



**CORRUPTION WORKING GROUP
MEETING**

Draft Minutes

Friday 14 October 2022

1.00PM Nauru time

1. **Welcome:** Corruption WG Chair – Ronald Talasasa – Director, Public Prosecution, Republic of Nauru.

2. Present:

2	Bernard Adiniwin	Attorney General RMI
3	Janelle Etelagi	Legal Officer, American Samoa
4	Sarla Hallock	Legal Officer, AGD
5	Sasae Walter	Coordinator, PILON
6	Rosy Koi	Assistant Coordinator, PILON

Apologies:

Ernestine Rengiil – Attorney General Palau

3. Minutes from previous Working Group Meeting on 12 August, 2022:

Motion to approve the minutes was moved by Sarla Hallock of AGD and seconded by Chair Ronald Talasasa Nauru.

4. Matters for Discussion:

i. Country updates on corruption initiatives/training being done since last meeting

Sarla Hallock, Legal Officer of Australia AGD updated members of Australia’s progress towards establishing an independent national Anti-Corruption Commission. On the 28th December 2022, the Australian government has introduced a Bill to the Australian Parliament to establish a transparent and an independent national Anti-Corruption Commission to ensure integrity and accountability in their federal government and in their commonwealth public sector and institution.

The national anti-corruption commission will be an independent body with broad jurisdiction to investigate allegations on serious and systemic corruption as they relate to their commonwealth minister's public servant statutory office holders, government agencies, parliamentarians and their staff. The Commission will be a key pillar in ensuring integrity and accountability across Australia's federal government and will complement a multi-faceted whole of government approach.

Bernard Adiniwin, Attorney General of the RMI updated members on the criminal prosecution of public officials that has been ongoing since late 2021. AG shared that with the public officials holding statutory positions in SOE and statutory bodies who commit corruption related offenses such as misconduct in public office, once they have been served with a notice to attend court, they flee. The AG office do not have the funds to extradite them from the US, so one initiative that their office has been doing, is when they apply for a new passport or renewal of a passport, the office of the AG will deny it, and we inform them that they can do a zoom settlement, at least something so they can have something on their criminal record and their annual reports. They have now some successful convictions so far, 2 are pending and another 7 more are been dealt with in this kind of setting.

Ronald Talasasa, DPP of Nauru informed members that they have one on going case that he shared in last meeting, which involved a health inspector who goes around inspecting eateries and restaurants, and he asked for money before he could open the restaurant. The matter should be completed and the defendant sentenced within the next months. There are also initiatives by the Police and the Department of Justice to strengthen awareness in relations to businesses that everyone that runs a business must have a license.

Sasae Walter of PILON Secretariat informed members that the Youth Summit 2022 scheduled to be held on the 20th October 2022 will be hosted by the USP Student Association (USPSA). In 2021, USPSA established a strategic partnership with UNDP Pacific Office to enhance integrity, anti-corruption and right to information awareness and advocacy across the region. The initiative, will focus on international and regional anti-corruption commitments such as the Agenda 2030 and the Sustainable Development Goals (SDG), the United Nations Convention against Corruption (UNCAC), and the Teieniwa – Pacific Unity Against Corruption Vision has been supported both by the UN Pacific Regional AntiCorruption Project (UN-PRAC), funded by the Government of New Zealand, and the Strengthening Anticorruption,

Transparency and Accountability in Pacific Island Countries (Pacific Anti-Corruption Project), funded by the UK Government.

The event will cover across the Pacific region in live, print, and online media, and as a result of these activities, the voice and anti-corruption concerns of young people from across the Pacific will find a new and receptive audience among national and regional leaders.

Further information can be accessed on this link.

https://www.usp.ac.fj/usp-students-association/wp-content/uploads/sites/82/2022/10/Full-Concept-Note_PYA-on-Governance.pdf

Sasae Walter also informed on further articles received from Transparency International New Zealand, global movement who through advocacy, campaigning and research, has exposed countless systems and networks that enable global corruption to thrive. Walter shared with members in this particular newsletters, one very interesting article included the one that provided an interesting definition of corruption. It listed everything you do when you are in power, when you misuse that public power that is being given to you such as the use of the office vehicle, to use of office stationaries and more.

Update on Working Group activity (Australia)

Sarla Hallock informed members on the Mutual Assistance webinar that will be hosted on Friday 21 Oct 2022. The PILON Secretariat have sent out an invitation to members to join, and members are encouraged to let their colleagues know about this webinar and to join. The Speakers will be;

- i. Rob Blount (Australia Federal Police)
- ii. Kilby Baker (Australian Attorney General Department)
- iii. Ryan Macfarlane and Aron Ingalls (US Federal Bureau Investigation I)
- iv. Louise McGregor (International Anti-Corruption Coordination Centre)
- v. Rachel Olutimayin (Solomon Islands ODPP)

ii. Suggestions for possible Working Group activities and / or topics for 2023

Chair mentioned that there's topic that was been discussed regarding customary practice when we visit communities. Where do we draw the line on these cultural gifts.

Sasae Walter mentioned that based on articles and documents sent through Transparency International NZ, the corruption related offences as described by UNCAC such as bribery, embezzlement, fraud, money laundering, obstruction of justice and have also extended the offenses to conflict of interest, seeking and acceptance of commission, nepotism, election tampering. Perhaps these offenses can be included in the Framework booklet the WG has.

Bernard Adiniwin of RMI shared some comments in terms of conflict of interest and the fact that the RMI is a small jurisdiction and family connections are common. His team at the RMI AG office and how everyone can be related to one another. He shared that his office has encountered a case where all his staff are related to the suspect. They can't file this case in court or let alone prosecute. So the judges use the third degree on where you draw the line in terms of conflict of interest.

Ronald Talasasa thanked everyone for their contributions. And he shared that he also came across similar examples in Nauru. He also mentioned that some offenses as mentioned by Sasae Walter can be looked at for discussion.

Janelle Etelagi shared that for American Samoa, however, if there is a conflict of interest, the files are passed to other prosecutors with no conflict of interests to the suspect or defendant or an independent prosecutor with prosecution related experience is hired to take on the matter. She also agreed with what was shared by Attorney General Adiniwin and Sasae Walter especially on the areas around nepotism and coming from small island states where people can be closely related to one another. She also asked the same question on where do we draw the line amongst these topics.

Chair asked members on what the next activities will be. Whether members want a face-to-face meeting or virtual meeting.

Bernard Adiniwin preferred webinars, so his team can attend and be involved in the activities of the WG.

Janelle Etelagi also echoed the same preference for webinars given the fact that they are very short staffed at the moment.

Sarla Hallock shared that Australia is very supportive of the work and activities of the WG. She also mentioned that an email be sent to other members who are not in the meeting to also indicate any possible topics of interest for the next year.

Chair agreed that the consensus is on hosting further webinars for now and members to continue to liaise and discuss further the possible Working Group activities and or topics for 2023

5. Other Matters:

6. Next Meeting:

- i. Friday 10 February 2023

7. Meeting Closed: 1.52pm Samoan time

Minutes endorsed on 30 March 2023