

TABLE OF CONTENTS

1. BACKGROUND AND OBJECTIVES	1
2. PARTICIPANTS, RESOURCE PERSONS AND VISITORS	2
3. WORKSHOP METHODOLOGY	2
4. PRESENTATIONS	3
5. PRESENTATION TO STAKEHOLDERS	4
6. WORK SHOP EVALUATION RESULTS.....	5
TABLE 1: WORKSHOP SCHEDULE	8
ANNEX 1: PRESENTATION ON THE STATE GOVERNMENT TASK FORCE PRESENTED BY JOHN TUHAICA.....	9
ANNEX 2: KEY POINTS ON THE DECENTRALISATION PROCESS	13
ANNEX 3: ISSUES ARISING IN THE CONTEXT OF GOVERNANCE REFORM.....	17
ANNEX 4: PAPER ON PEOPLE'S HOPES AND FEARS ABOUT 'STATE' GOVERNMENT	20
ANNEX 5: POINTS ON DECENTRALISED THEMES TO BE ADDRESSED DURING CONSULTATIONS	24
ANNEX 6: PAPER ON TRADITIONAL LEADERSHIP	28
ANNEX 7: INFORMATION GATHERING GUIDELINES AND SUGGESTED CONSULTATION STRATEGIES.....	31
ANNEX 8: REPORTING COMMUNITY CONSULTATIONS	35
ANNEX 9: ADDRESS BY ASHLEY WICKHAM, HCHR.....	36

ABBREVIATIONS

ADB	Asian Development Bank
AusAID	Australian AID
CRP	Constitutional Reform Project
MP	Minister of Parliament
NZAid	New Zealand AID
RRRT	Regional Rights Resource Team
SGTF	State Government Task Force
SIG	Solomon Islands Government
TPA	Townsville Peace Agreement
UN-HCHR	UN High Commissioner for Human Rights
UNDP	United Nations Development Programme

1. Background and Objectives

To prepare and equip consultation teams for their important role in engaging the public in the governance reform process, an orientation workshop was held to provide background information and determine the most appropriate consultation methodology.

The objective of the community consultations is to involve Solomon Islanders in the process of governance reform; to increase their level of political awareness; to establish a firmer base for public participation in governance; and to inform the Solomon Islands Government and donors supporting the governance reform process of the public's views.



This is to be achieved by

- ❑ Describing the history and process of governance reform and the role of the Constitutional Reform Project in supporting that process;
- ❑ Exploring key issues identified by the Socio-economic Study through facilitated community discussion of these topics; and
- ❑ Identifying and documenting people's views on key governance reform issues and their suggestions for implementation.

The objective of orientation workshop was to prepare the consultation teams by:



- ❑ Explaining the objectives and components of the Constitutional Reform Project;
- ❑ Reviewing the current government structure and history of governance reform in the Solomon Islands;
- ❑ Exploring the results of the CRP Socio-economic Study;
- ❑ Discussing and determining an appropriate methodology for the consultation process;
- ❑ Clarifying the roles and responsibilities of team leaders, team members and Project

- personnel; and
- ❑ Advising on administrative procedures related to travel, accounting and reporting requirements.

2. Participants, Resource Persons and Visitors

Of the 40 people engaged in conducting the public consultations, all eight team leaders and many team members participated in the workshop. In total, thirty team leaders/members attended. Numerous resource persons also participated. This included the chairman of the State Government Task Force, John Tuhaika and several members of the SGTF. Representatives from the Suva-based Regional Rights Resource Team (RRRT) provided useful insights on human rights issues and participatory approaches. Ashley Wickham of the United Nations High Commissioner for Human Rights in Solomon Islands contributed a great deal, both formally and informally, to the workshop. The Parliament Member for Ulawa-Ugi, Hon. Nathaniel Waena participated in several workshop sessions. As the previous Minister for Provincial Government and chair of the Buala Premiers' Conference (which established the SGTF), his perceptions and comments were especially helpful. AusAID and NZAID representatives attended part of the workshop as observers. There were also observers from other UN projects, government agencies and civil society at some sessions.

3. Workshop Methodology

The workshop was facilitated by Colleen Peacock-Taylor and coordinated by Graham Baines. Both were members of the team that prepared the Socio-economic Study report on the implications of state government.

The workshop was conducted in a highly participatory manner. At the outset, participants shared their expectations for the workshop and their hopes and concerns regarding the consultation process. A "parking lot" was used to deal with outstanding issues; governance related terms were documented and defined. Timing, and to some degree, the content of the workshop was determined by the participants, working with the facilitator and drawing on the results of end-of-day evaluations. At the end of each day, participants provided written feedback on what they liked and disliked about the approach. Feedback was synthesized and shared with the large group; suggestions for improvement were incorporated in planning for the following day.



The workshop made use of formal presentations followed by large group discussion; breakout groups were used to discuss and analyze specific issues. Composition of small groups rotated to enable everyone to have a chance to work together. People took turns acting as facilitators, reporters and presenters. Role-playing was used to practice appropriate community presentation skills. Participants shared responsibility for leading energizers, songs and prayers. Based on the findings of the Socio-

economic Study and information provided during keynote presentations, participants designed the data-gathering format for the consultations. While this proved a

challenging task, it resulted in a well thought out, carefully vetted questionnaire that was fully “owned” by the participants. Team members also developed the “ground rules” for the workshop and a “code of conduct” for use during provincial tours. As much as possible, the workshop modeled the flow and style of the consultation process itself. The workshop schedule (Table 1) was continually adapted to meet the expectations and learning needs of the group.

4. Presentations

A series of progressive presentations provided important background information on key governance reform issues and built on the knowledge, skills and confidence of team members.

Workshop presentations began with Ali Tuhanuku (UNDP Suva) outlining the history and scope of the Constitutional Reform Project (CRP) and the critical role of the public consultation process to successful governance reform. He stated that the CRP was as “a key element to sustained peace” and stressed that teams should not go to rural communities to present a pre-determined model of government. Rather, the purpose of the consultation process is to listen and record what people believe about key governance issues and their suggestions for improvement. Henry Kellam introduced the other project personnel, explained his role as Project Coordinator and provided contact information.



John Tuhaika, Permanent Secretary for Provincial Government and Rural Development, made a presentation on government structure and the important work of the State Government Task Force (*Annex 1*). A member of the SGTF, John Saunana, then spoke on critical traditional/local level leadership trends and issues in Solomon Islands. John stated that government and churches have largely displaced the authority of traditional chiefs, creating a situation where people with traditional leadership rights have become “belittled and passive” and many “vocal upstarts” have emerged.

Afu Billy and Apolosi provided an informative rights, gender and good Drawing on regional experience, numerous based approaches Graham Powell made a which he explained his lawyer for the CRP and



Bose from RRRT session on human governance issues. and international handouts on rights-were distributed. presentation during role as constitutional emphasized the

importance of providing detailed consultation reports that clearly outline community governance issues and ideas. Seemingly insignificant points can have important implications in constitutional law.

Graham Baines, Team Leader for the CRP Socio-economic Study presented the key findings arising from this research. A synopsis of this information is contained in Annexes 2 through 6. These workshop papers were distributed and discussed during the workshop and a copy of the full [draft final] Socio-economic Study was made available to each team. Small groups spent significant time discussing key thematic areas emerging from this study considered most relevant to the community consultation process. This included: services, security, civil engagement, traditional leadership and village governance. From these discussions, participants produced a list of 34 questions to be used as a guideline for information gathering (see Annex 7). It was stressed that this is only a guideline and should not be considered a definitive list of questions. Consultation teams were encouraged to adapt and modify discussion questions to suit the needs and interests of each group. In this way, the guidelines provide a “menu” of question options.



The roles and responsibilities of team leaders, members and project personnel were discussed and UNDP's expectations were clarified. Administrative and logistical issues were dealt with in a special admission with team leaders. Additional admin concerns that arose during the workshop were referred to the Project Coordinator for follow-up as appropriate. ***A special session was held with Team Leaders to discuss documentation and reporting requirements (see Annex 8). Guidelines agreed to during this session were shared with the larger group.***

5. Presentation to Stakeholders

Representatives from government, civil society and donor assistance agencies attended the closing session. The Minister for Provincial Government and Rural Development, Hon. Walton Naezon, presented the view that 'state' government has "already been decided" and though "some provinces may have a different agenda" the only area where flexibility exists is in relation to "timing" considerations. The Minister expressed the need to conduct the reform process "properly", noting that if the current timing is restrictive, "we may need to reconsider."

Ashley Wickham, representative of the UN High Commissioner for Human Rights referred to the workshop as "a milestone in one of the most significant events in the Solomon Islands". The full text of his message is at Annex 9. Ali Tuhauku spoke on behalf of UNDP, outlining the history and components of the CRP. Graham Baines reported on how the findings of the socio-economic study relate to the consultation process. Josephine Behulu and Levin Respioli represented the workshop participants and made a presentation on the workshop content and approach. They emphasized that teams must enter consultations with "no preconceived ideas regarding a new government structure" and they should "not defend, imply or propose what system of government might be appropriate."

Project constitutional lawyer Graham Powell briefly outlined some of the constitutional issues to be considered during the reform process and reinforced the important role of the public consultations in informing the legislative outline as the legal basis for constitutional change.



6. Work Shop Evaluation Results

Work Shop evaluation forms were distributed to participants for their responses. A synopsis of their feedback is summarized following each question. When more than one person provided similar feedback, this is noted.

☞ Do you think the workshop objectives and your personal expectations were met? Why or why not?

All respondents indicated workshop objectives and personal expectations were achieved. Some indicated they were “fully satisfied” and “pleased beyond expectation”. Other comments and qualifiers regarding objectives and expectations included:

- ❑ Lack of time prevented sufficient discussion about some key issues.
- ❑ Lack of clarity and confusion around administrative and logistical issues was distracting and prohibited full concentration on workshop topics. UNDP should be more organized and systematic in its’ approach. Proper preparation is essential.
- ❑ Lack of clarity on whether the focus of the consultations was “state government” or “constitutional reform”. By the end of the workshop however, respondents felt more comfortable with simply listening and documenting people’s views, knowing that models of government and legal frameworks will emerge from this process.
- ❑ The real test of the workshop is whether it equipped people to implement high quality participatory consultations on governance reform. “Workshops are not reality, it’s what we do in the field that counts... Maybe we should do another evaluation at the end of our fieldwork”

☞ What did you enjoy most about the workshop?

- ❑ Most respondents enjoyed the participatory approach and method of facilitation; “the atmosphere was excellent”, “the workshop was beautifully done”.
- ❑ Participants enjoyed the informative speakers, helpful handouts and well-organized presentations.
- ❑ Respondents enjoyed learning about traditional leadership, history of governance reform, human rights and constitutional issues.
- ❑ Participants liked working in small groups, the energizers, games, singing and role-playing.
- ❑ Building a collective consultation strategy “from the bottom up”. Difficult, but satisfying!

- ❑ Working with people from different places, teams and professional orientations. Interaction and solidarity between participants was highly valued by everyone.
- ❑ The way the workshop imitated the consultation process provided a useful working model.

☞ What did you enjoy least about the workshop?

- ❑ Concern was expressed that some participants dominated sessions while others were marginalized.
- ❑ Some speakers tended to “drag on for too long”; some participants went “off on tangents”.
- ❑ Several people raised concern that important sessions were rushed; we needed to start on time and have more time.
- ❑ “Political agendas” and “outside influences” tended to obstruct the learning process.
- ❑ Some feel that sessions should have been “closed” to non-team members.
- ❑ The pressure of having to make logistical arrangements and sort of administrative details during the workshop deterred learning for many people.

☞ Suggestions for future workshops?

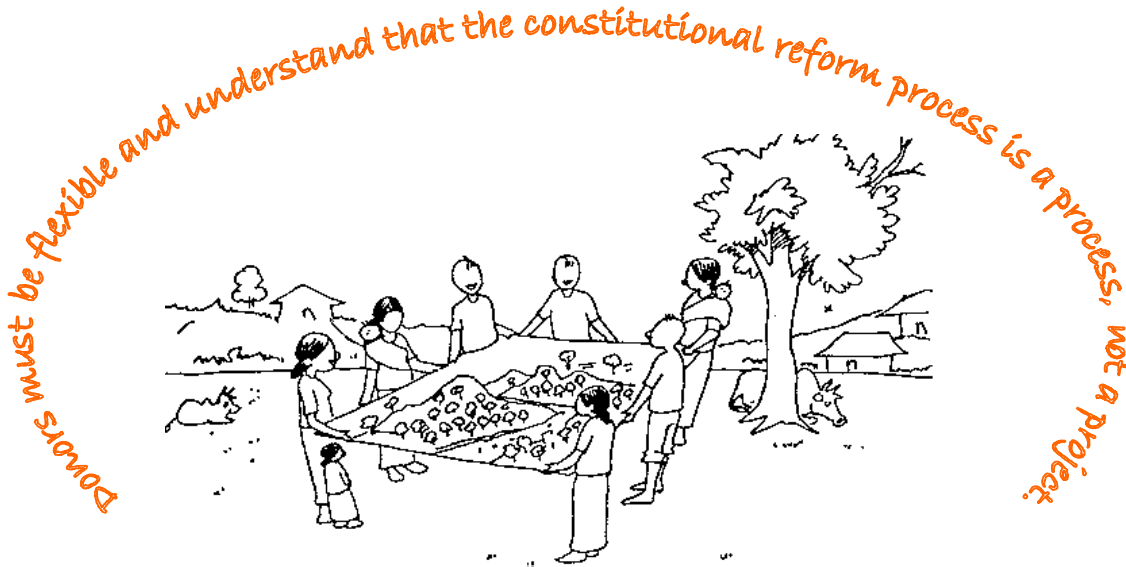
- ❑ “Do it exactly the same way!” Continue with participatory approach, lots of group work, varied activities and “positive energy”.
- ❑ Resource persons were “outstanding” – use them again.
- ❑ Add an extra day to enable greater opportunity for reflection, assimilation and integration of material.
- ❑ Role-playing was excellent. Provide more opportunities for participants to put theory into action.
- ❑ Resolve logistical issues *before* the workshop or set aside adequate time *following* the workshop to make arrangements so administrative matters don’t interfere with learning.
- ❑ Be punctual. Ensure participant transportation is prompt.
- ❑ No “observers” at working sessions.



☞ Suggestions for the Constitutional Reform Project

- ❑ All Solomon Islanders must have an opportunity to participate in the consultation process. Lack of time and/or funds is not an acceptable excuse for excluding people from remote and hard to reach locations. If the entire population is not involved, further disunity could result. If people do not feel that they “own” the reform process, they are unlikely to be committed to making a new government system work.
- ❑ The electoral process should be a topic for consultation. No political system will work until Solomon Islands has a “more effective and culturally appropriate” electoral system.
- ❑ The process of consultation with communities should be ongoing. Dialogue between citizens and government is critical to successful democracy and shouldn’t just happen at election time. Government and donors should work together to involve citizens in all aspects of development/governance planning. Developing the skills of a small group of “neutral” community workers with excellent listening skills is very important for “bottom-up” development in Solomon Islands.

- ❑ The constitution reform process must address the root causes, not the symptoms of governance-related problems or it will be meaningless. Traditional leadership, security, equity and land tenure are critical underlying factors.
- ❑ More grassroots people should be involved in the consultation teams. UNDP must ensure that developing local skills is an essential part of every initiative.



- ❑ Donors must be flexible and understand that the constitutional reform process is a process, not a project. They will need to continually adapt to changing local circumstances. Flexibility and patience are fundamental to success in this “sensitive matter”.
- ❑ Proposals for a new form of government need to be returned to provinces for comment before initiating debate in Parliament.
- ❑ It is essential that the ideas of donor agencies and “foreign lawyers” do not dominate the constitutional reform process. They should act as resource people and facilitators, not decision-makers. They can help us develop laws that address the expectations and aspirations of Solomon Islanders, not those of other countries.

Table 1: Workshop Schedule

	Monday January 27	Tuesday January 28	Wednesday January 29	Thursday January 30
MORNING	<ul style="list-style-type: none"> Welcome Address (Richard Ponzio) Objectives Approach & Schedule Introductions & Expectations Ground rules Housekeeping <p>Session One: Overview of the CRP (Ali Tuhanku, Henry Kellam)</p>	<ul style="list-style-type: none"> Opening Prayer Evaluation Results Housekeeping Review of previous day <p>Session Four: Findings of socio-economic Study (cont.)</p> <p>Session Five: Key issues for community consultation; develop questionnaire</p>	<ul style="list-style-type: none"> Opening Prayer Evaluation Results Housekeeping Review of previous day <p>Session Seven: Consultation Methodology (community entry, approach, schedule, timing, target groups, etc.)</p>	<p>Session Nine: Documentation and TL Responsibilities (Team Leaders only)</p> <ul style="list-style-type: none"> Opening Prayer Evaluation Results Housekeeping Review of previous day <p>Session Ten: Roles and Responsibilities; Code of Conduct</p> <p>Closing & Evaluation</p> <p>Presentation to stakeholders</p>
AFTERNOON	<p>Session Two: Overview of government structure; history of reform and SGTF (John Tuhaika)</p> <p>History of governance in SI (John Saunana)</p> <p>Session Three: Findings of socio-economic study: Part I (Graham Baines)</p> <p>Closing Prayer and Evaluation</p>	<p>Session Six: Human Rights Issues (RRRT)</p> <p>Constitutional Issues (Graham Powell)</p> <p>Closing Prayer and Evaluation</p>	<p>Session Eight: Consultation Methodology (cont.)</p> <p>Closing Prayer and Evaluation</p>	<p>Sign Contracts Teams Prepare</p>
EVENING	<p>Admin Issues (Team Leaders only) Contracts, DSA, travel schedules, logistics etc.</p>			

ANNEX 1: Presentation on the State Government Task Force Presented by John Tuhaika

Introduction

Britain declared, what became Solomon Islands, a British Protectorate in 1893 and gave itself the authority to rule over the Islands. A highly centralised unitary form of government was introduced by the British during its 85 years of reign over the scattered islands to 7 July 1978 when it gained Independence from Britain.

Solomon Islands has a population of about 500,000 speaking about sixty-five distinct languages with competing clans, islands, provinces and national identities. The question of governance has become a real issue and the question of the kind of appropriate government system has been tossed around prior to and post Independence in 1978. one of the characteristics of the centralised unitary form of government system is its structural form.

Government Structure

The unitary centralised government system is characterised by stringent structural form. The normal structure is a central government and either provincial or local governments. In Solomon Islands, the structure is that of central, provincial and local governments. All decisions are made by the central government and carried out by the governments on the periphery. The provinces have resented the rule of the centralist government resulting in the call prior and post independence for a change of government system.

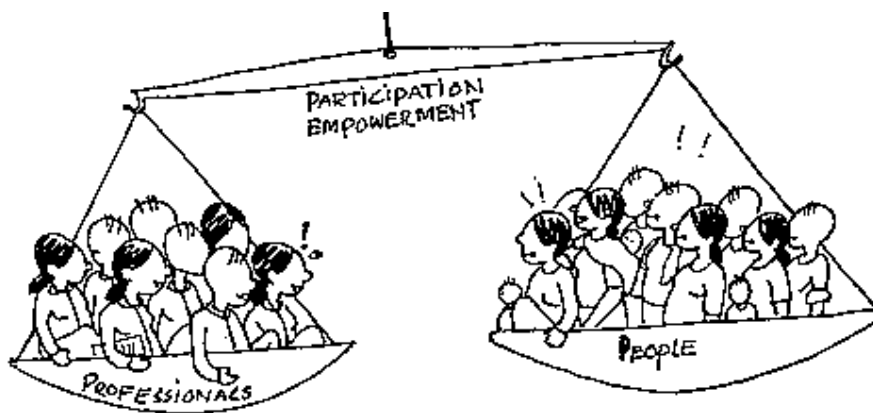
History of Reform

Since Independence in 1978, all the provinces have consistently articulated the view that a balanced and equitable development and sharing of the national wealth was needed to preserve national unity and ensure social cohesion of the country's diverse ethnic and language groups. There was, therefore, the need for the country's highly centralised system of government to be modified to facilitate greater participation of provinces and local governments in the political decision making that influence the utilisation of their resources and sharing of benefits derived from such resources.

Political Change

Major political changes took place between 1960 to Independence in 1978. A ministerial system of government was introduced. The elected members elected a Chief Minister. A council of ministers were elected and appointed from among the elected members of the Legislative Assembly. Internal self-government was introduced in 1976 with an increase of the membership of the legislative assembly to 38. Negotiation for independence in 1978 soon ensued. Part of the agreement was that on independence Solomon Islands would adopt a constitutional monarchical government system where the Queen was head of state represented in the country by a Governor General. Introduction of a Unicameral Legislature, Cabinet-type government led by a Prime Minister with a cabinet of 12 Ministers was made. This political change took a rapid turn, which resulted in the granting of independence by United Kingdom on 7 July 1978. The question of devolution of powers to lower forms of government was enshrined in the constitution with a special provision for recognition of the role of chiefs and traditional leaders in the affairs of the governance of the new nation of Solomon Islands.

The rapid political transformation did not change the fact that the highly unitary centralised government system was still intact. Successive governments since independence pursued the concept of decentralisation to the provinces and local governments involving them in meaningful governance of their people. The concept led successive governments to appoint special committees to make recommendations to the government of a suitable form of government that encompassed the involvement and meaningful participation of the populace in their governance.



Governments that followed after independence appointed Special Committees to review the government system with the view of recommending a system that suited the unique make up of Solomon Islands in terms of geographical, language, race and political aspirations.

In December 1977 a Special Committee on Provincial Government was appointed by the Kenilorea led government, chaired by now Sir David Kausimae to review the Provincial Government system adopted on pattern to that adopted by Papua New Guinea, which gained Independence from Australia three years prior to Solomon Islands Independence in 1978. The system was designed to cater for decentralisation of powers to the people at the provincial and local government level with the vital aim of keeping the already culturally and geographically fragmented islands as a nation to avoid threats of secession (Premdas and Steeves, 1984 in Randel 1999). The committee delivered its report on 4 May 1979 to the Minister of Home Affairs at that time, Hon. Dr Francis R. Kikolo MP. The over whelming proposal in the report was the introduction of a State Government system following submissions from the entire country. The government of the day opted to introduce a Bill to formalise the provincial government system and thus the introduction of the **Provincial Government Act 1981** (Solomon Islands Government 1987). The Act was however, difficult to implement because it miserably failed to cater for the political desires and aspirations of the majority of the people throughout the nation. The search continued.

The Alebua led government appointed yet another committee in 1986 known as Provincial Government Review Committee, chaired by Hon. Dennis C. Lulei. The Committee delivered its Report on 14 April 1987 to the then Minister for Home Affairs and Provincial Government, Hon. Andrew Nori. Like the Kausimae Report, the Report unanimously recommended the introduction of State Government system. Hon. Andrew Nori ignored the unanimous recommendation of the Committee's Report and instead, produced a Provincial Government Review White Paper in 1988 (SIG 1988). He proposed improvements to the unitary centralised government system saying that the evolution of the Provincial Government system would result in decentralisation of powers to the provinces over time.

The Alebua led Government appointed yet another committee called '**1987 Constitutional Review Committee**'. The importance of this Committee was reflected in the composition of its membership, which included some of our senior veteran politicians. The Committee membership was as follows: Hon. Solomon S. Mamaloni (Chairman), Members: Rt. Hon. Sir Peter Kenilorea KBE (MFA), Hon. Andrew Nori (MHA&PG), Hon. Daniel Sande (MET), Hon. Dennis C. Lulei (MP - West Isabel), Hon. Ataban Tropa (MP - Temotu Nende), Rev. P. Riti (SICA), Mr Francis B. Hilly and Mrs Margaret Luilamo (NCW). (1987 Constitutional Review Committee Report). The task of the Committee was to review the National Constitution with the view of accommodating the introduction of the State Government system.

All the reports made one common recommendation after consultation with the people of the nation out in the Provinces. They recommended the introduction of State Government system that would give autonomous status to the states.

The Ethnic Crises

The coup of 5th June 2000 was a spill over effects of a history of disagreements between Provincial Government and the central government.

The armed militias from Guadalcanal and Malaita had been the result of non-action by successive governments to deal with the demands of the Guadalcanal people who claimed that they have been denied of what they claimed to be their legitimate rights. People from all over Solomon Islands have been settling illegally on their land. They also felt that successive Governments had continuously denied them of equitable financial benefits from the exploitation of their natural resources.

About 30,000 people were affected when they had to leave their settlements on Guadalcanal. About 20,000 were from Malaita while the rest were from other Provinces. The democratically elected government of Ulufa'alu was toppled by a Malaita militia force claiming that Ulufa'alu had failed to deal with their claims for compensation for what they have lost in the process of the conflict. A new Government was elected.

Election of the New Government

A new government was elected in July under a lot of political and social pressure. The Leader of the Opposition at that time Manasseh Sogavare was elected Prime Minister. On coming into power, the new government promised to attend to the grievances of the two warring parties.

The Guadalcanal militia destroyed the major developments that brought most revenues for the Government located on Guadalcanal such as Gold Ridge and SIPL. As a result Government's ability to pay compensation was proven to be a strenuous job to tackle. Other government services had to be sacrificed to pay for compensation demands.

One of the key demands by the Guadalcanal militia was that the government must introduce a State Government system.

Federal/State Government System

The Townsville Peace Agreement (TPA) specifically called for the introduction of State Government system in the country as part of the peace process. The Sogavare Government, therefore, appointed the State Government Taskforce 2001 (SGTF 2001) in February 2001 to review and redefine the 1987 Constitutional Review Committee

Recommendations and recommended to the government by 31st March 2001 the most suitable system of government to be adopted in Solomon Islands.

The SGTF 2001 completed the task at the given time frame and submitted its report and recommendation to the Government. The SGTF 2001 unanimously recommended to the Government the adoption of State Government system in the county. The Report was presented to Parliament in April 2002 and passed.

Constitutional change to effect the proposed change of the government system was required. The Government had been unable to fund the required constitutional reform and thus requested UNDP for assistance.

The SGTF 2001 requested assistance from UNDP in March 2001. UNDP agreed and offered assistance in terms of manpower and finance. The project agreement between the Government and UNDP was signed in November 2002. The time frame is that the constitutional reform process must lead to the creation of the New Constitution to be presented before Parliament for debate in July/August 2003 Parliament Meeting.

The implementation process is on target. Visits to the Provinces are to commence in February. The teams have been appointed and the first team will leave Honiara on 31 January followed by the rest of the teams on 1st, 2nd and 3rd of February. They are expected to spend up to five weeks and to complete and submit their respective reports by mid March 2003. Drafting instructions will then be drawn up by the Constitutional Lawyers for reviewing by the Parliamentary Bills Committee in April 2003. When it is agreed to, the drafting of the New Constitution will be done in April and May. The New Constitution will be sent to the Speaker of Parliament in June to comply with the four (4) weeks notice requirement under the constitution. The New Constitution will be ready for Parliament to debate in July/August 2003. When it is passed by Parliament, the next stage is to assist the states to make their own constitutions. This may take up to one more year. The final component is the capacity building in the new states. This is to ensure that these new states will be able to cope with the manpower requirements.

ANNEX 2: Key Points on the Decentralisation Process

Summary of points on decentralisation to date

- ❑ A provincial government system was established under the first Provincial Government Act (1981) and this was changed in 1996 and again in 1997.
- ❑ The current system of provincial government is basically the same as that established in 1981, but with one important difference – there is no longer a local government system below the level of province. Local government under the 1981 Act was through 'Area Councils' and 'Ward Committees'.
- ❑ There has long been dissatisfaction with the limited powers devolved to provinces and there have been several reviews of the system of provincial government, leading to a comprehensive State Government Task Force (SGTF) Report in 2002.

Summary of points on 'Why decentralise, and how'?

- ❑ The Solomon Islands has long been a decentralised country, the basic units of administration being small traditional groupings. The current move towards decentralisation is intended to counter what is seen to be an unworkable unitary system of government.
- ❑ There are strong feelings among the public that both national and provincial governments have failed them. The conflict and the profound changes in the country's circumstances since 1999 have given added urgency to the move towards a stronger form of sub-national government.
- ❑ Under the SGTF proposals for change provinces are to be renamed 'states', though there is no difference in the meaning of these two terms. 'State' government could be introduced through new legislation but, instead, Parliament has chosen to introduce a new constitution as a basis for this.
- ❑ Different provinces differ in their interest in the functions that might be devolved to them. Their capacity to assume those functions varies, and is limited.
- ❑ Provinces range in population from a little over 2,000 (Rennell-Bellona) to more than 120,000 (Malaita). Irrespective of population size and resources it is intended that all should become 'states'. The State government Task Force has proposed a transitional period for the switch from provinces to 'states' with the smaller provinces taking longer to achieve 'state' capability. Will some ever achieve that level?

Summary of points arising through lessons learned elsewhere

- ❑ As in the Solomon Islands, in other countries the expectation has been that decentralisation would improve delivery of services and local level participation in decision-making, but the results have been disappointing.
- ❑ Papua New Guinea's approach to decentralisation has influenced thinking in the Solomon Islands. However, the system of sub-national government in that country is not working effectively.
- ❑ The Federated States of Micronesia model of island-state federation attracts some, but it has been developed in circumstances that are quite different from those of the Solomon Islands and not least in having a strong alliance with a generous 'backer', the USA.

- ❑ Indonesia rushed decentralisation and this caused confusion and opened up new opportunities for the spread of corruption.
- ❑ Problems in the implementation of decentralisation included inadequate capacity at sub-national level to handle additional powers effectively; scarcity of both national and sub-national financial resources; inexperienced sub-national political organisations; and poor or non-existent accountability.
- ❑ Decentralisation cannot just be 'handed over'. It has a chance of being effective only if there is careful prior evaluation of the problems decentralisation is expected to rectify, and it is treated as a process, over time, with careful planning, preparation and training prior to implementation.
- ❑ There is a need to develop mechanisms to deal with any problems or grievances that may arise during the implementation phase.

Summary of issues arising in respect of further decentralisation

- ❑ A summary of a wide range of issues raised during interviews conducted by the Study Team is presented in Workshop Paper 2.
- ❑ There is considerable variation in the quality and quantity of the natural resources available for subsistence and for development. The role of a national government is to ensure that people in resource-poor areas are assisted, through the generosity of the resource-rich, through funding distributed by the central government.
- ❑ A transparent and fair sharing of resources is a pre-condition to the co-operation of the resource-rich provinces as a nation. However, they feel that a disproportionate amount of the profits generated from their natural resources has been spent on building up the capital, Honiara – that it is not helping their neighbours, and that they themselves are not getting a fair share of the proceeds of development.
- ❑ Unevenness of resource distribution places pressure on people to move to areas where resources are adequate. The inflow of people to Guadalcanal is well known. There have been other, inter-island shifts of population and, in the climate that has developed from the Guadalcanal-Malaita conflict over resource-sharing each of these settlements is potentially an issue.
- ❑ Concern for personal and provincial security is a primary factor driving the current momentum for 'state' government.
- ❑ Some provinces seek to define 'state' citizens and to make a distinction between 'indigenous' citizens of a 'state' and other Solomon Islanders.
- ❑ Decentralisation has been discussed only in provincial or 'state' terms – the relationship between the central government and the first sub-national level of government. The nature of, and mechanisms for, government and governance below the level of Province or 'state' have not been considered. Below the province/'state' level, governance becomes more complex in that this is where the new quasi-democratic institutions meet, and may clash with, the traditional.
- ❑ Embracing traditional leadership in government has long been on Solomon Islands' agenda. However, it is not easy to fit 'tradition' with formal government. Traditional leadership varies greatly between culture groups, the status of traditional leaders has been weakened because much of their former power and influence has been assumed by formal government and by the Churches.

Summary of some perceived impacts on lives and livelihoods

- ❑ In general it is true that people's lives and livelihoods could improve through 'state' government if 'local' people make 'local' decisions that are 'better' for 'local' people. However, there will be an opportunity for this to develop only if 'state' politicians and administrators are competent, honest, and transparent in their dealings.

- ❑ Education and health sector stakeholders emphasise a need for decentralisation to be integrated with reform plans designed to strengthen 'state' management capacity and increase community involvement in planning and implementation.
- ❑ Many people offered the opinion that the immediate priority should be to reinstate educational and health services to pre-crisis levels before proceeding with further devolution.
- ❑ Concern has been expressed that 'state' government could increase disparities in living standards between resource-rich and resource-poor provinces and result in 'pockets of poverty'.
- ❑ The pressure for 'states' to generate revenue could increase tension and conflict between government and landowners and between land owning groups themselves. It could also result in an increase in the unsustainable use of resources, and this would bring social and economic hardship.
- ❑ Some stakeholders are worried that 'state' government could weaken social cohesion within and between provinces and reduce the potential for national unity. Also, tensions could turn inward, as they did in neighbouring Bougainville, Papua New Guinea.
- ❑ Informal networks and relationships and the unrecognised 'village governments' and 'clan-based resource management agencies' have maintained food and social security, and cared for the aged in the face of the very limited achievements of governments in rural development. There is a strong implication that to be successful, 'state' government needs to build on these arrangements – but to take care not to overwhelm them.
- ❑ 'State' governments would have opportunities for innovative international trading relationships that could improve returns from Solomon Islands produce. However, care would be needed to avoid adverse impacts on the trade of other provinces, and to ensure important national government policies and macroeconomic stability are not undermined.
- ❑ There are risks that 'state'-based economic development and trade could worsen regional inequality and this could greatly complicate central government policies to redress economic inequalities, to promote national unity and to facilitate even-handed distribution of the benefits of economic development.
- ❑ People in business are unenthusiastic about the possibility of 'state' government, believing that it will lead to duplication of regulation and taxation and noting that provincial governments have a poor understanding of the private sector. A sensible 'state' government working cooperatively with central government could overcome these difficulties.

Summary of points relating to revenue sharing

- ❑ The degree of decentralisation of financial affairs is a critical element of the political contract that holds a country together. The present structure of financial grants from national to sub-national levels is unsatisfactory, lacks a transparent monitoring and review process or any strong accountability to Parliament and the public and is a constant source of irritation in national-provincial relations.
- ❑ Increasingly vocal concerns about revenue-sharing have arisen partly from dissatisfaction with lack of transparency and accountability, partly from a sense of grievance that the current system does not sufficiently recognise the differences in 'economic contribution' among provinces and partly from the repeated failure of the national government to make timely and complete payment of whatever grants have been agreed and budgeted.
- ❑ There are dangers in a state funding mechanism based on retention of export duties as these are expected to diminish as commercial stands of timber disappear and the much reduced tuna industry continues to struggle with very low market prices. Further, most import duties are set to fall to low levels in the next 5-10 years as regional and global free trade sets in.

- ❑ Restoring the integrity of revenue at national level is already a major challenge. This task would be made more difficult by decentralising the main revenue responsibilities to sub-national level, where supervision is much more difficult.
- ❑ The potential for voluntary and collective action by citizens and 'civil society' organisations has been largely ignored, and even resented by national and provincial governments.

Summary of prospects for 'states'

- ❑ While Central government continues to struggle to regain control of public finances and the national economy flounders any new 'states' will find it very difficult to survive, let alone progress.
- ❑ The report of the 1999 Census included a series of projections based on population growth and economic recovery. A 'medium' level rate of growth would mean a population of over 460,000 in 2005, reaching just under 550,000 in 2010. Two scenarios were presented: a 'stagnation' scenario, with continuing political instability and a slow or negligible return of foreign investment, and a 'revival' scenario, in which the political conflict is resolved, foreign investors return, and steps are taken to revive the economy. There are, as yet, no signs of a revival scenario developing. The Census Report suggests the possibility that the 'stagnation' situation could continue until 2014.
- ❑ Even the 'revival' scenario is overshadowed by the fact that government mismanagement, failure to collect revenues and a general decline in public service standards has resulted in high national debt, relatively high rates of inflation and a general decline in development indicators that is stifling investment.
- ❑ The current Public Service is one that has evolved to suit local circumstances and the needs of those with influence. It may be time to rethink what arrangement would best suit local circumstances so that the public at large benefits from its 'Service'.
- ❑ Prospects for the success of a 'state' would be much reduced if it were to inherit a public service that retained its current level of inefficiency and exposure to political interference.
- ❑ Weaknesses in the Parliament and in the Constitution under which it operates compromise its capacity to properly support and monitor a 'state' govt. system.
- ❑ Some constitutional provisions are nobly expressed in terms of Westminster traditions but do not make allowance for the way in which Melanesian political systems operate – so as to build on their strengths and contain their weaknesses.
- ❑ Some believe that if the governance reform process is 'too slow', political and civic unrest could intensify. Others are of the view that if decentralisation is 'too fast' and proceeds without sufficient consultation and planning, existing problems will worsen. While Solomon Islanders generally advocate a methodical, sequential approach to decentralisation, people's strong desire for fundamental change in governance and the heightened emotions associated with the conflict are hastening the pace of the reform process.
- ❑ A systematic method of assessing a province's 'readiness' to assume additional functions is needed – and provision for subsequent objective evaluation of a province's effectiveness in managing new functions during a phasing-in period.

ANNEX 3: Issues Arising in the Context of Governance Reform

Issues raised in the context of proposals for 'State' government area presented here in the form of a summary tabulation of matters raised during interviews conducted by the Study Team.

Issue or topic	Current Status	People's concerns and hopes
Village level governance	Village communities govern themselves, with varying success, through leaders chosen largely through traditional procedures. Village government is often closely aligned with Church arrangements.	Many are concerned that appeals to provincial and central governments for assistance are ignored and that, once elected, Provincial Assembly and National Parliament members do not act to represent their constituents.
Links between village government and Provincial government	No formal links, but a presumed link through Provincial Assembly members. From 1981-96 Ward Committees and Area Councils were 'local government'	Performance of Area Councils was variable and though some functioned reasonably well they did not provide an effective linkage between village communities and Province.
Traditional leadership	A much discussed item. The Constitution makes provision for chiefs to have a role in government, but this is yet to be implemented.	There is general agreement with the idea but uncertainty about how to implement it, and worries about the possibility that chiefs (not elected representatives of the people) will presume a broader role than simply monitoring and maintaining tradition and custom. Uncertainty about what and who is a 'chief', and whether and how both male and female traditional leaders could be linked with government. There is also a perception that some 'councils of chiefs' may represent their own interests more than those of the people they claim to serve.
Traditional resource management units	The basis for the management and use of land and inshore sea resources is a traditional grouping based on family relationships. This has no formal basis but is universally recognised. Since this unit is the ultimate base for economic development it is important that those with genuine customary resource use rights be given the legal backing they need to develop their resources while maintaining food security and protecting their environment.	Where the land of a traditional resource owning unit is registered, the law requires that this be done in the name of a maximum of five trustees. 'Trustees' tend to assume ownership, so others with traditional rights can become dispossessed. There are opportunities for membership to be defined more precisely; such as through registration of 'Land Associations'. However, it is difficult to establish membership because of repetitive court action taken by some to frustrate the process in the hope of dispossessing the true owners. Their hope is that the means of resolving disputes over resource ownership can be reformed and that this unit of management be protected by central and provincial governments. Political leaders, both national and provincial, have sometimes used their access to power to override the decisions of customary land holders and to impose logging companies where they are not wanted. Another hope is that this misuse of political power can be curbed.
The role of the public in	The general public does not understand that it has a role in governance. A few	

governance	citizens' opinions on governance are expressed through 'letters-to-the-editor' and some NGOs attempt to inform the public of issues and of their rights to express themselves – but with limited effect. There is limited understanding of what government is (and, particularly, what the Constitution is) and a strong tendency to leave governance to the experts to decide. ¹	
Custom and the courts	The Constitution and certain items of legislation make provision for the application of customary law.	The application of custom under a legal system based on English law is problematic, and some custom is strongly biased against women.
Alienated land	The central government policy is that alienated land (except that on which administrative centres have been established) is to be passed to the Provinces to hold in trust for the original landowners who can make application for the return of their land on condition that they have an approved plan for development and that they pay a fee to cover administrative and survey costs.	This response to a long-held grievance is regarded by some as unfair. It places responsibility for preparing a complicated plan for development on landowners who are unlikely to have the skill and knowledge to do this. Where government has received logging royalties from that land it is considered unfair that landowners should now be asked to buy back their own land. It has been suggested that a better approach would be to return the land to the rightful owners, without charge, on condition that they lease part of it back to the Province for development purposes.
Customary land	Most land remains under customary tenure.	Provinces already have some powers in relation to administration of customary land, though not to own it. Though the availability of land is a key to future development, no workable process that makes landholders feel secure has been developed.
Central and Provincial governments are functioning poorly	Services are not effectively delivered or managed. There is little accountability for the use of public resources. Criminal and civil laws are not being enforced. The public has little confidence in the current government system and their elected leaders.	There is a prevailing hope that the new system of government will "make things right". Good governance can happen or not happen, in both centralised and decentralised systems. There is no perfect model of decentralisation. Success will be determined by how national and sub-national levels of government work together to achieve common objectives and ensure public accountability.
Qualified manpower is needed to handle additional functions at province/'State' level	Provinces face difficulty in handling existing functions because of lack of staff and their limited qualifications.	The higher level of responsibility arising from additional powers and functions will increase this difficulty. However, since the outbreak of conflict many qualified people have an increased desire to work in their Provinces of origin rather than in Honiara. Western Province has calculated that, to handle all the powers and functions desired a public service of 1500 will be needed; i.e. 1 public servant for every 41 people.
Housing for personnel needed to handle additional decentralised functions	Increased powers and functions will mean an increase in the number of housing-entitled staff in Provinces.	Shortages of land, and of construction funds, are likely to slow the transfer of additional responsibilities. Even if the staffing estimate of Western Province was to be halved, hundreds of houses would be needed. Is it realistic to adhere to this housing privilege, or should it be abolished?

¹ From the Minutes of a 2001 consultation in Isabel: 'The people who expressed these figures are clever people and they seem to know what they are talking about.'

Savings from a smaller central government	Decentralisation might bring some savings in staff and operational costs and in housing in Honiara.	The 'downsizing' may be less than hoped as the central government will still need to maintain administrative infrastructure to provide for the smaller Provinces that are not in a position to assume additional powers and functions.
Movement of people between Provinces	There is no legal restriction on the movement of people within the country. Some depend on inter-Provincial movement so that they can take up employment.	The Malaita-Guadalcanal conflict has led to a strengthening of feeling of most Provinces against free internal movement.
Settlement of people from other Provinces	There is no legal restriction on the settlement of people within the country provided that they have legally sound approval for settling. There has been a generally high level of acceptance of genuine settlers from overpopulated islands.	Resentment has arisen from an abuse of hospitality provided genuine settlers. Their presence has encouraged illegal 'squatter' settlement and what has been seen as an 'invasion' of unemployed relatives. The Malaita-Guadalcanal conflict has led to a strengthening of feeling of most Provinces against settlement by those of other Provinces.
Political leadership	The behaviour of politicians is set by the same laws as apply to all others. In addition there is a Leadership Code Commission that has provisions for leaders to list their assets and business interests so that the public can see that they are not increasing their personal wealth through misusing their public position. At national and provincial levels, confidence in political leaders has never been so low.	The real role of the politician is poorly understood by most electors. There is a widespread perception that they are entitled to use their position to enrich themselves. The public complain, but feel powerless to change things.
The use of public funds	An Auditor-General, responsible to Parliament, has a vital role in checking that public money is properly used. Yet since 1996 government has not provided the Auditor-General with the information needed to undertake the national audit. Established audit checks and balances are no longer in use. An attempt is being made by the Ministry of Finance to reduce corrupt practices in the handling of public finance.	Some people worry that if the problem of mishandling of public finance is not corrected, then further decentralisation will simply 'spread the disease.'
Planning for, and monitoring of, development	Post-Independence development planning has been centrally determined and controlled, and focused on large scale projects.	This system of planning does not provide adequately for Provinces' needs and priorities.
The development of Honiara has absorbed a high proportion of scarce development funds.	Honiara (2002 population about 60,000) is the only modern administrative and service centre in the country. Infrastructure development is concentrated here. Honiara has been described as <i>'a city state with nine colonies that are being sucked dry.'</i>	
A 'post-conflict' situation	Solomon Islanders are troubled by the disturbances of recent years, feel insecure, and are worried by the continued presence of illegal small arms. Strong emotions colour their judgements about others, and their expectations for 'State' government.	Some argue that the country should be more settled before decentralisation measures are implemented. Others say that the country can only settle down once decentralisation is underway as this will provide people with increased security, confidence and local control.

ANNEX 4: Paper on People's Hopes and Fears about 'State' Government

What people hope for	What people expect	Possible outcomes
"State" government will be "better" than Provincial government.	A completely different sort of government that is efficient, honest, keeps people informed, listens to them, and gives the public opportunities to become involved in planning and development.	"State" government and Provincial government are different names for decentralised government. Success with "State" government will depend on how effective its politicians and officers will be in managing additional powers and functions. Constitutions, laws and policies are not "magic spells". They are tools that work well only when people use them with skill, care and honesty.
"State" government" will be able to focus on a smaller population and this means that people will be able to participate and the "State" will listen to people's views.	"State" politicians and public officers will have a greater chance to talk with and to engage people in the work of government, and everyone will have a chance to be involved in development planning.	Provinces have the same population as the "States" will have, but still people complain that they do not feel that they are part of the development planning process. A "State" government will need to develop a people-centred approach to planning if it is to be more effective in involving people.
"State" government will mean better health and education for everybody.	"State" government will bring more and better health facilities – and adequate and well equipped schools, with enough trained teachers.	"States" could make better and fairer decisions about services – so long as they engage the public in planning for and supporting these services. However, whether Central or "State" government is responsible for services these will improve only if planning is good, the officers dealing with them are good managers, and enough money is available.
"State" government will be better able to control the use of money and resources so that it is not used for the wrong purpose.	A system for following what money comes in, where it goes, and who gets it. will be in place and in use, and individuals who illegally take money will be prosecuted.	Both Central government and Provinces have good accounting and auditing systems to track the use of money. However, they are not being used. There are laws to prosecute offenders when problems are detected, but they are being ignored.
Better decisions will be made about local issues because local people, with local knowledge, will be making the decisions.	Traditional and other community leaders will be more involved in deciding development priorities, and their roles and status will be strengthened. Other villagers will also be able to express their views about development – and "State" politicians and public officers will take note of these views.	There is an improved chance that this will happen in "States". It is intended that some traditional leaders be given official advisory positions, but each "State" will have to work out how to do this. Success will depend on whether these leaders are to advise on development issues or only on custom. However, there is still a question of whether other traditional leaders, and non-traditional community leaders, will be asked to contribute. Another question is "Will "State" politicians and leaders to listen and to act on local people's views?"
"States" will be able to seal themselves off from the trouble that Guadalcanal has experienced.	"State" government will be given the power to "erect walls" to prevent the entry of "troublemakers" from outside. By being able to control movement and settlement and through having a police force that is controlled by the "State" people hope to avoid fights over resources.	This is a difficult issue. "State" governments will not be able to be as firm on this matter as some people would like them to be because the Constitution is written so that all Solomon Islands citizens are free to move wherever they want in their own country. If this aspect of the Constitution was to be changed then the Solomon Islands would suffer in world opinion from being a place where human rights are not respected.

"State" government will be able to control the migration and settlement of outsiders.	In some "States" there is an expectation that settlers already established will leave and return to their "States" of origin.	There are laws to prevent people from illegally occupying land and to stop the actions of troublemakers. If these laws were applied firmly, this problem could be dealt with by the Police. There are many practical difficulties with the idea of a "State" restricting the residence of Solomon Islanders. Also, many out-of-"State" settlers are unlikely to wish to return to the homes of their ancestors.
"State" government will make people feel more secure and confident. The law and order situation will improve.	National unity will be encouraged through reduced ethnic tensions within a "State" because "troublemakers" will have gone and immigration is controlled.	People are more comfortable with the smaller groupings that were the basis of their pre-Independence governments and many feel that this is the best basis for nationhood. However, some suggest that "building walls" around a "State" and reducing the number of non-"State" residents will have the effect of making people focus more on their own ethnic differences and that this will lead to a different kind of rivalry and conflict.
"States" will get "most of the money" that comes from the exploitation of a Province's resources.	Through a revenue-sharing arrangement between "State" and Central govt a "State" will retain a majority of the tax on timber, fish and minerals exported and this will pay for services in that "State". The Central govt would be given the rest of this tax, some of which would fund Central govt activities while the rest would be given to "States" that are poor in resources.	There are very big uncertainties about a revenue base for "States". Provinces that have been producing high levels of timber exports are expected soon to become timber-deficient "States". In future they will not have as large a base for export revenue as in the past. Oil palm and gold mining used to be major revenue earners but these industries have ceased. Although fisheries stocks are still good, tuna prices remain low and Soltai has an uncertain future. No mineral exploration is underway at the moment.



What people fear	What people expect	The situation
Since Central government is not working properly, people doubt that a "State" government can be effective.	"State" government will not be able to function properly because it is linked with, and will continue to depend to some extent on, Central government, particularly regarding finance.	A strong and honest Central government is needed so that "States" can function effectively. However, a "State" that has good natural resources, interested investors and capable and honest politicians and public officers, might be able to make some progress despite Central government weakness.
Provinces/"States" with few natural resources will be disadvantaged.	Resource-poor "States" will be dependent on the goodwill of resource-rich "States" through revenue sharing – forever the "poor children" of the family.	A basic feature of the present national arrangement is a sharing of resources between "rich" and "poor" Provinces decided by Central government. This would also be a feature of the proposed "State" govt system—though it is proposed that "States" would have a stronger voice in deciding that distribution.
There will be pressure on landholding groups to exploit their resources to satisfy the needs of their "State".	Since "States" would be under more pressure to generate revenue to pay for "State" services and development, they will exert more pressure on landholding groups to allow development. This could lead to increased tension and possible conflict within and between landholding groups.	Increased tension, even conflict, could also emerge between landholders whose land area is used, and people living downstream, who sometimes have to suffer the bad effects of upstream "development". Another possible area of tension would be between landholding groups and the "State" government. An urgent push to develop resources could lead to more bad decisions and result in degraded soils, pollution, overfishing and a loss of future development potential. This would undermine people's food security and their nutritional status. An improved procedure for determining clan "ownership" of customary land could help to avoid or minimise these problems.
"State" government will mean that more money will be spent on government structures and politicians.	In order to handle additional responsibilities a "State" will need to have more staff and more offices. Attention will be focused on building infrastructure in the capital and this will starve the rural areas of funds. Each "State" centre will become a "mini-Honiara" and this will encourage people to move there, away from rural areas.	The current proposals for "State" government include a Governor for each "State", in addition to a Premier. This would be an additional cost. If the number of politicians was to be increased then this, too, would be an additional cost. There may be ways of introducing a simpler structure that is less expensive, and that matches the size of each "State" and its ability to pay for these extra positions. With "State" govt the number of public officers in Honiara should go down but this may not equal the number appointed by the "States".
Under "State" government only people from that "State" will be employed and this will make the problem of "wantok-ism" worse.	There will be increased pressure on public servants to help their relatives, even if it means breaking the law. Only people with relatives in government will get any benefits.	This is already common and it could get worse under a "State" govt if it were to hire only its own people. Good leadership is needed, and the systems for money management and for other functions of govt must be closely followed—and backed up by prosecution of those who break the rules & the law.
Women and children will be even worse off than now.	The needs of women and children are likely to be overlooked, particularly in the more conservative areas of the country where men regard women as having a low status.	In its proposals for "State" government no Province has seriously addressed women's and children's rights and needs or measures to protect their rights, improve their lives and provide women with opportunities to participate in development of the "State" and the country. Also, If it is to be consistent with the international treaties signed by the Solomon Islands, then the national and "State" Constitutions and laws will need to be written so as to protect the rights of women and children.

Traditional leaders will be marginalised.	Some traditional leaders are to be given advisory roles in "State" government. Their status will be increased while most traditional leaders will remain outside the "State system and their authority could be weakened.	There is widespread agreement that the authority and wisdom of traditional leaders should be more effectively used in governance. However, some are worried that by bringing them into government and offering them salaries and sitting allowances may weaken their status in custom and make them more distant from their people. Also, not all traditional leaders are really "connected" with their people – in which case they do not really represent them. The relationship between rural communities and traditional leaders varies greatly throughout the country and even within Provinces. There may be other ways of using traditional leadership for the benefit of the people of a "State".
If State government is the last level of government, there is no place for villages.	Village government has never been recognised by the government system. Sending messages about village needs through Provincial Assembly members and Parliamentarians has not be effective.	The proposed new system allows for a "State" to establish a level of government below "State". A lot of thought needs to be given to village government and village governance to work out ways of connecting village communities to government. For instance, village level inputs should be part of the process of "State" development planning – bringing together "bottom up" and "top down" planning.
The timing for the introduction of "State" government is wrong.	If "State" government is to be strong and effective it needs to be introduced in a calmer environment, not in the present emotional post-conflict atmosphere. A high level of fear and resentment makes it impossible to objectively plan a form of government that suits the needs of the future as well as those of the present.	Central government has made a political decision to proceed with "State" government. It has been under pressure from Provincial politicians to do this. Some feel that "State" government is needed quickly so that people can settle down, feel more secure and get on with the business of recovery and development. Others, however, are uncertain, and some are anxious about the possibility that rapid decentralisation may extend the serious problems the country now faces.
"States" will be given more power – but resource-poor "States" will not be given the money, people and skills needed to use this power effectively.	As when they were Provinces, the resource-poor "States" will continue to be dependent on others for funding. Without their own source of funds their ability to get the people and skills needed for services and for development will be restricted.	From the time that Provinces were established they were not provided with the resources they needed to carry out their work effectively. The national economy is now so poor that Central government has insufficient funds even to cover its own responsibilities. Current funding to Provinces is extremely low. After the economy recovers Central government should be in a position to make the necessary payments – provided the share of revenue that passes from resource-rich states to the Central government is adequate.
"State" politicians and public officers will not perform any better than those now administering Provinces and the nation ("New name, same game?").	Central government is not functioning properly. There are many reports of corruption and disinterest in work. Unless these problems are first fixed, then "State" government will simply continue this situation.	"State" government will be better only if its leaders are fully aware of, and respect, their responsibilities not only to those who elected them but to all of their electorate – and if they understand and respect their need to follow the correct procedures for the use of public money and in making and implementing decisions made on behalf of the people of the "State". It will be a major and lengthy task to get to this stage.

ANNEX 5: Points on Decentralised Themes to be addressed during Consultations

Services

- ❑ The State Government Task Force Report provides for the transfer of a number of functions to 'states', including education, health, police, agriculture, fisheries, land and mines.
- ❑ Most informants stressed an immediate need to focus on strengthening current arrangements for health and education to prevent any further regression in their status before proceeding with further decentralisation.
- ❑ There is a strong view among educationists that provinces/'states' must act to ensure basic education is more firmly 'anchored' in community life, and with greater parent participation.
- ❑ There is unclear or inconsistent understanding of the process or implications of further decentralisation of the health care system and of what aspects of this might be devolved and how this might be done.
- ❑ All consulted on health issues believe in the importance of a national MoH to set and maintain standards, policies and protocols and to co-ordinate health care delivery.
- ❑ The Ministry of Health is concerned about a lack of community 'ownership' of health services and the people's reluctance to accept responsibility for their own health. Could 'state' government improve the situation?

Security

- ❑ Concern for personal and provincial security is a primary factor driving the current momentum for 'state' government.
- ❑ Some provinces believe that it is necessary to define 'state' citizens and at least one proposes to make a distinction between 'indigenous ' citizens of a 'state' and other Solomon Islanders living in that 'state'.
- ❑ Policing is 'in crisis'. The Royal Solomon Islands Police Force has lost public confidence – and has yet to resume its capacity for enforcement.
- ❑ Security fears drive a Western Province call for a 'state'-based Police Force. Elsewhere, however, it is felt that a multi-ethnic mix of police officers is needed – to ensure local officers are not tempted to allow perceived customary 'obligations' to interfere with their duties.
- ❑ Differing policing standards and practices between 'states' could be confusing and the focus of 'state' police might be on issues of local significance that might compromise co-operation between 'states' and the pursuit of law matters of national significance.
- ❑ There is a possibility that a 'state' police force could more easily be misused by political leaders to force the compliance of rural communities in matters such as use of customary land. On the other hand 'state' management of policing services could result in a closer connection with community policing and greater co-ordination of law enforcement activities. There would be potential for a sense of community "ownership" of law and order to develop if citizens were to be more actively involved in planning policing services.
- ❑ Some feel that security and law and order, and the prevention of any further deterioration in inter-island relations is best addressed through urgent reform of the national Police force and that only when this has been achieved might it be appropriate to develop provincial policing measures.

- ❑ Control of internal migration and settlement is seen in most provinces as a key requirement for a secure future and there is widespread support for provinces or 'states' to be given power in this area. However, this is a contentious issue with a potential to infringe on human rights. Existing legal provisions to control the movement of 'troublemakers' are not being used.
- ❑ Recent calls for controls over internal movement are also a reaction to wider problems, such as uneven development, the lack of employment opportunities for many young people at home, and the reluctance of police to engage with troublemakers.
- ❑ Difficulties will be encountered in efforts to control internal movement because there is a long-established pattern of mobility of Solomon Islanders and there have been many inter-island marriages, producing 'inter-island' children.
- ❑ Measures to control movement could worsen national fragmentation and disunity.
- ❑ Any human rights infringements that might arise from control of people's movements would adversely affect Solomon Islands' international standing.
- ❑ The judicial system is regarded as not having been effective in resolving conflict issues in land and other cases.
- ❑ Any decentralisation of judiciary services needs to be consistent throughout the country and these services need to be equitably distributed.
- ❑ There is a close interdependence between the police and the judiciary and a parallel need for institutional strengthening prior to decentralization.

The cost of a 'state' system of government

- ❑ It is not possible to arrive at a precise costing of a form of 'state' government that has yet to be defined and that is to vary from province to province. Little financial data could be accessed by the Study Team for this purpose and the uneven quality of this data risked compromising the result. Financial reporting from provinces is irregular and in some cases has lapsed, and some records are reported to have been destroyed. The Auditor-General has been unable to audit national govt's 'books' for the past 6 years.
- ❑ The bottom line is that 'state' government in Solomon Islands will be as expensive, or as inexpensive, as the available revenue allows.
- ❑ In theory the costs involved in the transfer of powers and functions to 'states' should be off-set by a proportionate reduction in the costs of central government. However, the proposed state government system would require a lengthy transitional phase during which central government would need to retain a considerable number of functions on behalf of some provinces until all provinces were ready (if all provinces were ever to be ready) to assume those functions.
- ❑ A breakdown of national revenues for 1999 and 2001 shows that the largest amounts were derived from personal taxes, goods tax (manufacture and wholesale taxes) and customs duties – mainly import duties.
- ❑ One of the key factors in determining the efficiency and sustainability of a 'state' government system will be the proportion of revenues that is allocated to its political structure. Under the present system, in all but three provinces political expenditure in recent years has been higher than expenditure on administration.
- ❑ Provinces are likely to need a significant increase in revenue simply to bring their 'basic needs' services up to a simple but reasonable standard.
- ❑ Unquantifiable costs, which include the heavy cost of corruption, 'cronyism', mismanagement and simple inefficiency - could represent a greater handicap to the integrity and effectiveness of a 'state' system of government than any other factor. On the other hand, a state government system which could bring about a significant reduction of these costs could conceivably have the effect of dramatically improving the national economy to the extent that the revenue base would rise to levels which would adequately cover the costs of a 'state' government system.

Land issues

- ❑ The SGTF has proposed that alienated land (except Honiara) be returned to provinces so that the provinces can identify the original customary owners and return this land (as registered land) to them. Where provinces/'states' have an interest in developing that land, then arrangements are to be made to lease back that land from the customary owners. However some provinces seek to retain ownership of this land and not return it to the original owners.
- ❑ Provinces have long been frustrated by abuse of the land allocation powers of the Commissioner of Lands but some provincial administrations, too, have been guilty of overriding policy and procedures in this respect.
- ❑ All Provinces seek to have authority under proposed 'state' government for the administration of land. Basically, it appears that it is decision-making authority that is sought, rather than technically sophisticated and costly support functions such as mapping.
- ❑ Lands administration is the one area in which a Central government Ministry is developing a devolved model that could be matched to a new form of decentralization. Its 'anticipatory' approach to decentralization might have application to other sectors.
- ❑ Judicial procedures for resolving customary land disputes are widely regarded as ineffective and as having resulted in increased social conflict.

Traditional leadership and village government

- ❑ The nature of, and mechanisms for, government and governance below the level of Province or 'state' have not been considered in any detail. Below the province/'state' level, governance becomes more difficult in that this is where the new quasi-democratic institutions meet, and may clash with, the traditional.
- ❑ Embracing traditional leadership in government has long been on Solomon Islands' agenda. However, it is not easy to fit 'tradition' with formal government. Traditional leadership varies greatly between cultural groups, the status of traditional leaders has been weakened because much of their former power and influence has been assumed by formal government and by the Churches.
- ❑ It is unusual for a woman to be recognized as a traditional leader, despite the fact that women influence male leaders' decisions, and that over half of all Solomon Islanders inherit their land rights through women.

Civic engagement

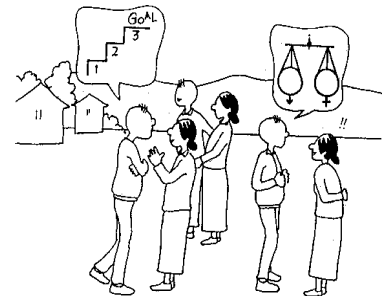
- ❑ Lack of 'political literacy' seriously limits the possibilities for civic engagement in the governance reform process. People are saying they have been 'left out' and are asking for more information.
- ❑ There appears to have been little, if any, attention to the relationship of 'state' government to communities, custom, traditional leaders or local level government. The focus has been on political and structural aspects of 'state' government.
- ❑ Communication between local people and government is extremely limited and 'bottom-up' communication is not nurtured.
- ❑ Mass media in the Solomon Islands is restricted to the radio and a national newspaper and has low penetration in rural areas. Most information is disseminated through word-of-mouth and face-to-face meetings
- ❑ The low level of social integration and trust between groups from different parts of the country means there is little 'horizontal' communication. This problem has worsened

since the crisis, resulting in distorted information that has increased inter-provincial tensions.

- ❑ The degree of social cohesion or unity in a society is called 'social capital'. It refers to the customs, values and networks that enable people to work together to achieve common goals. Good governance is found where social capital is strong. In the Solomon Islands there is strong social capital between individuals, families, and clans, and within language groups, but much weaker social capital between language groups and regions.
- ❑ Concern has been expressed that 'state' government might weaken the already limited social capital between provinces and intensify existing differences between regions. Strengthening identity and allegiances within 'States' could work against national unity if a 'look after ourselves only' attitude were to develop. There is also a worry that this might lead to an internal focus on ethnic differences that could lead to disunity within provinces.
- ❑ The potential for voluntary and collective action by citizens and 'civil society' organizations has been largely ignored, and even resented by national and provincial governments. Meanwhile, informal networks and relationships and the unrecognized 'village governments' and 'clan-based resource management agencies' have maintained food and social security. There is a strong implication that to be successful, 'state' government needs to build on these arrangements – but taking care not to overwhelm them.
- ❑ Decentralisation offers an opportunity to improve the two-way flow of information and so strengthen communication between people and their government and foster nation building, but this will not automatically happen unless 'state' governments act to make it possible.

Women in Governance

- ❑ There have been strong expressions of concern that 'state' government could further disadvantage and marginalize women.
- ❑ There is a need to identify and implement mechanisms to ensure greater representation and participation of women at all levels of government.
- ❑ Women's lack of political knowledge and understanding diminishes their capacity for meaningful engagement in governance.
- ❑ Given the central role women play in food security, agriculture development and subsistence, it is important that provinces or 'states' improve their commitment to extension support services for women.



Youth in Governance

- ❑ A key governance issue in Solomon Islands today is a role for youth in planning and decision-making processes. Traditionally, young people were to be 'seen but not heard'. Yet they are now struggling to cope with conflicting and often competing traditional and modern world views.
- ❑ Young people feel they are being pushed aside by a lack of education opportunities and employment options and that they are 'forgotten' by community leaders and by government. Young women often have the lowest status in their society.
- ❑ Expanding opportunities for partnership at local and 'state' level and strengthening the capacity for youth to be involved will be fundamental to good governance and effective devolution.

ANNEX 6: Paper on Traditional Leadership

[Extracted from Solomon Islands Constitutional Reform Project Socio-economic Study of the Implications of Decentralisation]

Embracing traditional leadership in government has long been on Solomon Islands' agenda. A recommendation to establish a National Council of Chiefs was included in the 1975 Report of the Constitutional Committee, and the 1978 Constitution provides for the participation of traditional leaders – in an advisory role. At a 1987 meeting of Isabel chiefs the then Prime Minister reopened this subject. 'People want to know what the roles of chiefs should be in the Government decision-making process. Where in the present government structure do they fit in? Should they participate in national decision-making or should they be confined to the custom and cultural spheres?'² Though much discussed over the years, these questions remain unanswered and a practical mechanism for involving traditional leaders in government remains elusive.

It will not be easy to fit 'tradition' with formal government. The basis of traditional leadership varies greatly between culture groups, and the status of traditional leaders has been weakened to varying degrees because much of the power they held in the past has shifted to formal, democratic government. 'Tradition' today is not the same as it was years ago. Yet one of the strengths of Solomon Islands' cultures is their capacity to adapt to changes in their world.

The State Government Task Force Report proposes that traditional leaders be given a place in government. All seem to agree that, in principle, it is a good idea, but one that is surrounded by questions. 'What role should they play?' 'How can this be implemented?' 'Who is a chief?' 'Should chiefs be paid for their services and, if so, will this change their traditional status and their authority?'

The SGTF Report suggests that the question as to who is a chief should be determined through 'blood or chiefly lineage'. This concept fits Polynesian societies well, but may be less easy to apply in the Solomon' Melanesian societies. While lineage is important, ability and status are also considered in the selection of a traditional leader.

What is the role of a traditional leader?

The Paramount Chief of Isabel has suggested³ that 'the roles of chiefs of Isabel are to:

- ☐ educate, inform, guide and advise and lead their people, fellow clansmen and families;
- ☐ maintain peace, order, harmony and happiness in the villages and communities;
- ☐ interpret custom and cultural traditions of Isabel;
- ☐ plan village and community developments;
- ☐ discipline those who break the peace and order in the villages;
- ☐ be spokesmen for our people;
- ☐ work closely with the Government authorities, the Police and the Church;
- ☐ promote or stop development which are either beneficial or harmful to our people; & to
- ☐ receive and provide hospitality to our visitors.'

² Isabel Province News, April 1987. Speech by the Prime Minister, Hon. Ezekiel Alebua, to the Council of Chiefs' Conference, Nagolau, Bhugotu, Isabel, 17th March, 1987

³ Isabel Province News, April 1987. Speech by the Paramount Chief to the Council of Chiefs' Conference, Nagolau, Bhugotu, Isabel, 17th March, 1987.

In considering the role of a traditional leader in modern governance a point from the ADB review of local government is worth noting: 'It is highly inadvisable to codify administrative customs or other informal modes of behaviour, as custom when codified loses its natural capacity to adapt to change.'⁴

It has been observed that 'the true role of chiefs has been overtaken by the institutional leadership styles of Churches, government, NGOs, commercial and industrial' and 'thus the people are confused on which leaders serve them best.'⁵ The writer reported that 'recognition and respect for 'how many of our current chiefs and capacity to be held and responsibilities? Chiefs the people in their communities' 'some chiefs abuse their chiefly pleasure; they take active part in land disputes not to help settle them but to acquire land for their own tribe; they locate their houses in isolated sites far from where the majority of villagers live; and some do not honor what they say.'

*Traditional
leaders
today*

*How might
traditional
leadership be
linked w/
formal Govt?*

The situation in Isabel helps illustrate some of the complications that arise when this question is addressed. There, a 'Council of Chiefs' is made up of representatives from the eight different language groups of the island. Below this in status are eight 'Houses of Chiefs'.

Each village has a chief who is from the lineage or clan that owns the land on which the village is situated. In any one village there are several clan leaders or chiefs who 'speak for' distinct areas of land and sea held under custom in the name of the clan. It is Isabel custom that land is inherited through the female line. Traditionally it is the eldest son of the eldest woman through whom the land descends who represents the clan. Tradition obliges him to discuss land issues with all clan members before taking a consensus decision on allocation of land or of resources on that land. Though Isabel women have firm views regarding their clan's land, in practice they have little influence on decision-making regarding that land.

A village chief, where he is functioning well, is an administrator, community organiser, and keeper of the peace. A clan leader or chief is a manager of land and resources, and representative of clan interests. These are traditional leaders and a few of them happen also to be members of a House of Chiefs or even of the Council of Chiefs. However, village chiefs and clan leaders are not linked to the Houses of Chiefs or the Council of Chiefs. Should they be so? What might be the effect of providing a formal role for the Council of Chiefs in government in the absence of a clear linkage with village and clan leaders? Here arises the question of whether traditional leaders should be appointed or elected. There are advantages and disadvantages to both options.

In addressing this uncertainty people of Isabel need to deal with a tradition introduced to the island by the missionaries who brought peace there over a hundred years ago. It was the Church that introduced the idea of a Paramount Chief for the whole island. It was from this that the island-wide Council of Chiefs and the subsidiary Houses of Chiefs were

⁴ ADB p151

⁵ Marau, H.B., 1999. Paper presented to the Isabel Province Chiefs' Summit Conference, 13-17 September.

established.⁶ These institutions have given Isabel a measure of unity that some other Provinces lack. Nevertheless they are a new tradition, established by a higher authority. This helps explain the absence of a clear linkage with village and clan level administration.

This situation contrasts with that of islands such as Ulawa, Bellona, Rennell, Tikopia and others where island-wide groupings of chiefs also exist. These, however, are traditional arrangements that preceded the introduction of foreign ideas of administration. They have grown from a traditional base, rather than been established by a higher authority.

The point of making this comparison is not to suggest that one form of leadership institution is superior to another but to illustrate some of the differences that exist throughout the country. A thorough examination of traditional leadership arrangements, their origins, and their effectiveness will be the key to effecting a workable linkage between traditional leadership and formal government.

*Is there a role
for women in
traditional
leadership?*

It is unusual to find an example of a woman who is recognised as a traditional leader, despite the fact that women often influence male leaders' decisions, and despite the fact that over half of all Solomon Islanders derive their land rights through women since that many adhere to matrilineal systems of inheritance.

In consultations carried out this year on a proposal to establish Customary Land Tribunals – in Choiseul and in Rennell-Bellona men were adamant that women should not be members of a Tribunal. Yet the 'Are 'Are Council of Chiefs (Malaita) has recently agreed to provide three positions for women in at least one of its three houses of chiefs – and this is despite the fact that land inheritance in 'Are 'Are is through men.



⁶ It is of interest to note another way in which the Church has changed traditional arrangements and the concept of traditional leadership in Isabel. At Church insistence traditional leaders of the southern portion of the island were persuaded to merge their clans together under three groupings. Leaders of the people of northern Isabel did not accept this 'super-clan' concept. They retain their original individual clan identities. A question might arise as to whether this re-arrangement of clans has left a dichotomy between south and north that could complicate the matter of traditional representation in government.

ANNEX 7: Information Gathering Guidelines and Suggested Consultation Strategies

OPENING

- ☐ Prayer, local leader speaks. Representative of the team thanks hosts for receiving them.
- ☐ Welcome, people, leaders, chiefs.
- ☐ Team members introduce themselves.
- ☐ Explain purpose of the consultation. Provide brief history. Remind people of the various moves over the years for greater decentralization for provinces. Address the following questions.
 - ☐ Who are we? Where do we come from?
 - ☐ Why are we here?
 - ☐ What we are not going to do?
 - ☐ What we are going to do?
 - ☐ How are we going to do it?
 - ☐ What happens when we leave?

Explain key terms such as 'government', 'governance' (*governance is pipol, ples and gavaman*), decentralization, 'state government' etc.

Stress that we are here to listen to what people have to say.

WE ARE NOT GOING TO

- ☐ Provide answers
- ☐ Preach
- ☐ Tell you what we think you want.

WE ARE GOING TO

- ☐ Listen to your opinions
- ☐ Provide background information as requested
- ☐ Ask some questions to clarify and expand your thinking
- ☐ Write down what you tell us (but not what individuals say), and
- ☐ Prepare reports that tell government and UNDP what people in rural areas are thinking and what their needs and concerns are.

Stress that the information provided during these consultations will help the government decide the best way to change the current government system to suit the needs of Solomon Islanders.

Explain the process and schedule for the meeting. Address housekeeping issues. Explain that anyone can talk at the meeting – men, women and youth. Everyone's views are important for the work we are doing. Separate consultations with women, youth or other population sub-groups will be held as needed.

Consider telling a "motivational" story at this point.

At this stage, begin to assess and manage people's expectations.

Introduce the following themes and explain terms: services, security, civic engagement, traditional leadership and village governance. Stress that other issues concerning community life can be discussed if people feel it is relevant to the governance reform process.

Thematic Areas and Possible Questions:

CIVIL ENGAGEMENT

Explain topic and emphasize the importance of public participation in all levels of governance. Government plans and activities cannot succeed unless people participate, give their views and then support the process. Even if government officials do not ask for people's views, people have a right to have their say.

1. Are you aware of proposals to reform the government system?
2. Do you understand how government works at provincial level and at national level?
3. Have traditional leaders or others been part of discussing and commenting on proposals for a change in government? Do you feel you should have a part in this, or is a change of government system for someone else to decide? If so, who?
4. What is the best way for you to receive information about the process of governance reform?
5. Are you satisfied with communication between your community and your provincial and national governments? What could be done to improve communication?

SERVICES

Introduce topic and explain what is meant by the term "services" [i.e., education; health; telecommunication; agriculture, fisheries and forestry extension; transport; water and sanitation; power.]

1. What services are most important to you? [*distinguish between services 'in general' and what people regard as 'basic services'*]
2. Are these services currently being delivered and by who?
3. How has services delivery changed over the years? Have services improved or declined?
4. Are you satisfied with the services currently being provided? [*If needed, specific probing questions could be asked such as; "Are schools accessible and do school fees present a problem?" "Are medicines available?" "Can everyone afford to go to the clinic?" "What gets in the way of people using services"?*]
5. Who do you think should deliver which services (note the range of options -- community, local government, church, NGO, provincial government, national government)?
6. Which services do you expect government to provide? Which of these do you think should be free, and which should people be asked to pay for?
7. How does your community participate in the planning, management and delivery of services? Would you like to be more involved and, if so, what would be the best way to do this?

Introduce topic and explain what is meant by the term "security" and why this is an important topic for discussion.

SECURITY

1. What local security issues are of concern to your community?
2. Who is responsible for security in your area?
3. Do you have confidence in the police force?
4. What is needed to make you feel more confident that the police force is there to protect and serve you?
5. Who should be in the police force in your area (only officers from your own language group, or a mix of local officers and

- some from elsewhere, or all of them from somewhere else)? What do you see as the advantages and disadvantages of each of these options?
6. What should be the relationship between police, chiefs and communities? What should be the role of chiefs in relation to policing?
 7. Is it easy to determine when custom law should apply and when court law should be used? In your community are there cases that the police take to the courts that you believe would be better dealt with through custom law?
 8. How do you feel about the freedom of people to 1) move into and around your area; and 2) settle in your area?
 9. Define 'justice' and 'judiciary', bearing in mind that both traditional and formal systems are in operation.

'Justice' refers to the idea of rights, protection, fairness and resource distribution. 'Judiciary' refers to the structure of the law: local court – customary land court (which deal with custom matters) and Magistrate's Court, High Court and Court of Appeal.

1. How are disputes resolved in your community?
2. Is violence against women and/or children a problem in your community? If so, do you feel it is effectively dealt with by custom and/or by the courts? *[Note: the point was raised that these matters fall under the Penal Code and are not related to reform of the national constitution proposed state constitutions. Use discretion when dealing with this issue].*
3. How could the traditional system for resolution of disputes be improved?
4. How might the court system for resolution of disputes be changed to make it more effective in resolving disputes that arise within the community?

TRADITIONAL LEADERSHIP

Introduce the topic and reinforce the importance of traditional and local level governance in the reform process. There are two systems of leadership and government. The traditional one is still important. It is what holds rural communities together and helps them through difficult times. Explain that it has been proposed that traditional leaders be involved in the new system of government. Your ideas will help to guide government as to how this could best be done so that it fits the custom of your area.

1. Who and what types of traditional leaders are there in your community? How are they identified? What issues do traditional leaders deal with and what responsibilities do they have?
2. Have the traditional leadership arrangements in your community changed over the years and if so, how?
3. What do you feel are the strengths and weaknesses of traditional leadership in your area?
4. How could traditional leadership be strengthened so as to benefit the community? *[For example, is it considered that changes to the law could help to support the role of chiefs? Note the importance of drawing attention to the idea of strengthening the role of chiefs – not of strengthening chiefs as individuals]*
5. How does the traditional system relate to the current government structure? Could this relationship be improved and, if so, how?
6. Do you feel that women should be involved as 1) traditional leaders; and 2) as your representatives in provincial or national government? How could this be encouraged and supported?
7. Do you think that youth should be involved in government? *(stress that they are, after all the leaders of 'tomorrow')*.

8. Not all chiefs could be represented in a national, provincial or state government. How could a chief be selected to represent the traditional leaders of your community?
9. What measures, if any, do you think would be necessary to ensure traditional leaders representing your community remain honest in their dealings on your behalf?
10. If places were to be made available for traditional leaders in a state parliament then should these leaders be appointed or voted in by secret ballot? If appointed, then who would you expect to do this and from where should they take advice on these appointments?

👉 **WHEN YOU LEAVE,
DON'T FORGET TO**

- ❑ thank the community.
- ❑ summarize the outcome of the consultation.
- ❑ explain the reports that will be written and how they are to be used to inform the process through which a new system of government will be established (*by changing the constitution – nambawan lor blong kandri*).



ANNEX 8: Reporting Community Consultations

Team leaders are responsible for the preparation of reports on the consultations and for submitting completed reports to the Project office by 15th March at the latest. Other team members may assist in this work but the final responsibility lies with the leader. Report writing must not be left to the end of the consultations. It begins with a methodical compilation of information during the fieldwork. To be effective, this needs to be well organized.

Team leaders may see the submission of reports as “the end” but in fact this represents an important step in a process that is to continue beyond this point. People and events are being scheduled to utilise the information arising from these reports. Any delay in their submission could create serious problems.

For each consultation meeting held:

Prepare a report based on the four theme areas: civic engagement, security, services and traditional leadership and village governance. Also list interventions that may have been made on matters (issues, questions, concerns) that do not fit these theme areas.

This report should not be prepared as minutes of a meeting and should not indicate the names of speakers. The idea is to ‘capture’ and, where may be necessary, explain the responses. An indication of the level of agreement with these responses is also needed; for instance, was it a commonly held view, the view of an individual or the view of a few. It would be useful, also, to indicate where comments came from or were endorsed by women and youth.

The report should indicate the number of people who attended the consultation. It is not necessary to keep a list of all participants, but the names and designations of key individuals who receive the consultation team and who make arrangements for meetings should be recorded.

For each round of Provincial consultations:

Prepare a provincial report in which overall impressions are presented, with information on the four theme areas summarised for that province. Significant matters that fall outside these theme areas should also be included.

List the locations of every consultation meeting held in the Province, the numbers in attendance at each meeting, and specific sub-groups consulted. Include a separate section on women and youth involvement in the consultations.

Subsequent use of the reports

Copies of the village reports are to be taken back to the participating villages. The provincial reports are to be edited and used as the basis for preparing a national report. Together these are to be compiled as a volume I. The village reports together will constitute a volume II.

ANNEX 9: Address by Ashley Wickham, HCHR

Your Mission is described as 'community consultations' for governance reform. Your principle objective is to bring back vital information to help administrators and legal draftspersons prepare documentation for policy makers who we expect to reconstruct or construct anew, the structures and systems of governance in this country. A significant expectation is that these will provide a firmer base for public participation in governance.

The Government has asked the international community to help ascertain the views of the people and seek their directions and inputs about how we should organize or re-organise our governance.

We are thankful that the governments of Australia and New Zealand have provided the funds for UNDP to organize these consultations. As we heard from Ali Tuhanuku on day one, the project is a special one for that agency of the UN, but it certainly fits well under the banner of the Peace and Development Programme.

That the international community is very involved and supportive of this national introspection sends us citizens the powerful message that 'whatever we do in revamping or reconstructing our structures and systems of governance, we must be in accord with international standards of governance'.

The concern of the Office of the High Commissioner for Human Rights is to ensure that the spirit and intent contained in all the human rights treaties and conventions are reflected in our new constitutional arrangements.

This is why our High Commissioner, Sergio Vieira de Mello, has provided funds and contracted the Regional Rights & Resources Team to work with you to embed human rights considerations in the discussions and in the output.

I am happy to note the concern for clarified definitions. Too often in recent times, decisions have been made on the basis of expediency rather than principle, on personal rather than community or national interest and often on the basis of corrupted or distorted definitions.

By introducing a new vocabulary with refreshed definitions you empower people and enable them to consider alternatives from a firm foundation when making decisions.

I don't need to remind you that our people are not a homogenous group of people. We have around 70 dialects and languages, we have literacy rates ranging from 45% to 93% (literacy that is, in their own language). We have a Pijin lingua franca that has no standard orthography. We have a small elite of mainly silent people while the vast majority have had minimal education and are very restless. We have no tradition of critical analysis in our education system. In our intra-community affairs, we avoid conflict, yet our past – including the immediate past – is replete with stories of inter-communal fighting.

I suggest that the methods you employ to consult the communities have to be very creative. Many people will be cynical of what is taking place because, often in the past, consultation has meant telling the people what you think and then asking them to nod their approval. If we use the same methods of the past, we will arrive at the same or similar answers given in the past. In this respect I provide a paper that may be of some use. It takes a lesson from the science of sociology and proposes that we all be aware of the perspectives - we and others - are working with in these consultations. I believe it is crucial.

There are many ways and means, tools, techniques and strategies for engaging people in discussions and then drawing from them their considered views, feelings and aspirations. You only need to assure that 'How' you carry out your tasks affords the best means of helping our people understand the issues. This will help them provide you with important information with which to take a step further on the path of governance reform.



*The Youth is our
Future !*