**Solomon Islands Workshop on Ratification and Implementation of the
UN Convention against Corruption**

**4-5 October 2011, Honiara**

**ISSUES STATEMENT**

From 4-5 October 2011, Members of the Parliament of Solomon Islands, including a number of Ministers, as well as officials from key constitutional bodies and a range of government agencies and departments participated in a National Workshop on Ratification and Implementation of the UN Convention against Corruption. The workshop was facilitated by the UNDP Pacific Centre.

The Workshop discussed the value of UNCAC ratification to Solomon Islands national development efforts and achievement of the Millennium Development Goals. The provisions of UNCAC were explained in detail to Members, as well as the UNCAC Review Mechanism. The participating Members discussed a range of topics and highlighted a number of issues for follow up:

1. Commencing the national process to progress accession to UNCAC and then following up by:
	1. Reviewing existing laws of Solomon Islands to assess compliance with UNCAC and make recommendations for amendments, as necessary; and
	2. In particular, considering introducing a provision in accordance with Article 20 of UNCAC on illicit enrichment which shifts the burden of proof onto a complainant where a charge of disproportionate wealth is made;
2. Reviewing and/or enacting key legislation to ensure that legal loopholes are closed and existing accountability institutions are strengthened, in particular:
* The draft Auditor General Bill which has been prepared but not yet submitted to Parliament;
* The laws relevant to the Ombudsman Commission and the Leadership Code Commission (LCC) to give them “teeth” to be more effective, including reinstating stronger powers for the LCC, exploring options to give the LCC power to initiate prosecutions, as and when necessary, and ensuring that sufficient penalties can be imposed by the courts where misconduct is found;
* Laws which provide broad discretions to Ministers and officials, to tighten the exercise of such discretions to minimise opportunities for abuse of office;
1. Exploring options for establishing some form of Independent Commission Against Corruption which can more actively investigate and prosecute corruption, noting that:
* A number of institutions already exist in Solomon Islands which deal with certain aspects of accountability and good governance, including the Ombudsman and the Leadership Code Commission, such that consideration may need to be given to options for integration, co-location and/or specialist staff secondments;
* Tackling corruption may nonetheless require the establishment of a body specifically tasked with dealing with corruption offences, which can then be held accountable by the people and the Parliament for taking action on such issues;
1. Strengthening parliaments engagement with accountability issues to ensure that Parliament more proactively tackles corruption issues, including:
	1. By ensuring that parliamentary committees prioritise and properly examine reports from the Auditor, Ombudsman and Leadership Code Commission and proactively recommend concrete action be taken where allegations of corruption are raised;
2. Strengthening education programmes for leaders to promote a culture of good leadership and respect for the country and its resources;
3. Reflecting on options for strengthening the public service to promote a stronger culture of impartiality and accountability. Practical suggestions for action included:
	1. Reviewing the contracting approach to employing Permanent Secretaries, to ensure that Permanent Secretaries are protected from improper political interference/influence while still being held accountable for performance targets;
	2. Introducing deadlines into the public service disciplinary process, in order to ensure that complaints are promptly dealt with, in particular allegations of corruption;
	3. Introducing “whistleblower protections” which would cover public servants and ordinary members of the public, through legislation and/or in public service rules and guidelines, which will serve to protect ALL people who report corruption;
	4. Implementing a staff performance appraisal system, which will hold public servants to account for the proper discharge of their duties;
	5. Introducing some form of public service “award(s)” to publicly acknowledge good performance by public servants and thereby encourage better performance from others;
	6. Reviewing public service salaries to ensure that all public servants at least earn a “minimum wage”, noting that low wages often contribute to an environment where corruption flourishes;
4. Promoting accountability through the implementation of the right to information in recognition of the fact that a democracy cannot function if the people do not understand what the government is doing. Practical suggestions included:
	1. Strengthening the Government Information Unit, to enable more regular, proactive disclosure of information.
	2. Specific suggestions for proactive disclosure on the internet, namely:
		1. Cabinet documents, unless there is a public interest in secrecy, noting that it is essential that the public understand the process for Cabinet decision-making;
		2. Budget information, including information about development assistance receipts and expenditures;
		3. “Significant payments” made by the Government to any party;
	3. Promoting public disclosure by the Royal Solomon Islands Police on the progress of cases (# of complaints received, status/progress, conclusion) , as well as a mechanism for complainants to find out the specific details of progress on their case;
	4. Passing a Right to Information Act which to give the public the right to access information from public bodies, unless there are compelling public interests in withholding information;
5. Encouraging non-government organisations to more actively address corruption issues, including:
	1. Encouraging the Chamber of Commerce to more explicitly integrate anti-corruption standards / benchmarks into its membership requirements and the ethos of its member bodies;
	2. Requesting Transparency International Solomons to explore options for undertaking national corruption perceptions surveys, for example, on the public’s perceptions of individual government departments;
6. Noting the current work being undertaken to update the primary and secondary school curriculums to include education for school children on good governance and corruption issues;

Honiara, Solomon Islands
5 October 2011