of the fact that USP has operated successfully for 47 years without this.

The USP Senate is seeking to have the convention ratified by a majority of countries by 2017, its 50 year anniversary. The session discussed the practicality of this objective given the likely need for domestic legislation to implement it.

#### **N. PILON Work Plan for 2016 and Draft Outcomes Report**

PNG moved that the work plan be adopted and Nauru seconded this. The 2016 PILON work plan has been uploaded onto the PILON website.

Members agreed to discuss and settle the Meeting Outcomes Report out of session, by email.

#### **O. Arrangements for 2016 PILON Annual Meeting**

The Federated States of Micronesia (FSM) nominated to host and is confirmed as host of the 2016 PILON annual meeting.

Nauru undertook to enquire with Nauru airlines about the possibility of a charter package to assist members to participate in the annual meeting in FSM.

#### **P. 2016 PILON Executive Committee**

Under the PILON Charter, the Executive Committee is comprised of the Chair, the incoming Chair, and at least two other PILON member country representatives.

Australia, Federated States of Micronesia, Nauru, New Zealand, Papua New Guinea, Samoa and Solomon Islands were nominated and approved as members of the Executive Committee for 2016.

#### **Q. Other business and closing**

- The meeting Outcomes report to be circulated to PILON membership for approval within two weeks.
- Presentation of country reports would benefit from additional time for discussion, so that PILON members leave with a better understanding of new initiatives in the different jurisdictions. Interesting developments could be captured in a summary analysis report.
- Structure of annual meeting agenda and country report format to be referred to Executive Committee for review to best meet PILON member interests and needs.
- PILON 5km run at 6am on 11 December 2015, starting at the Mendana hotel. Australia was victorious!

The meeting was officially closed by the co-chair Ronald Talasasa who expressed thanks to members for attending the meeting as well as for the opportunity to host and Chair.