

APPENDICES

Appendix 1: Written Evidences/Oral Submissions



Fiji Higher Education Commission

Presentation to the Standing Committee on Foreign Affairs and Defence

2011 Asia-Pacific Convention on the
Recognition of Higher Education Qualifications
(Tokyo Convention)

Building together an educated and globally competitive Fiji

What is the Tokyo Convention?

What it is...

The Tokyo Convention is a tool to promote fair and transparent policies and practices for international recognition of qualifications in Asia-Pacific

How it Works...



The 2011 Tokyo Convention sets transparent, fair, and shared norms for qualifications assessments in Asia-Pacific



The Convention's standards encourage student mobility through trust, mutual understanding, and information sharing



Why is the Tokyo Convention important to Fiji?

Because of the importance of quality higher education for the Asia-Pacific region but especially Fiji:

- Rapid expansion of HE systems;
- Diversification of HE providers;
- Increasing use of ICT and emerging technologies; and
- Substantial increase in cross border mobility of learners.



Benefits of Ratification of the Tokyo Convention for Fiji

- Platform for recognition of qualifications with major countries in the Asia-Pacific.
- Substantiates Fiji's position as a quality higher education sector performing at international levels.
- Expands the opportunities for Fijian students to transfer qualifications overseas but also for Fiji to increase international student opportunities.



Requirements for Implementation

To ratify the Tokyo Convention the following is required of Fiji:

- ✓ Have a formal recognition authority (FHEC) to implement the requirements under the Convention;
- ✓ Have systems and processes to assess and recognise partial and completed foreign qualifications;
- ✓ Recognise the qualifications in HE conferred in another signatory state (and vice versa) unless a substantial difference can be shown;
- ✓ Make all reasonable efforts to recognise qualifications held by refugees, displaced persons and persons in refugee-like situations;

Requirements for Implementation – Cont.

- ✓ Provide adequate information on any HEI belonging to its higher education system, and on its QA systems to external signatory states;
- ✓ Have information systems and a National Information Centre to provide access to authoritative and accurate information on higher education in Fiji;
- ✓ Have systems to assess applications for recognition of external qualifications and
- ✓ Disseminate information on higher education in Fiji;
- ✓ **There is no financial implication involved in ratifying this Convention.**

Steps to Ratification of the Tokyo Convention

2015-2016

- Cabinet Paper developed

2017-2018

- Stakeholder consultations

August 2018

- Cabinet submission and approval

2020

- Standing Committee on Foreign Affairs and Defence

Future steps...

1. Parliamentary approval;
2. Develop articles to ratification;
3. Engage with Ministry of Foreign Affairs;
4. Tokyo Convention sign-off and ratification – May/June.

FHEC

Is Fiji prepared to ratify the Tokyo Convention and take it forward?

YES

How?

FHEC



FHEC VISION AND MISSION



VISION – Building together an educated and globally competitive Fiji

MISSION – To quality assure the delivery of higher education that meets the needs of our stakeholders



Higher Education Legislation

- Higher Education Act 2008
- Higher Education Regulations 2009
- Higher Education (Qualifications) Regulations 2010
- Higher Education (Qualifications) Amendment 2013
- Revised Edition of the Laws (Consequential Amendments) Regulations 2016
- Higher Education Amendment Act 2017



**QUALITY
STANDARDS**
FOR FIJI HIGHER EDUCATION

Fiji Qualifications Framework

- Strategic framework for describing and classifying Fiji's quality assured qualifications.
- Clarifies how competencies and qualifications relate at different levels.
- Establishes learning pathways that enhance learner mobility and career development.
- "Managed" by the Fiji Qualifications Council who approves the registration of qualifications on the FQF.



International Links

Fiji is recognised and receives **TRUST and RESPECT** in international higher education networks

- | | |
|--|----------------------------------|
| • INQAAHE - member | • TEQSA - MoU |
| • APQN - member | • SPATS - MOU |
| • APQR - 5 years registration 2015-2020 | • SITESA - MOU |
| • Tokyo Convention | • CPSC - membership through MEHA |
| • Lisbon Convention, ENIC-NARIC Network, MERIC-Net | • NZQA - professional engagement |



Vinaka Vakalevu



RATIFICATION OF THE 2011 ASIA-PACIFIC CONVENTION ON THE RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS

Submission to the Standing Committee on
Foreign Affairs and Defence

The University of the South Pacific
23rd January, 2020

1

2011 ASIA-PACIFIC CONVENTION ON THE RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS

- The Convention emphasises quality of education and its recognition at the global front
- It will potentially provide opportunities to students from Fiji and the region to competitively compete for scholarships and have access to internationally recognised, comparable and globally benchmarked qualifications in the Asia and the Pacific region
- The Convention has been ratified by our close development partners and contributors towards education in the region, including Australia, New Zealand, China, Japan and Republic of Korea signifying the benefits that the Convention derives by enabling quality education which is recognized and acceptable
- Fiji, with support from FHEC and input from the three Universities, has the wherewithal to ensure compliance with the Convention requirements.

USP'S EMPHASIS ON QUALITY

- USP focusses on quality of offerings, external validations/reviews and accreditation of programmes:
 - Western Association of Schools and Colleges (WASC) Senior College and University Commission (WSCUC) - Initial Accreditation;
 - Academic Quality Agency for New Zealand Universities (AQA) External Quality Audits and implementation of recommendations;
 - Close working relationship with Universities Australia for consultations on quality assurance matters;
 - International Accreditations and Programme Recognitions:
 - 28 programmes – International Accreditation;
 - 17 (levels 7-10) and 11 (below level 7) Pacific TAFE Programmes - Fiji Qualifications Framework;
 - 15 Programmes have International Recognitions;
 - 45 out of 74 Bachelor's Degree Programmes been recorded with the FHEC as it does not accredit level 7 and above programmes, but "records" it.
 - While USP is self-accrediting, we work with FHEC to record relevant programmes and courses under the Fiji Qualifications Framework.

USP INSIGHTS AND COMPLIANCE WITH THE CONVENTION

- USP is one of the three Universities in Fiji; regional higher education provider and a regional integration organisation
- Our Graduates study accredited programmes creating pathways for further education and employment within the region and internationally
- We host international students on exchange as well as those studying full-time programmes
- Internationally accredited and recognised qualifications offer opportunities including:
 - Promotes greater mobility for graduates with further education aspirations and returning home to contribute towards local and regional socio-economic challenges
 - Increases employability of graduates in competitive markets internationally
 - Increased remittances to support local economy;
 - Potential for increased graduate mobility and portability of qualifications
 - Attract potential international students to study at USP and other Universities
 - Migration with dignity for climate change impacted countries in the Pacific such as Kiribati and Tuvalu.

OTHER QUALITY ASSURANCE MECHANISMS



- Registrations with National Higher Education Commission:
 - Fiji Higher Education Commission;
 - Samoa Qualifications Authority;
 - Tonga National Qualifications and Assessment Board (TNQAB); and
 - Vanuatu Qualifications Authority.
- Regular External Reviews of Academic Programmes
- External Reviews of the USP Senate
- External Reviews of Academic Support Services
- Association of Commonwealth Universities (ACU) Benchmarking; and
- USP Institutional Surveys such:
 - Graduate Destination Survey (GDS); and
 - Total Experience Survey (TES).

CRITERIA TO ASSESS TEACHING RESOURCES AND FACILITIES - LAW



- Steady increase on enrollment numbers for Law, except for a marginal low in 2019 for Fiji;
- School of Law complies with USP policies to ensure quality of programmes and delivery of services to students;
- For the LLB Programme, compulsory courses are delivered online and through face-to-face mode at Laucala and Emalus Campus;
- Coordinators encouraged to engage in research within their fields of expertise to enhance knowledge and upgrading teaching materials;
- As for clinical facilities, SOL runs two Community Legal Centres at Laucala Campus and Emalus Campus offering free legal advice to the public;
- USP also offers the Professional Diploma in Legal Practice (PDLP) programme and legal information services through the Pacific Legal Information Institute (PacLII); and
- Placement of Law students as interns at the Melanesian Spearhead Group (MSG) Secretariat, RRRT, private law firms, etc.

NUMBER OF LAW STUDENTS AT USP

NUMBER OF LAW STUDENTS AT USP FROM 2016 TO 2020		
Year	Numbers (All)	Numbers (Fiji)
2016	1212	596
2017	1343	646
2018	1503	752
2019	1509	719

FIJI'S OVERSIGHT CAPACITY

- Fiji has the required capacity to ratify and implement the Convention through support mechanisms such as:
 - FHEC in its regulatory role for registrations, assessments, accreditation and recognition of qualifications and programmes offered by USP, FNU and University of Fiji;
 - Fiji Qualifications Council, which is the custodian of the Fiji Qualifications Framework (FQF) and ensures that all programmes recorded under FQF are compliant;
 - FQF aims to establish pathways that enhances learner mobility and stimulates progression and career development;
 - FQF, through Industry Relevant Standards of Qualifications (National and International) Level 1-10 places impetus on International Recognition and Equivalence;
 - Eminent role of Fiji in the development and implementation of the Pacific Regional Education Framework (2018-2030);
 - Role of Fiji's Ministry of Education, Heritage and Arts in regional platforms such as the Pacific Heads of Education Systems (PHES) and the Forum Education Ministers Meetings (FEdMM);
 - Role of Education Quality Assessment Programme (EQAP) in maintaining the Pacific Regional Qualifications Register (PRQF), which is linked to the National Qualifications Framework (NQF); and
 - Potential role of Heads of Tertiary Institutions in Fiji and the Pacific Islands in ensuring quality and relevance.

USP'S INTERNAL MECHANISMS TO MONITOR & EVALUATE SERVICE DELIVERY



- USP's commitment to increasing ratio of teaching staff to students across the region, which is currently low;
- *Quality and Creating New Pathways* from relevant programmes has been prioritized as part of the University's Strategic Plan 2019-2021; and
- Embedding contemporary and emerging regional socio-economic issues, such as climate change, in our programme offerings.

USP'S INTERNAL MECHANISMS TO MONITOR & EVALUATE SERVICE DELIVERY



- All Teaching Staff at USP are required to attain a Graduate Certificate in Tertiary Teaching (GCTT);
- Emphasis on *Quality of Teaching (QOT)* – allows teaching staff to be evaluated in a comprehensive and robust fashion, based on a number of matrices:
 - Alignment of Learning Outcomes and Assessment Activities;
 - Course Pass Rates;
 - Evaluation of Teaching
 - Observation of Lessons;
 - Effective use of ICT-Supported Pedagogies;
 - Staff Professional Development; and
 - Supplementary Evidences.
- *Quality of Research (QOR)* to enhance and improve the research capacity and outputs of the University. It measures a staff research performance based on the number of ranked research outputs, PGR supervision and research income in the last 3 years;

RECOMMENDATION

- Fiji is well positioned to ratify the 2011 Asia-Pacific Convention as it has the capacity to provide oversight on its implementation mainly as the instrument promotes greater levels of graduate mobility, employability; portability of qualifications across the region and globally; and opportunities to retain graduates with internationally recognized qualifications in Fiji;
- Fiji should ratify the Convention and on USP's part, it is committed to diligently fulfil its obligations as a higher education provider in meeting the mandatory requirements for reporting, where applicable; and
- The Convention supports the future development and advancement of higher education in Fiji and in the region.

THANK YOU

RATIFICATION OF THE 2011 ASIA-PACIFIC CONVENTION ON THE RECOGNITION OF HIGHER EDUCATION QUALIFICATIONS

Submission to the Standing Committee on
Foreign Affairs and Defence

USP Student Association
The University of the South Pacific
23rd January, 2020

1

PURPOSE

- To provide the standing Committee on Foreign Affairs and Defence with views of the USP Student Association on the Convention
- To outline reasons for ratification of the Convention by Fiji

BACKGROUND

- The Convention provides a mechanism for countries in the Asia-Pacific region to facilitate recognition of higher education qualifications through increased information provision and transparency. Becoming a Party to the Convention would demonstrate Fiji's commitment to improved mobility of students, academics and workers within the Asia-Pacific while also building on developments in recognition practices and international cooperation resulting from Fiji's membership of other UNESCO regional recognition conventions
- In building on the 1983 Convention, this Convention aims also to provide for 'the establishment of national information centres in more countries, the implementation of diploma supplements, and catching up with developments in qualifications recognition thinking and practices'. It includes the role of qualifications frameworks and defining substantial difference between qualifications from different countries

REASONS FOR FIJI TO RATIFY

Three reasons from our point of view as to why Fiji should ratify this Convention;

1. It will facilitate the mobility of students, academics and workers within the Asia-Pacific by providing a platform from which to enhance the national qualification, accreditation and quality assurance frameworks of Parties to the proposed Convention
2. It will facilitate offshore experiences for Fijian higher education students and improve employment prospects for individual holders of Fijian higher education qualifications within the region
3. Becoming a Party to the proposed Convention will demonstrate Fiji's commitment to UNESCO's agenda of strengthening engagement between countries and regions through higher education

CONCLUSION & RECOMMENDATION

- The Convention gives qualification holders the right to a fair assessment of their qualifications among the parties.
- Becoming party to the Convention will improve understanding and recognition of our qualifications among Convention members.
- Hence it is recommended that **Fiji ratify** the Asia-Pacific Convention on the Recognition of Higher Education Qualifications.

THANK YOU

PRESENTATION TO THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

27 January 2020
Committee Room 2, Parliament Complex,
Govt. Buildings, SUVA

1

Overview

1. ***Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer***
 - Context Setting
 - Key Benefits
 - Financial & Technical Assistance
 - Implementing Agencies
2. ***2011 Asia Pacific Convention on the Recognition of Higher Education Qualifications***
 - Sustainable Development Goals and Fiji's National Development Plans
 - Key Benefits
 - Implementing Agencies
3. ***Council of Europe Convention on the Manipulation of Sports***
 - Ratification/Accession Process for Non Member States of the European Union
 - Implications of ratifying the Convention as a Non Member States
 - Implementing Agencies

2

2011 Asia Pacific Convention on the Recognition of Higher Education Qualifications

Sustainable Development Goals & Fiji's National Development Plans

- Education mobility is fundamental to regional prosperity, while equal access to quality higher education is essential for peace and stability
- This vision is at the core of Sustainable Development Goal 4, known as the SDG4-Education 2030 agenda
- Fiji aligns with this vision through its National Development Plan (2017 -2022) that seeks to enhance and strengthen the support for Higher Education Institutions through the implementation of a National Accreditation Framework

Key Benefits

- The Convention allows Fiji's higher education graduates and international graduates access to greater study and work opportunities across the Asia-Pacific region
- Has the potential to increase the supply of well-trained, world-class professionals who are equipped for job opportunities in the global market

7

Implementing Agencies

- Lead – Ministry of Education, Heritage & Arts
- Other – University of the South Pacific, Fiji National University, University of Fiji

Submission by Professor Shaista Shameem

**Submission to the Parliamentary Standing Committee on Foreign Affairs and
Defence**

**On the Ratification of the 2011 Asia-Pacific Convention on the Recognition of
Higher Education Qualifications**

***By Professor Shaista Shameem SJD, PHD, LLM, MA, LLB, BA.
Fellow of the Royal Society on the Encouragement of Arts, Manufactures and
Commerce (FRSA).***

**Honourable Members of Parliament and the Standing Committee on Foreign
Affairs and Defence.**

1.0 Introduction

I am grateful to be provided with an opportunity to make submissions on the 2011 Asia-Pacific Convention on the Recognition of Higher Education Qualifications and its ratification by Fiji as proposed.

I have been involved in higher education for nearly 30 years in both Fiji and New Zealand and have taught generations of students in both countries. I feel that at my stage in life I am in a position to personally make some remarks in light of the Convention that may be useful to lawmakers of Fiji.

I make these remarks in my capacity as a citizen of Fiji and a Fellow of the Royal Society of Arts, Manufactures and Commerce and **not** on behalf of my Employer, the University of Fiji where I am Dean of the Justice Devendra Pathik School of Law. I do acknowledge with pride the University, owned by the Arya Prathinidi Sabha and supported by a robust Council, which has provided affordable education to students who may not otherwise have been able to receive higher education. Many of the Professors of the University are eminent Fijian leaders, in particular I mention Professors Tupeni Baba and Subramani who are the gurus of our entire nation, and any student would be fortunate, from a local perspective, to have such experienced scholars provide 2

them with a sound education which is based not only on a rigorous curriculum but also on ethical values common to all our societies in Fiji.

At the same time, those of us with lifelong experience in higher education in Fiji are faced with enormous difficulties emanating from global problems out of our control. To be upfront about this, the crises facing the world affects our own education system at its core. The students, who are our next generation of citizens are, in my view, seeking answers that we hope we can provide but I believe we have fallen far short in making them feel confident and secure, as well as providing them with sound ethical values that will serve them and the nation well in the future.

In fact, I have to be blunt- we are failing our students abysmally and I feel a deep sense of responsibility myself that I am not able to do more than what those of us in senior positions, who have the nation's interest at heart, are already doing. It is just not physically possible to do more for the next generation unless we confront head on, as a society, what I regard as mediocrity in the global education system.

The new Convention, if ratified by Fiji, will help to alleviate some of these problems, for example, institutional weaknesses, democratic engagement and the ability of higher education to contribute effectively to the public good. I will elaborate on this a little later but I turn now to the value of the Convention itself.

2.0 The Convention

The key points of the Convention that are important for Fiji's higher education framework and, for that reason alone, ought to be ratified are as follows:

1) **Recognition** of our own curriculum and qualifications. The Convention allows all signatories to respect each other's higher education framework despite the diversity that exists in the Asia Pacific region. This goes to transferability and thus employability of our graduates in the region.

2) **Collaboration**. The Convention allows us to collaboratively support better quality in higher education due to the need to be able to transfer the knowledge gained by individuals who are residing in the states who are parties to it. This allows the up-skilling not just of the individuals but also of states to which knowledge is

transferred. The quality of higher education is what concerns me now, particularly when we hear news that very few students have passed the 7th form maths examination in Fiji. Does the Convention provision on collaboration allow us to employ collaborative techniques to improve teaching standards and not just qualifications since it is not clear what causes the failure of high school students in such large numbers in one subject?

3) **Standards.** The Convention allows standardising of assessment of qualifications and this, in turn, introduces an element of common educational understanding among the parties in terms of the criteria to be used for measurement which is non-discriminatory and therefore reliable. Standardising should not mean one size fits all and thus we need to be able to explore the parameters of this clause to be able to allow for diversity of assessment of qualifications.

4) **Accreditation** of qualifications. These are not set in stone as the Convention allows parties to impose additional requirements suitable for their unique circumstances, and this is important in the Fijian sense, for our autonomy. The presumption that accreditation of our qualifications elsewhere has to meet certain criteria applies across the board for all state parties to the Convention.

5) Fiji's **international obligations** towards refugees and internally displaced peoples is reflected in section 7 in case a qualification that is stated by a person in that position cannot be proven. Fiji has not opened her doors to refugees in any significant numbers yet, but the principle expressed in this clause is important.

6) The **right to information** is covered by section 8 and is well represented in the Fijian sense by the Fiji Higher Education Commission and the Ministry of Education which now have the relevant database and a rigorous approach to standardisation of the recording forms through their Fiji Qualifications Framework (FQF).

Impact on Fiji of ratification

Quite apart from adhering to Fiji's obligations pursuant to the Sustainable Development Goals (SDGs), which emphasise life-long learning as well as gender-neutral access to affordable education overall, the impact of ratifying the Convention for improvement of our educational landscape will be felt immediately. As always, Fiji will be taking the leadership role by ratification and her people will be able to take advantage of jobs and qualifications in the region suitable to their career preferences.

However, there is more to ratifying the Convention and the process of compliance than merely joining the internationally benchmarked family. Importantly, the Convention provides us with a unique opportunity in Fiji to review our education system, particularly in terms of whether we meet the requirements necessary for a robust educational profile for future generations and for those who wish to pursue life-long learning as adults.

Issues pertinent to higher education in Fiji that will be assisted by ratification.

In this second part of my submissions I would like to survey some of the issues that those of us with a background in higher educational institutions in Fiji have learnt and, at the end, I address the benefits that may accrue with ratification and the future direction in education that the opportunity to ratify represents.

These are some questions that I raise for consideration for a further review of the educational framework of Fiji that ratification can allow.

1) Education as a social good and public service.

Do our higher educational institutions make any contribution to understanding important issues that face us, including of survival, for example, (i) environmental and economic challenges, (ii) the ways that our body politic can better earn the trust of the people, (iii) the idea of a public **service**, and (iv) corporate social **irresponsibility**? If not, how will ratification of this Convention help? It can but only if it opens up proper and inclusive discussion of all these issues by the public.

2) Research quality and not quantity

Research in higher educational institutions the world over, and Fiji is no exception, has become a key result area (KRA or KPI) that has pulled academics into publishing the results of research in obscure 'ranked' journals that no one reads and has little or no social impact. Research on improving a society so that it makes an effort to impact positively on the lives of people is not as much a priority in the academic career race. Thus what is academia in higher education about? This is true the world over and much has been written on it. Educators who consider that their job is also to be the critic and conscience of society recognise the difference between an 'academic' and an 'intellectual', but which one do we favour in higher education in Fiji?

3) Knowledge versus skills

In our higher education system are we teaching and learning 'knowledge' or 'skills'? Do we as a nation sufficiently value knowledge, or do we value skills more? This raises the issue of the rise in the 20th and 21st centuries of 'low value' higher education and higher fees for low cost subjects.

Skills are less transferrable than knowledge. We emphasise technological skills but these are useless without adding knowledge represented by the human experience. If we do not take this matter on board for discussion, not just in Fiji but the world over, humans will come to resemble robots more. It will no longer be robots resembling humans but the other way round.

Furthermore, in the pursuit of formal education and qualifications how much do we appreciate the value of emotional intelligence as an educational attribute? EI constitutes things such as Self-Awareness, Self-Regulation, Motivation, Empathy and Social Skills. Is emotional intelligence encouraged at primary or high school? We should discuss this openly as a society.

4) Knowledge that matters

To acquire meaningful knowledge we should place emphasis on appropriate humanities and social science education in all the disciplines. Humanities, also called 'liberal arts,' and the social sciences, encourage critical thinking, intellectual flexibility, development of a social conscience, communication, team work, ability to work in diverse environments and writing aptitude. We also need to think about **how**

we teach and not just **what** we teach, and also get beyond the confines of the disciplines. Peer learning has become an important new methodology of learning that has allowed us to move away from the top down hierarchical method used in our classrooms. Higher educational institutions should use the peer learning pedagogy to good effect because it turns failure into success.

The knowledge economy seeks to understand why the fundamental problems of society- namely poverty, law and order crises, gender inequality (and the 6

trafficking that is a part of it) as well as violence against women and children, and also now climate change which is the ultimate effect of excessive waste and emissions brought about by the conventional ways of making a living- still exist. Are our higher educational institutions taking the responsibility of asking those hard questions?

5) The future of work

In the traditional sense, work is defined as the number of hours during the week where one is productive in a specific environment which has some value attached to it. Fiji's employment legislation sets out the number of hours per week that an employer can expect an ordinary worker to work- maximum of 48 hours for example. The description of what can be achieved in that time period is set out in Job Descriptions or KPIs and measured against performance.

However, there is an increasingly popular view that 'life skills' or what some may call 'soft skills' are as important in work as formal qualifications. These are skills gained through providing support to the disadvantaged, or mentoring young people, or building houses for the homeless, volunteering and so on. Such skills are not usually included in CVs or resumes but in terms of the kind of work we will have to do in future, and life-long learning, they are significant. While not everyone works in a factory, the factory production format has risen to apply to bureaucrats' and professionals' work methods.

However, nowadays the employment frameworks are no longer uniform. Some countries and businesses have introduced a 4 day working week with marked success not just for work/life balance but for productivity. Can we ask that question for Fiji? What would be under discussion is not the future of work but the future of **good work**.

Ethical responsibility of the private sector is another question for us all. The issue is whether we can expect companies to behave ethically in all circumstances and what would be the definition of ethical conduct? Creating a work environment free from sexual or other harassment would be one example and I am pleased as a human rights advocate to see that Fiji's employment legislation has played a large part in the

transformation from exploitation to ethical conduct at work with ultimate oversight of this by the judiciary.

So how does ratifying the Convention assist with these five issues of concern for the civic minded person in relation to higher education in Fiji? The light is focused on two aspects of the Convention- (i) the notion of wide recognition of qualifications to promote life-long education which will, if properly done, take care of the concerns relating to education as a social good and public service and the quality of research; and (ii) to emphasise collaboration in the advancement of knowledge which will take care of the concerns regarding knowledge versus skills, knowledge that matters and the future of good work.

Ratification of the Convention is not simply about standards and transferability of our degrees and qualifications in the region, but about the **opportunities** that ratifying gives us to open up the conversation, and space, for discussion of the social conditions that higher education can improve; and the value of higher education for transformation of the social milieu which surrounds us as a nation.

If we cannot find our students jobs that make them happy and fulfilled, and if they are not satisfied with the way the higher education system cannot currently prepare them for the world they need to face and the problems their countries obviously have, then we need to allow them to go elsewhere whether or not this would represent a skills flight. Ratifying the Convention opens up that opportunity.

Of course there is a way to prevent the brain drain but only if we first have a proper consultation on what the definition of national (and global) interest is with respect to employment **and** enjoying a decent life, and whether our national interest coincides at all with the personal preferences of students.

The core value of Fiji's ratification of the Convention in my view is the fact that it allows us, as a nation, to open up space for a meaningful conversation with each other about higher education as a whole.

This is an opportunity we cannot miss if we are to progress with dignity and national pride alongside the other parties to the Convention.

VERBATIM REPORTS

STANDING COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE

[Verbatim Report of Meeting]

HELD IN THE

COMMITTEE ROOM (EAST WING)

ON

MONDAY, 20TH JANUARY, 2020

VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE HELD AT THE COMMITTEE ROOM (EAST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON MONDAY, 20TH JANUARY, 2020 AT 9.36 A.M.

Interviewee/Submittee: Fiji Higher Education Commission (FHEC)

In Attendance:

- | | | | |
|----|--------------------|---|--|
| 1. | Dr. Nikhat Shameem | - | Interim Director |
| 2. | Ms. Atelini Koroï | - | Team Leader Operations and Quality Assurance |
| 3. | Mr. Eci Naisele | - | Monitoring and Evaluation Officer |
| 4. | Mr. Epi Rawalai- | | Communications Officer |
| 5. | Mr. Timoci Bure | - | Acting Permanent Secretary for Education |

MR. CHAIRMAN.- Thank you, Honourable Members. We have before us the delegation from the Fiji Higher Education Commission (FHEC). Yet to arrive, as I understand, is the Acting Permanent Secretary for Education, Mr. Timoci Bure, who will be arriving later.

On behalf of the Standing Committee on Foreign Affairs and Defence we welcome you to the session this morning led by Ms. Shameem. Welcome to you all.

(Introduction of Committee Members and Secretariat by Mr. Chairman)

With those few words of introduction, ladies and gentlemen, I give the floor to you, Madam Shameem, to give a very brief introduction of your good-selves, where you are, which Ministry, and then the floor is yours. Thank you.

DR. N. SHAMEEM.- Thank you, Mr. Chairman, for your very warm welcome. I am, as you had pointed out, Nikhat Shameem. I am currently the Interim Director of the FHEC. I have brought with me my team, and this team here as you can see, is a very hardworking team on the Tokyo Convention. So, we have brought the right people.

On my right, I have Atelini Koroï, who is the Team Leader Operations and Quality Assurance within the FHEC. We have had quite a lot of interesting variations on the FHEC. We have had FEC and FHEC and so on, so it is Fiji Higher Education Commission (FHEC).

On my right, again, we have Mr. Eci Naisele, who probably needs no introduction around the room. He has been in the Civil Service for very many years and we are very fortunate to have him now in the FHEC because he has got a very strong background, not just in education and teaching, but also he is a strong advocate of the Tokyo Convention. He has been following it from 2012 when we first started to talk about it.

On my left hand side, again, you probably do not need an introduction because you see his face all the time in the media, in the press, and in a whole lot of other areas where our communication needs are paramount. Mr. Epi Rawalai, who has also been working very hard on the Tokyo Convention is, in fact, responsible for some of the documents that you have in front of you, including the summary of the Tokyo Convention to make it easier for you to follow so that you do not have to go through the whole 13 page document. We have got two to three pages summary of it. So, thank you very much indeed for your very warm welcome.

I am Nikhat Shameem and as I had pointed out, I am the interim Director of the FHEC. I have been the Interim Director for a year now, so this is my third Standing Committee. I have worked with two previous Standing Committees in Social Affairs and this one, is very critical to us. So before I launch into our presentation, let me assure you that our aim here today is to present you what the Tokyo Convention is, but I think most importantly, what it might mean for Fiji.

And the one thing in the FHEC that we are very, very concerned about and prioritise, is the welfare of our students in this country. It is more important to us than any other single partnership that we have in the country. So for us, what we are looking at, is the welfare and the future of the students of Fiji. What happens to them, where they go and what happens to them when they come back home. So having said that, if there are any questions along the way, we will be happy to answer them.

Our team is also here for any specific technical questions that I might not be able to answer because I am not God and I do not know everything, but they are the best team that I could possibly have, so they are here with me this morning. Thank you so much, Mr. Chairman.

MR. CHAIRMAN.- Thank you for the words of introduction, Madam Shameem. The floor is yours, we will reserve questions till after your presentation. Thank you.

DR. N. SHAMEEM.- Mr. Chairman, we have a short presentation for you.

Mr. Chairman and Honourable Members of the Standing Committee on Foreign Affairs and Defence, we are very pleased this morning to be presenting this to you. We will be happy to answer any queries and questions as they arise. We do understand that the Tokyo Convention is not something that it might be widely known so, therefore, we will be happy to take any questions that you have.

What is the Tokyo Convention? The Tokyo Convention is a tool to promote fair and transparent policies and practises for international recognition of qualifications in the Asia and the Pacific. What is really important for us is that, it is not just about the Asian and Pacific Region, it is actually a network of countries in the Asia and Pacific Region which are aligned to other networks globally, and I will talk more about that later.

What it is really important for us to understand is that, if we are part of this particular network, then we are also part of the global network. This basically means that we are supported by other quality assurance agencies and networks throughout the world. It gives us a very important standing on the global platform.

So how it works? It sets transparent, fair and shared norms for qualifications assessment in Asia and Pacific, so basically it is looking at the qualifications across the Pacific, so that whether people are graduating in Australia, New Zealand, Samoa, Solomon Islands or any of these higher education institutions in these countries, that we have a level playing field and that we can see that there is qualifications match to the qualifications that students or learners have in Fiji.

When I talk about learners, I am not just talking about underage learners because as you know, under the SDG 2030, one of the very important streams of thought is about lifelong learning. So when we talk about qualifications across, we are also talking about qualifications for adults, as much as the children and for learners. Most importantly, at the FHEC, we deal with tertiary learners, so at any field at any certificate level after high school, we work with them.

Now, having said that, increasingly, we are also now working with the last two years of high school so that, for example, at the moment we work with the Ministry of Education, Heritage and Arts and I wish Mr. Bure was here, we are working with the Ministry of Education for Certificates I and II to

be now offered in high schools in Fiji. So that is the entry point from high school to tertiary is going to become easier.

We have not started yet, this could be the first year of the offer and that will become easier. So you can see that being able to work in qualifications across the Pacific, knowing that there are equivalence in qualifications is going to make it much easier for labour mobility which brings me to the second point.

The Convention standards encourage student mobility through trust, mutual understanding and information sharing. One of the most important part of the Tokyo Convention is the establishment of what we call a National Information Centre (NIC). And if we establish an NIC, then we have a lot of students who are able to access the information on the NIC to see where they want to go, where they want to be and what their qualifications are worth.

Having said all of that, why is the Tokyo Convention important to Fiji? The Tokyo Convention is important to Fiji because quality higher education for the Asia-Pacific Region is absolutely critical. We have to be seen in Fiji as being as good as, if not better, than other countries which offer similar qualifications. This is very critical.

It is very important for us to say, "Fiji's qualifications, Fiji's education system and Fiji's learners are just as good as learners elsewhere in the world." Hence, the Tokyo Convention is going to allow us in many ways to drawdown on that and to make that claim, and I think that is very critical because you would all have heard in the past year, bits and pieces about what we are doing well, why are our qualifications not recognised when we recognise other people's qualifications.

Australia and New Zealand are part of this Tokyo Convention. That, in itself, if you think about it in terms of the region, is really critical because, are they accepting our qualifications? Are they asking our students to redo various programmes of study? Is it vice versa? Do we do the same? So, we are going to be on a level playing ground and I think it is really critical for our own future going forward.

What have we got in Fiji? We have a rapid expansion of higher education system, it is going across the country. We have three Universities - University of the South Pacific, University of Fiji and our own Fiji National University. Having said that, we have 39 registered higher education institutions in Fiji but we have 69 higher education institutions in Fiji, which means a number of them are yet to be registered. So that is a concern that we really need to think about in terms of the global perspective.

We have a diverse number of higher education providers, who offer from Certificates Level 1 and Level 2 and I have already explained to you about these 15 schools that might be offering Level 1 and Level 2, at Year 12 and Year 13. But we also have a number of other higher education providers, like in nursing, spa Beauty, I mean, a range of things; computer studies, which offer qualifications from Level 1 to Level 10.

We have an increasing use of ICT and emerging technologies and we are working very hard on the data systems. We are working together with the Ministry of Education on the FEMIS system, to ensure that the data that we get is across the board, but that is also connected to data that comes in from the earliest.

I do not know if you know a lot about FEMIS, but FEMIS is used by the Ministry of Education from early childhood. It collects data on children from early childhood. One thing that FEMIS does not do at the moment is that, it stops at Year 13. So you cannot actually trace what happens to our children from early childhood to the time that they finish higher education.

So, we, at the FHEC are now looking very closely at FEMIS for tertiary students, for students who graduate from high school and then look forward to graduating from university or from higher education. So, the data there is very important, the data proliferates, it is huge, it is kept everywhere and we really need to bring it in line so that the education sector can all use it for our planning.

Planning is as important to you as it is to us. You are working with your National Development Plan, you are working with your Education Sector Plan, we are also working towards those, so it is really important to see that connection.

There is also a substantial increase in cross-border mobility of learners. This happens all the time. We have people who come to visit the FHEC, together with qualifications that they have gleaned from overseas, that they have received from overseas.

We also have Fiji students who want to go and live and work overseas and that is perfectly good because what they bring back to us is, present case in point, I was away for 20 years and I am back. I think it is really important to acknowledge that labour mobility is a key strength for Fiji, that if we can keep our learners and that if we could attract them back into the country, that is really important for our own longevity going forward in terms of who we are as the Education Sector in Fiji. So, there has been a substantial need, a substantial want, a substantial request for cross-border mobility and the Tokyo Convention will facilitate that.

What are the benefits of the Tokyo Convention for Fiji? Mr. Chairman, am I going too fast? Is that alright? Please, let me know if you want me to slow down, I tend to run away a little bit.

The Tokyo Convention is a platform for recognition of qualifications with major countries in the Asia-Pacific Region. It is very important because what we need to do is, we need to work on par with other countries in the Asia-Pacific.

At the moment, in the Asia-Pacific Region, the only two signatories of the Tokyo Convention are Australia and New Zealand. Tonga and Samoa are not far behind and at the last meeting, we had interest from Tuvalu, Kiribati, Vanuatu and a number of other countries.

We would have wished for Fiji to be one of the first five trailblazers but we currently got seven countries who have signed the Tokyo Convention for the Asia-Pacific Region. Unfortunately, we missed the boat, but it does not matter because we can get on the boat now and make our presence felt now with those countries.

It substantiates Fiji's position as a quality higher education sector performing at international levels and I think this is really important because if we are seen as trailblazers, next to Australia and New Zealand as having ratified the Tokyo Convention, we are in a better position now to support the other islands of the Pacific who are already looking to us for support, particularly Tonga, Samoa, Vanuatu and Solomon Islands. These nations are very much looking to us for support because they will be the next ones to ratify. Kiribati, Niue and Tuvalu are coming but they have only one person in the Ministry of Education at the moment, working for quality assurance. They will benefit from this as well.

It also expands the opportunities for our Fijian students to transfer qualifications overseas, but also for Fiji to increase international student opportunities. I have a 17-year-old son and he is currently looking for opportunities. Where is he going to go next? And it is amazing because there are so many scholarships which are being offered by reputable international universities overseas. Are our students always able to take advantage of those? Are they in a position to be able to take advantage of those opportunities?

I think it is really important that we are able to share that information and share those opportunities equally to all students, whether they are rich, whether they are poor, whether they are in the highest quintile, whether they are in the lowest quintile, whatever it is, there are opportunities out there and being able to tap into this network, is going to ensure that those opportunities are shared by everyone, not just by a few.

What do we need to implement the Tokyo Convention? We developed this presentation, Mr. Chairman, to try and help you to come to an understanding of what the Tokyo Convention is, how it works and what does it mean for us. Now, if there are already gaps at all, please do ask us questions. So, what do we need in order to ratify the Tokyo Convention?

Firstly, we need to have a formal recognition authority to implement the requirements under the Convention. I spoke to you earlier about the Convention having been born in 2012, with a change in the Convention coming about in 2018. So, the FHEC, most specifically Master Epi, is very much part of this and has been working on the Tokyo Convention ever since it came about in 2012.

So, if you look at the FHEC and what we do with the FHEC, you will see that we were already walking on that road, knowing that one day we would want to be on the international platform. So we have done quite a bit of work and I am going to talk a little bit more about that later.

We need to have systems and processes to assess and recognise partial and completed foreign qualifications. We have some systems now but it takes an incredibly long time and sometimes students who apply to come here or our students who apply to go overseas have to wait for months and months and months. This means, you are holding back these learners for a whole year at a time when they need to be out there and getting into that workforce.

We need to recognise the qualifications in higher education conferred in another signatory State and very important, Honourable Members, vice versa, it works both ways. You recognise us, we recognise you, and that is critical. It is time we came out of bushel and said, "We have really good qualification. We have really good higher education institutions. We have quality-assured programmes. We have quality-assured national qualifications." It is very important that we be recognised as that, unless there is substantial difference candidly shown and, again, that will be part of the work that the NIC will do.

We also need to make all reasonable efforts to recognise qualifications held by refugees, displaced persons and persons in refugee-life situations, and that is part of the Convention. Now, that is in there because you will know that when you have internally displaced people or you have refugees, they do not often come to you with their certificates, simply because their house is burnt down or someone has stolen it or they have moved across borders.

In Africa, you will have the situation all the time. You have people who move across borders with no documentation and spend many years in refugee camps trying to prove what it is that they did. Now, the Tokyo Convention makes it that much easier, and there are other ways of identifying what it is that they have and their equivalence to your local qualifications.

What are the other requirements for implementation? We need to provide adequate information on any higher education institution belonging to its higher education system and on its quality assurance systems to external signatory States. So, it is a sharing of information across the signatory States. I said to you earlier, there are seven in the Asian-Pacific Region but I will show you that we actually link to many others, and so it will actually also apply to the others as well. It puts us on to a network of support.

We have to have information systems and a NIC to provide access to authoritative and accurate information on higher education in Fiji. At the FHEC, we have started work on this, in fact, we are already function as a NIC, we just need to be able to link to these other networks that exist out there.

We have to have systems to assess applications for recognition of external qualifications. Again, we have this and it takes time because we have not signed the Convention.

We have to be able to disseminate information on higher education in Fiji to empower our learners and parents to know what is available out there, what information do we have on the higher education institutions in Fiji so that everyone who wants to put their children into a higher education institution has full access to what those higher education institutions currently offer.

They need to be able to look across the higher education institutions to choose which is the university or which is the higher education institution that might suit them best. Everything becomes transparent and everything is on our website. It is there at the moment but it is not sufficient.

There is no financial implication involved in ratifying this Convention, we put that in bold just to make sure that you saw that. It will not cost the Fiji Government a lot of money.

What are the steps? Honourable Members, if you have a look at this, this is what has happened to-date. In 2012, the Tokyo Convention was born. It came out of the list of Conventions because the bigger global Convention.

The Cabinet paper was developed in 2015 to 2016. In 2017 to 2018, we held stakeholder consultations as to what was needed around it and whether people were receptive to what the Tokyo Convention would do and would be able to do.

In August 2018, the paper went to Cabinet for approval (now that was 18 months ago). We currently followed up on that Cabinet submission with the Minister, with the Permanent Secretary of MEHA, and then it went to Parliament, when you are appointed as the Standing Committee on Foreign Affairs and Defence to give your own opinions about the Tokyo Convention and its contribution to Fiji's education sector. So, what are our future steps? Where to from here?

We need Parliamentary approval. We need to develop Articles to ratify the Convention. We need to engage with the Ministry of Foreign Affairs, and then we need to have a big sign-off and ratification by May or June.

Now, UNESCO, who has been working on the Tokyo Convention, bringing everyone together, bringing all the Conventions together, have agreed to support us at no charge, if there is any step along the way that we would need their support in. So that would be very helpful if we needed their support or if you needed to be in touch with them directly, we are able to put you in touch with them directly, should you have any questions.

So, Honourable Members, is Fiji or are we prepared to ratify the Tokyo Convention and take it forward? The answer to that is a resounding, "Yes". How? Through the FHEC. The FHEC stands really in a good place to take forward all the requirements under the Tokyo Convention, led by this team that you see in front of you.

What makes us so confident? Why are we so confident? We are confident because we are a really good team in the FHEC and you can see that from the faces around the table that I have brought with me today. We really believe in our values but, again, as I have said to you, we always keep the learners as our focus.

We have a strong vision statement and the strong vision statement is we build together an educated, very importantly and globally competitive Fiji. We cannot stand in isolation. It is really important for us to be part of the global team.

We have a mission and that is, to quality assure the delivery of higher education that meets the needs of our stakeholders. And with the Tokyo Convention, our stakeholders actually expand.

We also promise our students, our learners, our parents that the opportunities which exist for them outside of Fiji as much as inside of Fiji are the best possible opportunities that they can tap into. Education must never been seen in isolation. Education is about a global education, and at the FHEC we take that very seriously.

We also have in place, ladies and gentlemen and Honourable Members, the higher education legislations which regulate our functions, and these are the:

- Higher Education Act 2008;
- Higher Regulations 2009;
- Higher Education (Qualifications) Regulations 2010;
- Higher Education (Qualifications) Amendment 2013;
- Revised Edition of the Laws (Consequential Amendments) Regulations 2016;
- Higher Education Amendment Act 2017.

On the right hand side, you will see our Quality Standards, and the Quality Standards goes out to every single higher education provider in Fiji about the setup standards that are required to set them on the path to success and excellence.

What do standards at the different levels look like? This Quality Standards Handbook which we produced a while ago but which was amended last year and launched last year, gives an indication to the higher education institutions as to what those standards are. It is a very important booklet. If you do not have a copy, we will be very happy to send you a copy. Please, just let me know at the end of this submission.

We also have in place a Fiji Qualifications Framework and this was one of the questions that actually came from you. What is the Fiji Qualifications Framework and what role does it play?

The Fiji Qualifications Framework is a very important Framework because what it does is that it puts our programmes of study, our qualifications on to a Framework which is easily accessible. But it also gives the information that what is on the Framework has been quality-assured by the FHEC. So, if a programme or a qualification is not on the Framework, then it shows that it needs some work.

Having said that, not every single qualification gets on the Framework, it is not that easy, because what happens is, it goes through our Operations and Quality Assurance Team headed by Atelini, who then look very carefully, scrutinise very carefully every single programme of study, as well as every single qualification. Are you familiar with the programme of study, Mr. Chairman, as well as qualifications?

Qualifications is the overall thing, programmes of study are what feeds into the qualification. We quality-assure programmes. So, it is very important to know that we quality-assure the programmes which are offered, the single ones, the subjects as we would probably call it, but we also look at the full qualification and quality-assure that as well. So, it is very, very important.

The Fiji Qualifications Framework is strategic framework for describing and classifying Fiji's quality-assured qualifications. It clarifies how competencies and qualifications relate at different level. I am going to talk a little bit more about it in reference to that picture that you see on the right-hand side.

It establishes learning pathways that enhance learner mobility and career development. It is also managed by the Fiji Qualifications Council which is not the FHEC because these are independent people who serve on the Council, who approve the registration of qualifications on the Fiji Qualifications Framework.

These are independent experts in the community with a background in education, who quality-assure what goes on to that Framework. So, after it has been through our own internal processes which I assure you are extremely vigorous because we have been known not to be extremely popular sometimes because we have thrown stuff back and said, "Please, redo it, resend it."

Of course, what has happened is that, if you are not accredited on our registers, then you are not entitled to Tertiary Scholarship and Loans Board (TSLB) funding, which is part of the Memorandum of Understanding (MOU) that we have now signed with TSLB, Ministry of Education, Heritage and Arts (MEHA) to see that all qualifications, all programmes are fully accredited and registered before we spend money on them, and I think it is a very important part of what we do.

On the right-hand side, you have got your levels of certification from Certificate I. Remember, I had spoken to you earlier about Certificate I and Certificate II now possibly being offered in schools, so if you have a look at that progression, you have Certificate I, Certificate II, then we have got Certificate III and then we have Certificate IV, then going right up to the Doctorate Degree at Level 10. So, you have got from Level 1 to Level 10, and these are all on the Fiji Qualifications Framework.

Having said that, we are also linked to the Pacific Qualifications Framework, to the Pacific Qualifications Register, so that has also expanded our horizon a little bit. With the Tokyo Convention, this particular diagram is going to become even more important because it is directly linked to the accreditation system in other countries around the world. And I spoke to you earlier that we have been working on this since 2012, so we had chosen to align the work that we do internationally because we knew that this moment would come, so we are fully prepared for the Tokyo Convention.

We also had very importantly, international links. We have been recognised and we received trust and respect in international higher education networks. We are member of the *International Network for Quality Assurance Agencies in Higher Education (INQAAHE)*, which is an international quality assurance body. Last year, we met in Sri Lanka. This year, the meeting is in Moscow and I am hoping I am going to be able to take this news forward to them. It is attended by the Director of the FHEC because it is a strategic level international meeting.

Asia Pacific Quality Network (APQN) Register, again, Asia-Pacific. The Tokyo Convention, which is for the Asia-Pacific Region, then we would also become members of a wider global network which is the Lisbon Convention, the ENIC-NARIC Network and the MERIC-Net, and I will show a map of that in a minute.

Then we have the Tertiary Education Quality and Standards Agency (TEQSA), which is the Australian Quality Assurance Agency. We have an MOU with them and Atelini actually attended the TEQSA Meeting last year in December, where we are talking very seriously with them about how to accredit short courses, micro-credentials which we are currently not doing, but we see that as a real need, particularly if we start to look at the Tokyo Convention.

South Pacific Association of Theological Schools (SPATS), you may be familiar with them, they also have an MOU with us. Solomon Islands Tertiary Education Standards Authority (SITESA), the Solomon Islands accreditation agency, we have an MOU with them. We are in the process of working towards one with Vanuatu, that will go to the Ministry of Foreign Affairs shortly.

Colombo Plan Staff College (CPSC), which is the Colombo Plan and we are partners with them through the Ministry of Education, Heritage and Art. Also, the New Zealand Qualification Agency (NZQA), with whom we have a really strong close working relationship with.

Taking you now to the last slide, to give you an indication of what these Conventions look like. The first Convention to come about is the Lisbon Convention and it has the overarching global reach for all the Conventions, but you can see where we sit in terms of the Asia-Pacific Convention.

You can also see the links which go between the Conventions which will make us globally-competitive but also globally accountable. It is going to be two ways. If we are globally competitive, we also have to be globally accountable, which means that we have to ensure that our education system in the higher education sphere can stand up to global scrutiny. And it will be our role in the FHEC to ensure that our higher education institutions are standing up to global scrutiny because that is the work that we do. We are the regulators of the higher education sector in Fiji.

Thank you very much indeed. Thank you, Mr. Chairman.

MR. CHAIRMAN.- Thank you, Madam Shameem, for the very, very informative deliberation or submission on the FHEC.

Honourable Members, now we are open for questions that you may wish to address. If I may start, you mentioned FEMIS. What is the acronym, is it FEMIS as acronym?

DR. N. SHAMEEM.- Yes, FEMIS with an “M”, and it means Fiji Education Management Information System.

MR. CHAIRMAN.-You did mention about starting at Early Childhood Education and ending at Year 13. Any reason for a stop at Year 13 and not going to higher education?

DR. N. SHAMEEM.- Mr. Chairman, FEMIS started a while ago. I do not know, you probably have not been around as long as I have, but you will remember

MR. CHAIRMAN.-I was with Shaista in school.

DR. N. SHAMEEM.- Alright, so you win. A while ago, the Australians rolled out a system called the Pineapple System. This would have been in the early 2000 and it was a Data Management System that the donors rolled out to the whole of the Pacific.

What happened with the Pineapple System was that, the Australians gave it to the various countries around the Pacific but they kept the key, so that we could look at the data, but we could not work the data. In fact, because at that point in time I was actually working in Vanuatu, Solomons and Kiribati, at that time it made it very difficult to access the data and then to work the data as we want to do in those countries.

Subsequently, there was a lot of kickback from Governments and they said, “We want to own this data.” So then the Australian donors then gave the EMI System to countries around the Pacific and Fiji got FEMIS. It has been a long time in development, so it was not something that you could just

jump in, adopt and that is all fine. It needed to develop line by line by line, which was made to start with ECE, you go to primary and you go to secondary.

We have started looking at data in the higher education sector but we still cannot work the data. So, at FHEC, we have started to upload the higher education data, but we are not able to work it because the ownership and I see that the Acting Permanent Secretary is not here yet because they might have been able to answer some questions for you.

What is happening now is that, with the FHEC, we are now beginning to access the data but we want to be able to work the data and that is where we are at, at the moment. We are working with various institutions around Fiji, to ensure that all the higher education data is uploaded, but also that we can start using it. So, it is not that we could have just given it to everyone all at once. It comes at various levels, so that is where we are at, at the moment.

MR. CHAIRMAN.- Thank you, Madam. I open the floor to the Honourable Members. We will start with Honourable Qereqeretabua, please, thank you.

HON. L.S. QEREQERETABUA.- Thank you, Madam Shameem, ladies and gentlemen. Madam Shameem, you spoke a lot about the learners but my question in particular is about the teachers because if you do not have qualifications for the teachers, then the learners are not going to learn properly. What about cross-checking the authenticity of some of the qualifications that we are getting at the moment? What kind of experiences have you had?

I had the opportunity over the last week to speak with a few teachers from one of our Universities and I asked, "If you were in my place, what would you ask the Commission?" And he asked, "If I could ask about the qualifications of some of the teachers that we are bringing in from overseas, from India, in particular, and how stringent are our checks on their qualifications as opposed to the standards of teachers from other countries?"

MS. N. SHAMEEM.- Thank you very much for that, Honourable Member. I think that is a really important question. It has been raised and it is heard quite a few times in the FHEC, not just in the smaller higher education institutions, but also some of these very large ones that are bringing across teachers from overseas.

We have limited capacity. In many cases, we are able to cross-check but if the organisation or the institute does not share with us who they are beforehand and bring them over, then there is not a lot we can do about it, and it has happened in the past.

Having said that, I am going to hand you over now to Atelini, who is going to address this question specifically because she is Team Leader of the accreditation sector, so she will be able to tell you exactly what it is that we do with those overseas teachers. So, if you will allow me, thank you.

MS. A. KOROI.- Thank you, Madam Director.

Honourable Member, in addition to what has been shared, we now have a working relationship with the Ministry of Education, Heritage and Arts, where they have given us a list of qualifications that needs to be verified by us.

Our process requires us to look at individual applicants and try and contact the institution from where they acquired their qualifications. Firstly, confirm where the country of origin is, whether the awarding institution is truly a registered institution. Secondly, whether the awardee was a student, a graduate of that. Those two questions, we need to have answered first.

Then, of course, there is the bit about assessing the qualification. That takes a bit of time and we also have our processes. If the information sent to us is incomplete, then we will not be able to give conclusive response and answer to the Ministry of Education, Heritage and Arts. But I can assure you that work is in progress and like we have heard, it has not been easy. But we believe that with the Tokyo Convention, that would help us. I hope that answers your question.

HON. L.S. QEREQERETABUA.- Thank you very much. Madam Director, you spoke about the United Nations Educational, Scientific and Cultural Organisation (UNESCO) being able to give us some sort of support. Would that include some financial support to help with the problem that Madam Atelini highlighted about checking and cross-checking qualifications?

DR. N. SHAMEEM.- That is a good one. Let us go begging, I am very good at begging. They have not promised us yet but let us ratify the Convention first, and I think once we do that, that is going to give us access to many, many resources that we currently are not able to tap into.

If you remember that last slide that I showed you with the circles and the arrows and things, if you have a look at that last slide and the connections that we can make, it means that we have access to the national information centres of those quality assurance agencies. That will make Atelini and our Quality Assurance Team's work so much easier because we will have it at the fingertips.

She will tell you, sometimes, how long it takes for us to write to agencies overseas and then to get back the response. It takes a while and one of the things, of course, I mean we are not talking here about any kind of prejudice but, of course, they work with their signatory countries first. It will give us access to people, resources and most importantly, information.

I do not know whether that comes with money. Sorry, we could go and dig for the pot of gold, but we can ask. It puts us in a really good position to be able to apply, not just for funds for recognition and accreditation of teachers but also resources for our education sector.

There is so much happening here, particularly in higher education institutions. I spoke about one of the areas which is scholarships. It allows us access to huge resources overseas and I think that is the important thing, and teaching, yes, absolutely.

At FHEC, we have a board called the Teacher Training Institutions (TTIs), 10 of them. They are all the ones that train teachers here. If those TTIs can also work with whatever we are getting from overseas, they themselves have a Teacher Attributes Framework now that they are working towards. They can also help to put these teachers on the Framework. It will become nationally available.

So, at FHEC, we are very mindful that the quality of teachers, particularly those coming from overseas and we have had trouble, I freely admit it, that we address that issue.

MR. CHAIRMAN.- Honourable Dr. Govind.

HON. DR. S.R. GOVIND.- Thank you for a very comprehensive presentation, Director.

A lot of information has been shared with us and it seems that the FHEC is trying its best to develop its own capacity and also to make sure that our higher education qualifications are really up to standard. We had asked some substantive questions and I would like to reflect on one of them, to see how the FHEC is in a position to tackle those kinds of issues.

There has been an increase in intake, in the number of students, especially in the law and medical faculties in the various universities. It has rapidly increased over the years, as I have noticed. So what is the criteria to assess that there are adequate resources in terms of teachers, teaching aids and clinical facilities for training of students to maintain quality education in those specialised fields? And I have another follow up question, but if you can explain how the process happens?

DR. N. SHAMEEM.- I could answer that question.

HON. DR. S.R. GOVIND.- Because you are associated with one of the faculties.

DR. N. SHAMEEM.- Absolutely, and I am afraid I am going to pass you on to Atelini as well because she is the one who has first-hand knowledge of what we do to recognise and register our institutions.

Having said that, I absolutely totally acknowledge what it is that you are saying. There are higher education institutions that are offering programmes that may not be on par with what we expect. Now, remember that people apply to us, but we may not give them their accreditation, so what do we do? We throw it back. So, we say, "Fix it and come back to us."

If it is a provider qualification, they can continue to offer it without our ability to say, "Stop!" We do not have that regulatory authority under our Act, we cannot pull the plug. So, what happens is, we send it back to them to fix it.

The problem issue then becomes is that, they enrolled students. You cannot disadvantage the students. You cannot stop a programme in midstream and say, "Stop!" What will happen to your learners? I have already said how important those learners are to us, so it puts us in a bind.

There have been programmes in the higher education institutions in Fiji, in the universities, where we have thrown them back. That has not stopped them from continuing to offer the programmes, but Atelini will tell you the process about how we do that and how we assess.

MS. A. KOROI.- Honourable Member, in addition, I would like to explain the fact that there is a variation really to our key process, to approving any new programme that needs to be delivered.

I would like to explain the fact that universities go by a different process because of their Act and establishment they are self-accrediting and, therefore, what Madam had explained applies to them, that without even our approval they can continue to offer the programme. In the normal circumstance, any institution that develops a programme, before it is delivered, it needs our approval and the process for approval requires an audit visit from FHEC.

So in the process of approval, we would visit the institution to certify and validate the fact that they have the required resources on the ground, as well as validate the qualifications of teachers. Currently, the Act refers to qualifications of teachers, simply a level higher than the programme that they will teach. For example, if it is a Diploma Programme, then the teacher can hold a Bachelor level qualification.

Therefore, we do have a rigorous process, if it is not a university, and we make sure that there is sufficient resources on the ground, as well as the teachers are qualified to teach the programme in question. But it is not the same with the universities, as Madam Director had explained. Thank you.

HON. DR. S.R. GOVIND.- Since some of these courses are very technical, like health, do you have expertise in your team here? You need a technical person in your Team to assess both, the qualifications and programmes that are offered.

The reason why I am asking this is because I am a health person by profession and I had my training in one institution. Although this institution is there more than 100 years old, just until recent years, we used to take about say a maximum of 30 people per class. Then suddenly I see that the numbers have increased to 100, maybe three or four times.

At the same time, a new institution came in without experience and their numbers have increased more than the institution that has been struggling to bring quality education over 100 years. So, how can that happen? I want to know because there is a need for very stringent check so that we do not bring in numbers in a programme just for financial reasons and the universities take advantage to use that particular person because it is attractive to fund other parts of the university.

This morning we are talking that in overseas, people are lowering the qualification for English language to attract overseas students into their universities. So in Fiji, I see that there is a great need and very quickly to control. So, my next question is related to the outcome of those programmes and you may have difficulty in answering that one

DR. N. SHAMEEM.- Honourable Chairman, through you, what we are talking about here is workforce planning. Workforce planning is the responsibility for the Government. The Government has to say under the National Development Plan as to how many positions would be vacant and available in five years from now, 10 years from now, depending on the length of your National Development Plan.

This is not something that the FHEC can do, we cannot do the workforce planning. What we can do is to hold institutions accountable to say, "This is what your workforce plan tells you, which is the responsibility of the Ministry of Civil Service. This is what your workforce plan tells you and, therefore, you cannot accept the 150 students in your first year of medical school, simply because by 2020 you are only going to have 50 jobs. This is not a responsibility of the FHEC, it also does not fall under the Tokyo Convention. It is the responsibility of the Government.

What we have tried to do from our side is, we have tried to bring all the stakeholders together and we had a meeting at FHEC about a year ago where we called the relevant Ministries. We had the Ministry of Civil Service, Ministry of Health and Medical Services, the Superintendent of the CWM Hospital and we had all the higher education institutions that offer medicine and dentistry.

We brought them altogether, together with us and we have talked about this. We said, "We are really aware that at the moment, there are graduates who are coming out for internship and they are walking round and round the Sigatoka Hospital looking for someone to supervise them." So, you and I are hearing the same rumours, I have tried to do something about it.

Again, that meeting was not our responsibility. The meeting that we held with these stakeholders was because we could hear what was going on. I would be very happy for the Committee here to write to the Government to ask this question because I think it is something that needs to be asked which is the link between the intake, how TSLB is related to the intake and who is getting TSLB? What does your workforce planning look like and who is going to be there in the end? And then the Superintendent of the Hospital also needs to be aware that this is in place and, therefore, that information needs to go back to the higher education institutions.

Now, Bobby Maharaj from TSLB is actually doing a very good job at the moment. He is saying, "We said only 50 and how is it that this university is applying for 100 in year one for medicine? I am only going to give 50." So, at our level, we are trying to work this but I think this conversation has to be held at your level. I am sorry, it is not something I can solve.

HON. A.D. O'CONNOR.- Thank you, Madam. I have that same question before, Honourable Dr. Govind had asked that, the very fact is that, they have not even joined so they were not even wondering around the hospitals, they have not been taken on board, courses like radiography and all that. They are certified, they get their certification and yet, they cannot be taken by the stakeholder.

HON. A. JALE.- Thank you, Madam Shameem. I need to get two clarifications. You talked about, at least, 69 education providers in Fiji and only about 39 have been registered under your authority. I took note of something that you mentioned that there are no laws in Fiji at the moment, to require them to register under your authority.

I see it as very important that we need to have some sort of control on these providers. They cannot just come into Fiji and teach something that are below par. It may not be good and it may not provide the right tool for our manpower here or anywhere else. So, I think may be people are just wasting their money in paying these providers and not getting what they should get. It is really interesting to note that and I would like to pursue this with Government and do something about it.

Secondly, the Lisbon Convention, I saw in your presentation. Do we need to ratify the Lisbon Conventional also because I think the reality was it was an earlier Convention that dealt with this issue that we are dealing with now? You have been mentioning Tokyo Convention but this is an Asian-Pacific Convention. Do we need to ratify those Conventions too?

DR. N. SHAMEEM.- Just for that question, I will refer you to Master Naisele.

MR. E. NAISELE.- Honourable Chairman, Sir, and Honourable Members, the answer is both, yes and no. Why I am saying 'yes' or 'no' because we have countries, like Australia and New Zealand, they both members to both, the Tokyo Convention and the Lisbon Convention. But because we are part of this Asia-Pacific Region and we have nothing at all, as to speak at this point in time, so it might be just logical to hook up to the Tokyo Convention 2011. When we have that, then we will all have access, as you can see on the map, straight direct to the Lisbon Convention or other Conventions, like the, the African communities and the other Conventions that are available in other divisions around the world.

HON. A. JALE.- (Inaudible)... Does that give you, as you just talking about now, access and two other regions that come under the other Conventions?

MR. E. NAISELE.- Yes.

DR. N. SHAMEEM.- Thank you, Master Naisele.

The links are really important. If you go to a conference like INQAAHE, for example, which is the International Quality Assurance one which is going to be held in Russia this year, you will notice that all the Conventions come together there, and there is a dialogue.

The important thing about these Conventions is that, they have broken up into regions which are similar and, therefore, we have similar issues. So, why we link up to the Lisbon Convention through the Tokyo Convention, because the links are there. At the same time, there was a time when it was really critical that each region be seen for its own unique needs. So I think it is like a big umbrella body that

we can join on to, we can get support and very important when we talk about having access to national information centres, we will also be able to work with them. But in terms of our uniqueness and to preserve the uniqueness of the Asia-Pacific Region, I think it is really critical that we ratify the Tokyo Convention, which then gives us access to the other Conventions. So it is not an either or situation; once you sign one, you have access and support from the others.

Australia and New Zealand have chosen to sign up to the Lisbon Convention, that is fine, but it does not mean that they have more access or more resources, or more money than we would by not signing the Lisbon because we still have those connections.

Your earlier question on the 69 higher education institutions, yes, they are legally required to register with us. I just have to check with Epi. Legally under our Act, do we have to register all 69?

MR. E. RAWALAI.-Yes, under our Act, any institution that confers any award or qualification should be registered under the FHEC.

HON. E. JALE.- Inaudible.

DR. N. SHAMEEM.- That is a really good question. It is what Atelini said earlier; we go, we check, if they do not comply, we say six. We need teeth. With the FHEC, we have been asking for a review of our legislation for more than two or three years now, to give us those teeth, we do not have teeth. We do what we can, but we cannot force people to comply, simply because our legislations does not allow us to do that. Atelini will add to that.

MS. A. KOROI.- If I may add, Honourable Member, I think we also need to understand that the FHEC only came into being in 2010 and these institutions had been there before that. So all we were required at that time was to recognise them.

But in the process to getting them to be registered, we are demanding that, at least, one programme be accredited before they are fully registered, and that is where the contention is right now. And getting a programme accredited, there is a series of criteria that they are required to meet, so that is why the hold back.

We have come out of our regulatory function and because our focus is on learners, we are coming out and we are trying to assist them. The issue is really to do with how they develop, they design good programmes.

DR. N. SHAMEEM.- I think Master Eci wants to add some.

MR. E. NAISELE.- Honourable Chairman, Sir, and the Honourable Members, if I may add, at the Commission, we have two key processes. The first one is called Institution Accreditation, which covers recognition and registration. The other one is Programme Accreditation. The first one really covers the first two.

For recognition, there are a total of about 13 quality criteria, so the remaining 30 higher education institutions that have not yet been registered have been recognised the first tier of quality assurance. So, sooner or later, they will go through the full registration criteria which is 53 in total quality criteria, for them to be able to qualify and be able to fit into the registration category. Thank you, Sir.

DR. N. SHAMEEM.- Mr. Chairman, just to add to what Master Epi said, we are looking now, very closely, at the time that goes between recognition and registration. In the past, higher education

institutions, I admit, was playing us, so they would drag up the recognition period and you could be recognised for a long time before you apply to be registered. We are now in our policy talking about recognition being cut off at six months. If, in that six months, you have not applied for registration, then you are in deep trouble. We are doing our best from our side.

HON. A. JALE.- (Inaudible)

DR. N. SHAMEEM.- We have to find ways of skinning the cat. Yes, that is what we are trying.

MR. CHAIRMAN.- Honourable Members, we will take one last question.

HON. DR. S.R. GOVIND.- Mr. Chairman, I am not sure whether this is your responsibility or whose; is there a mechanism in place to monitor and evaluate the improvement of service delivery on the ground in relation with higher education qualifications or personnel employed after they are trained?

We have universities producing graduates and they are employed in Ministries. Is there a mechanism to see that the performance of those graduates has got something to do with the services they are providing? Are people benefiting from them, the higher education? Is there a mechanism, are you thinking of that or whose responsibility is that?

DR. N. SHAMEEM.- Mr. Chairman, if I may, I think that is a really important question. We all have children, nephews and nieces who go through higher education, and what we want for them is a quality outcome which allows them to be strongly functioning members of society. I think that is absolutely critical.

Currently, in Fiji, there is no mechanism to trace the graduate outcomes. We have looked around for it and we have been told that each Ministry does its own thing, but to have access to that information, we have not been receiving access to that information.

What we are doing at the FHEC and you know that I have a research background, I have a PhD in Assessment and Applied Linguistics, is that we are looking very strongly at the nature of research that is needed to get precisely what you are looking for. Life is not like before, when we were young, you go into a job, 20 years down the track, you are still in the same job. "That is great, you stuck it out, you are such a good worker." It does not work like that anymore.

These days, if you are in the same job after three years, someone will say, "What is wrong with you?" So labour mobility has become a part of our lives and the way we need to know where our children are going, is to do a graduate outcome survey straight after they finish, and then two years down the track, and then may be five years down the track. Countries, like Australia and New Zealand, are already doing that, why we are not doing it?

So, we have commissioned a research study called the Graduate Outcome Survey, which now will be tracing from our higher education institutions, what happens to the graduates. As soon as they leave higher education, and then two years down the track, and five years down the track.

There is one we have not commissioned, so do not think that we have, but that is the next one that we will be starting in terms of research which is Employers Satisfaction Study, to look at whether the employers feel that the nature of education that our children received was appropriate and relevant to where they went straight after they finished. And then two years down the track, have they built up their skills? Five years down the track, what more skills have they developed to enable them to move beyond that, looking at what real life is like at the moment?

My answer to that, Sir, is, we have a Graduate Outcome Survey, which is about half of the way through, we are still looking at the inception report and how that is going to work. We have completed a recent study called Access and Equity and this Study looks at, who has access to higher education in this country and is it an equitable access? Are we getting the poorer students? Are we getting the students with special needs? Are we getting the children with disabilities? So that one is almost completed, the data is all in.

I would love to be able to say to you that I could run before I could walk, but there are many things that need to be done at FHEC, so I am prioritising, and my priority has been the Graduate Outcome Survey. Sorry, my priority has been Access and Equity, because remember I talked to you about the learners being the most important. So the learners are most important, Access and Equity, that is nearly over.

The second one was, what happens to them when they finish, which is the Graduate Outcome Survey. The third one will be the Employer Satisfaction Survey.

We have a number of research surveys that we have planned under our Strategic Performance Framework, and we are rolling them out slowly as money becomes available. Our budget has been slashed by \$800,000, just putting it out there, so we are reliant on MFAT money, just putting it out there. So, as you can see, we have our own constraints. Thank you.

MR. CHAIRMAN.- We will have one last question from Honourable Lenora Qereqeretabua. Thank you.

HON. L.S. QEREQERETABUA.- Thank you. I really sympathise. I really sympathise and I think we could be here for another hour, if we had the time.

Just my last question about standardising teaching across all the higher education institutions; what is your oversight on standardising resources and manuals? Do you have anything to do with the curriculum development unit of each higher education institution or do you leave that up to them?

DR. N. SHAMEEM.- Short answer to that, is we leave it up to them. But having said that, what we do, do, which is actually outside our mandate and we are doing this for the Ministry of Education is that, we have brought together all the Teacher Training Institutions (TTIs) and we have mapped what it is that each TTI is offering teacher trainees.

We have also helped them through a consultancy project. Again, one of our research projects that we hired consultants for, we have also developed, as a result of the study on what everyone is offering, a Teacher Attributes Framework. So, what does a teacher from early childhood to the end of tertiary, again, I do not want higher education to be missed out on this, what do we want of a teacher? What values do we want? What skills do we want? What kind of qualifications do we want? What kind of example do we want those teachers to be able to set?

We are working with the 10 TTIs. All our meetings are held at the Ministry of Education, by the way because it is the Ministry of Education mandate. We are supporting the Ministry of Education now to have the Teacher Attribute Framework out there for the 10 TTIs to follow, but for Fiji Teachers Registration Authority (FTRA) to also recognise that these are the attributes that really need to be looked at when we are (I do not want to use inspecting because inspecting went out years ago) to look at teachers, to understand what attributes they hold and where, very importantly (and I think Fiji is still weak in that) in-service education is needed to support, because even if you have great teachers, even if they are not able to appeal to the students, if you have a good strong in-service programme that

responds to the needs of the country which we do not have at the moment, then we are not going to be able to address some of those issues we are talking about here.

As I have said, teacher training is not a part of our mandate, but we are very much in there, we are actually the Secretariat for that meeting.

HON. L.S. QEREQERETABUA.- I am sorry. Just to clarify, I was actually asking about the resources available to the teachers. For example, if someone was to attend the College of Medicine, Nursing and Health Sciences (Pacifica Campus), the medical school at the Fiji National University (FNU), as opposed to another medical school here, do you have oversight that there are standard teaching methods or teaching curriculum?

MS. A. KOROI.- I will say we do have, and that comes in at the beginning of that process when they apply to get that programme approved for delivery or in your particular example, if it is a medical programme or a nursing programme or a programme that requires a licencing approval, that programme would need to go through their own process before it comes to us. So, it would need to come to us prior to approval of that other oversighting body.

DR. N. SHAMEEM.- Can I just add to this business about licencing?

Children may complete a period of study. They have qualified, but they still need to go through the licencing authority, whether they are doctors, whether they are lawyers or whether they are veterinarians, they still need to ensure that, that nursing has it. They have to still go through the licensing authority. It is not just about getting the qualification. In fact, we had quite a lot of discussions around nursing as to whether, even if they have graduated, can practise without the licence. They cannot, so we have to be aware that there is two different issues there.

MR. CHAIRMAN.- Thank you, Madam, and thank you, Honourable Members. Time is upon us and as Honourable Qereqeretabua said, “We could be here until tomorrow.” But, yes, a very, very interesting presentation and we thank you again, Madam, and your Team.

However, whilst compiling our Report for Parliament, we have some other pressing question, I hope you do not mind if we can drop you a line at that request.

With those few words, Madam, if you have any departing remarks, please the floor is yours. Thank you.

DR. N. SHAMEEM.- Thank you very much indeed, Mr. Chairman. I just would like to commend this Committee for being so open to our presentation, for asking all the relevant questions. I am sorry if I was not able to answer them all perfectly, but you will understand that it was outside my remit to answer them and, therefore, I was not able to answer them.

I would welcome further conversation, any enquires and I absolutely welcome a site visit to the Fiji Higher Education Commission. We would be more than happy to host you at FHEC, but thank you very much.

On behalf of my Team: Mrs. Koroi, Mr. Naisale and Mr. Rawalai, I would like to really thank you very, very much for allowing us to present to you what the Tokyo Convention is and why the Tokyo Convention is so close to our hearts. Thank you very much.

MR. CHAIRMAN.- Thank you, again, and we certainly will take up that invitation to visit. Thank you.

The Committee adjourned at 10.57 a.m.

VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE HELD AT THE BIG COMMITTEE ROOM (EAST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON THURSDAY, 23RD JANUARY, 2020 AT 9.26 A.M.

Interviewee/Submittee: The University of the South Pacific

In Attendance:

- | | | | |
|----|-------------------------|---|---|
| 1. | Professor Pal Ahluwalia | - | Vice-Chancellor |
| 2. | Dr. Francis Mani | - | Associated Dean |
| 3. | Dr. Heena Lal | - | Planning and Quality Assurance Department |
| 4. | Ms. Elizabeth R Fong | - | Librarian |
| 5. | Mr. Aneet Kumar | - | Research Officer |
| 6. | Mr. Faranise Raicebe | - | Welfare and Deputy Chairperson (Students Union) |

MR. CHAIRMAN.- Honourable Members, we have before us this morning the Vice Chancellor and team of Officials within the University of the South Pacific (USP). A very warm welcome to you, Sir, and the rest of your team.

(Introduction of Committee Members and Secretariat by Mr. Chairman)

MR. CHAIRMAN.- Thank you, Honourable Member. Just a comment, when we had the Department of Energy and Environment, when they presented, it was the fact that sitting out there in a country are thousands of vehicles with air conditioning systems that have been, sort of, ignored but that is a major concern with us ratifying the Convention. It is just a comment. Can we have your next presenter now, Sir?

PROFESSOR P. AHLUWALIA.- Thank you, Mr. Chairman, I will actually present the next one. This is really on the ratification of the 2011 Asia-Pacific Convention on Recognition of Higher Education Qualifications.

Just as a way of background, the Convention emphasises the quality of education and the recognition of it at the global front.

It potentially will provide opportunities to students from Fiji and the region, to competitively compete for scholarships and have access to internationally-recognised comparable and globally benchmarked qualifications in the Asia-Pacific region.

It also has been ratified by our close development partners and contributors towards education in the region, including Australia, New Zealand, China, Japan and Korea, signifying the benefits that the Convention derives by enabling quality education which is recognised and acceptable.

Fiji, with the support from the Fiji Higher Education Commission (FHEC) and input from the three Universities, we believe, has the wherewithal to ensure compliance with the Convention requirement.

Now, USP is one of the three Universities in Fiji as you are aware, a regional higher education provider and, of course, a regional integration organisation under the Council of Regional Organisations of the Pacific (CROP) mechanism.

Our graduate study accredited programmes create pathways for further education and employment within the region and internationally.

We host international students on exchange, as well as those studying full-time in one of our programmes.

We have internationally accredited and recognised qualifications and opportunities, including the fact that we:

- Promote greater mobility for graduates with further education aspirations and returning home to contribute towards local and regional socio-economic challenges;
- Increases employability of graduates in competitive markets internationally;
- Increased remittances to support the local economy;
- Potential for increased graduate mobility and portability of qualifications;
- Attract potential international students to study at USP and other Fiji Universities; and
- one of the really key things about this is also that there should be some migration with dignity for climate change impacted countries in the Pacific, particularly places like Kiribati and Tuvalu.

We have probably emphasised a lot about mobility. That does not mean that we are trying to send all our people away, but we are very cognizant that we need good qualified people within Fiji and the region itself.

USP focuses on quality of offerings, external validations/reviews and accreditation of programmes:

- We have something called the Western Association of Schools and Colleges (WASC) Accreditation which is a US-based Accreditation which is a whole of university accreditation which recognises that we are fully compliant with US-type regulations across education.
- Also, we have a lot of validation from the Academic Quality Agency of New Zealand (AQA) External Quality Audit and implementation of recommendations.

- Close working relations with Universities Australia for consultations on quality assurance matters.

So just to give you a flavour, our International Accreditations and Programme Recognitions include:

- 28 programmes which have international accreditation;
- 17 (Levels 7-10) and 11 (below Level 7) Pacific Technical and Further Education (Pacific TAFE) programmes. These are under the Fiji Qualification Framework.
- 13 programmes have international recognition; and
- 40 out of 74 Bachelor's Degree Programmes have been recorded with FHEC, as it does not accredit Level 7 and above programmes but records them. But I think there is a big problem to try and get everything recorded under FHEC. We are actually going through a self-accreditation with FHEC at this moment.

While USP is a self-accrediting body, we work with FHEC to record relevant programmes and courses under the Fiji Qualifications Framework.

We also have registrations with National Education Commissions, so not only do we work with FHEC but we also work with the Samoa Qualifications Authority, the Tonga National Qualifications and Assessment Board and the Vanuatu Qualifications Authority.

So, part of our accreditation and maintaining our quality, we regularly have external reviews of academic programmes, as well as external reviews of our Senate which is the highest academic body of the University, and external reviews of all our support sections in the university.

We work very closely with the Association of Commonwealth Universities because we benchmark our institutional data with other institutions.

We do Institutional Surveys, such as the Graduate Destination Survey and the Total Experience Survey. In fact, we are just in the middle of now working with FHEC to do a Fiji Graduate Destination Survey across all three Universities.

Our oversight capacity is that, Fiji has the required capacity to ratify and implement the Convention through support mechanisms, such as:

FHEC in its regulatory role for registrations, assessments, accreditation and recognition of qualifications and programmes offered by USP, FNU and the University of Fiji.

Fiji Qualifications Council (FQF) which is the custodian of the Fiji Qualifications Framework ensures that all programmes recorded under FQF are compliant.

FQF aims to establish pathways that enhances learner mobility and stimulates progression and career development.

Through that Framework and through Industry Relevant Standards of Qualifications (National and International) Levels 1-10 places impetus on International Recognition and Equivalence.

Eminent role of Fiji in the development and implementation of the Pacific Regional Educational Framework which some of you would be familiar with, which also incidentally covers higher education in some elements.

The role of Fiji's Ministry of Education, Heritage and Arts in regional platforms, such as the Pacific Heads of Education Systems (PHES) and the Forum Education Ministers Meetings (FEEdMM).

The role of Education Quality Assessment Programme (EQAP) in maintaining the Pacific Regional Qualifications Register (PRQF), which is linked to the National Qualifications Framework (NQF).

Potential role of Heads of Tertiary Institutions in Fiji and the Pacific Islands in ensuring quality and relevance. So it used to be a body that used to meet regularly but for a while, it has not met but we have talked with the Heads of the three Institutions that meet in Fiji, that we do need to think about bringing that body back into play.

You would ask questions around medicine and law, now we do not teach medicine at our University but this gives you a sense of the number of law students and you can see that they have been growing and those are all the Fiji law numbers and you can, sort of, see that from 2016 to 2019, they have gone from 596 to 719. It is too early for us yet to be able to give you the 2020 figures.

You would also ask for criteria to assess teaching resources and facilities, particularly law. We have had steady increase on enrolment for law, except for a marginal low in 2019 for Fiji.

The School of Law complies with all our policies to ensure quality of programmes and delivery of services to students. As I have said, all our academic programmes are reviewed from time to time.

For the LLB Programme, compulsory courses are delivered online and through face-to-face at Laucala and Emalus Campus in Vanuatu where the law school is really located.

Coordinators are encourage to engage in research within their fields of expertise to enhance knowledge and upgrading teaching materials. In fact, we have just appointed a new Head of School for Law, who will be coming from the University of New England and start shortly at Emalus Campus because our existing Head of School has just retired.

As for clinical facilities, the School of Law runs two Community Legal Centres at Laucala and Emalus, offering free legal advice to the public.

They also offer the Professional Diploma in Legal Practice Programme (PDLPP) and legal information services through the Pacific Legal Information Institution (PacLII) which is located in our Emalus Campus.

The placement of law students as interns at the Melanesian Spearhead Group Secretariat, private law firms, et cetera.

You had also asked about our internal mechanisms to monitor and evaluate our service delivery. So all teaching staff at USP are required to attain a Graduate Certificate in Tertiary Teaching (GCIT). This starts very early from when someone starts as a Teaching Assistant all the

way through an Assistant Lecturer and even when we hire new people in, who have not had that qualification.

The emphasis on the Quality of Teaching (QOT) is an internal mechanism we have developed which allows teaching staff to be evaluated in a comprehensive and robust fashion based on a number of matrices, including:

- alignment of learning outcome and assessment activities;
- course pass rates;
- evaluation of teaching;
- observation of lessons;
- effective use of ICT-supported pedagogies;
- staff professional development; and
- supplementary evidences.

Effectively all promotions on staff reviews take into account the quality of teaching as they do to quality of research, which is to enhance and improve research capacity and outputs of the University and it measures a staff research performance, -based on the number of ranked research papers that our staff produce, Postgraduate supervision and research income in the previous of three years.

Our commitment to increasing the ratio of teaching staff to students across the region which is currently low, we have been working on this.

Quality and creating new pathways from relevant programmes has been prioritised as part of our new Strategic Plan which our Council approved in November.

Embedding contemporary and emerging regional and socio-economic issues, such as climate change, in our programme offerings to make sure that our programmes are relevant.

Our recommendation on the basis of the questions that were asked and our overall understanding of this particular Convention is that:

Fiji is well positioned to ratify the Asia-Pacific Convention as it has the capacity provide oversight on its implementation, mainly as the Instrument promotes greater levels of graduate mobility and employability; portability of qualifications across the region and globally; and opportunities to retain graduates with international-recognised qualifications in Fiji.

There is a very similar Convention in a way which started in Europe which is the Bologna Declaration which also tries to do the same thing in Europe, and it is our belief that Fiji should ratify the Convention. The USP's part is, we are committed to diligently fulfil its obligations as a higher education provider in meeting the mandatory requirements for reporting where applicable and, of course, we work very closely with FHEC in the Qualifications Framework.

The Convention supports the future development and advancement of higher education in Fiji and the region. Thank you.

MR. CHAIRMAN.- Thank you, Vice-Chancellor. Honourable Members, we will take questions from the floor, if there are any?

HON. A. JALE.- Thank you, Vice-Chancellor. You had talked about a similar Convention that applies to other parts of the world. We do understand that there is one which is Lisbon Convention, is that the one that you are referring to?

PROFESSOR. P. AHLUWALIA.- Bologna.

HON. A. JALE.- Yes, that is the one.

Do you think that we, in Fiji, should consider the ratification of that Convention because we understand Australia has, although being part of our region, they have ratified that. What is your view?

PROFESSOR. P. AHLUWALIA.- Australia has ratified this Convention but the Bologna Convention is really a European Framework because there are particular qualifications and by and large, most places in the world are working in the way the levels of study are worked out. But this is really for the Asia-Pacific region and I think we are well poised. It can only help our graduates and our students for what I had talked about like mobility, employability and portability of qualifications.

Sometimes, it is not easy that everyone recognises qualifications from one country to another, but I think these sort of Conventions make it easy for us to make those cases and make it stronger. So I do not really see any negative factor of why we should not ratify it.

HON. A. JALE.- I noted your presentation on the USP emphasis on quality. You mentioned about 45 out of 74 Bachelor Degree Programmes that have been recorded with the FHEC. Why have they not been able to assess and accredit the others?

PROFESSOR P. AHLUWALIA.- They have not been able to do everything because it is a huge job and we existed before FHEC so we have to make sure that our own systems of accreditation were of quality which is why work with the Australian Qualifications Authority, we work with the New Zealand and why we did the WASC) Accreditation, just to make sure that globally, we would be recognised.

FHEC is only 10 years old whereas we are 50 years old, so I think we have to do a lot of things and put them in place. And being a regional university, as I had pointed in the presentation. We do not just work with FHEC, we actually work with any national body of our 12 Countries that had been established. So, Samoa, Tonga and Vanuatu have all these, but you might want to say something about the reason why the remaining because we had a discussion about this yesterday anyway.

MS. H. LAL.- Thank you, Honourable Member, for that question. With the FHEC, their approach is the recording of programmes as the Vice-Chancellor had pointed out. USP is the self-accrediting institution and we have been self-accrediting our programmes.

With FHEC for the Bachelors level and above programmes, they have a process for recording the programmes. We started with that process of recording in year 2018, and we have got a timeline until the end of this year when we want to complete recording all our Undergraduate level programmes. We will also do a timeline and a plan for recording our Postgraduate level qualifications with FHEC. Thank you.

HON. DR. S.R. GOVIND.- Thank you, Vice-Chancellor, for your very comprehensive presentation. The ultimate goal of Quality Higher Education is to impact on the quality service delivery. Currently, what we see is that, a very large number of Graduates, Undergraduates, a few Postgraduates and in certain Discipline, like Medicine and Health, you really require very senior experienced people with Postgraduate education to supervise the Undergraduates, they cannot be left alone to provide services.

What do you see as a mechanism to oversee that quality education is filtered down to impact on these services, that we see very little impact on service in certain areas at the moment? Are there any mechanisms or are you talking with certain sectors to carefully monitor this?

PROFESSOR P. AHLUWALIA.- Honourable Member, I think that is why we went through that presentation to really point out that we really put in very good mechanisms and it is not just ourselves or showing ourselves, but to do the WASC accreditation and to do the other accreditations.

There are very strict criteria of who can teach at what level. You have to have a qualification higher than what you teach the people that you are training. So, for us, partly our recruitment process is very, very stringent and partly gets us into a lot of difficulties at times because recruiting staff is difficult, given the quality of research and quality of teaching benchmarks that we have set, and the requirements predominantly for us, I mean, we might have not as many academic staff as I would like, but the staff that we have are highly qualified.

We are probably are on par at the lecturer and above level to Professor with, I would say, many Australian Universities, probably better than UK Universities in terms of the qualifications of our staff. So, I am very confident, I mean, we do not have Medicine and Health. Those are the two areas we do not teach as a university, except we do some Psychology and we have few counselling programmes. But I am very confident that the staff that we do have, are highly qualified.

HON. DR. S.R. GOVIND.- I am not focusing on the quality of education you are providing, that is fine. Sometimes, academic qualifications alone is not a reflection on the service they will provide. So I am saying, what mechanisms are there to monitor that after these graduates graduate and are in service, to see the quality of service has improved?

I had worked for the United Nations for 18 long years and we found out that people with PhDs, are no better than people who have lower qualifications but good experience.

PROFESSOR P. AHLUWALIA.- So, Honourable Member, I think the way we try and deal with this is we have advisory boards from the industry, it is like a feedback. They keep telling us what are the latest things that we should be focusing on, how should we be improving our curriculum to make sure that it is relevant to the needs of the region. As you know for us, we have to respond to the 12 countries as opposed to just one country, and that is the way we deal with this, we try and get that feedback.

So, for our regional campuses, we have Campus Advisory Committees which are genuinely chaired by the local Minister for Education, who provide input into what is required, what are the trends that are occurring and we usually have industry experts. So we have that in our schools - engineering is one of the clearest examples I could give.

I think USP in some ways also has to be at the forefront because there are some industries we do not have in Fiji, but we are offering programmes where we have to, kind of, tread the path so that we can attract those kind of industries. For me, for example, one of the big things that we need in Fiji would be a science park and I believe USP is the only place where a science park of that nature would be located and this is something that we need to do in partnership with the Government and industry to bring the right people in. We do not have any pharmaceutical industries, we do not have any bio-tech companies, nor do we have any of the high in science industry partners which we could.

In some ways, we are working predominately with service industries, so the kind of examples you are giving would be in a place where they have a lot of high-tech expertise around the university and the university becomes a hub. For me, that is where we have to take Fiji forward. I think we have huge opportunities, I think one of the best things that the Government has done here is the honour and give credits for research and development are fantastic. We just need to get the right industries now, to take advantage of those and to work with our universities. I think this kind of ratification will help in that endeavour as well.

HON. DR. S.R. GOVIND.- My question is that, what we have noticed is that some of the universities which are pretty new, only three or four years, are now taking intake of students in very professional courses and try to compete with universities who has been there for very long time. As a professional expert, because teaching some of these professional courses require lot of experience and resources, et cetera, and certainly a new university comes and takes hundreds of people in a professional course, how do you see that? Whereas some universities and medical schools have been here for so long, yet they are very cautious in taking the number of students who come in and then those who graduate?

PROFESSOR P. AHLUWALIA.- Honourable Member, I think you are making a very good point. That is why the FHEC acts as an overarching body that looks at quality. But I think the market always, in a way, dominates this debate and I am no one who does not want to see a vibrant higher education sector in the country, I do not want to just see USP flourishing and everyone else not doing well. I actually want to see a thriving higher education, so I actually believe competition is good for everyone and keeps us on our toes. There are some things that we have had to do better because there is competition, and I think that is a good thing.

I think those people, I cannot speak for Fiji because we do not have medicine but I do know bit more about the Samoa case where they are running an online medical degree. In this day and age, anyone would know that an online medical degree is not going to be very relevant. I mean, you are dealing with real people, these are not dummies that you are operating on, so I think the point you are raising is very good. I am pleased that we have a good framework which checks these things.

Competition is good and as I said, the market will easily sort out the fly-by-night kind of operators.

HON. L.S. QEREQERETABUA.- Thank you, Vice-Chancellor. A couple of days ago, the FHEC came and made their submission and Madam Nikhat said that they needed more teeth, would you agree? I am sure they have enough teeth.

PROFESSOR P. AHLUWALIA.- I think we have a very good relationship with them. As I have said, we have probably been in the business longer than they have, so we do understand that. I think there is always a danger, although regulation can also become a problem because it can stifle innovation, it can stifle the ability to respond quickly to programmes that a University should be teaching. It is finding that right balance and this is one of things I have said, the three Vice-Chancellors were very lucky, that we all get along very well and we do talk regularly.

We try to make sure, particularly in Fiji, that we not just replicate things that others are doing, because that is not productive. We are a small country, we have to be more efficient and we have to work together. I think, by and large, a lot of the self-regulation also helps. I am not sure how much more teeth they need but certainly, from my perspective, the three Universities are really working in a very different way than they used to.

PROFESSOR P. AHLUWALIA.- Just the introduction, this is a presentation by our Students' Union and they were also asked to make a submission, but a lot of what I have said, very much applies to that.

MR. A. KUMAR.- Thank you, Mr. Chairman and Vice-Chancellor. I would be presenting a submission on behalf of the USP Students Association Federal Body that represents the students across the regional campuses of our University, including Fiji.

The purpose of this presentation is to provide the Standing Committee with the views of the USP Students Association on the Convention, and to outline reasons for ratification of the Convention by Fiji.

We were also sent the letter with substantive questions, which we would like this Honourable Committee to refer to the Vice-Chancellor's presentation. If you could move to the background of the presentation, please.

The Convention provides a mechanism for the countries of the Asia-Pacific region to facilitate recognition of higher education qualifications through increased information provision and transparency. Becoming a party to the Convention would demonstrate Fiji's commitment to improve mobility of students, academics and workers within the Asia-Pacific, while also building on developments and recognition practices and international co-operation, resulting from Fiji's membership of either UNESCO regional recognition conventions.

Now, this Convention builds up on the 1982 Convention or as we know, the Bangkok Convention. This Convention also aims to provide for the establishment of National Information Centres (NICs) in more countries, implementation of diploma supplements and catching up with developments in qualifications, recognition, thinking and practices.

It includes the role of qualifications frameworks and defining substantial difference between qualifications from different countries which is vital for the Fiji Academic Framework. We have outlined three reasons from our point of view as to why Fiji should ratify this Convention:

1. It will facilitate the mobility of students, academics and workers within the Asia-Pacific by providing a platform from which to enhance national qualification, accreditation and quality assurance frameworks of Parties to the Convention.
2. It will facilitate offshore experiences for Fijian higher education students and improve employment prospects for individual holders of Fijian higher education qualifications within the region.
3. Becoming a party to the Convention will demonstrate Fiji's commitment to UNESCO's agenda of strengthening engagement between countries and regions through higher education.

In conclusion, the Convention gives qualification holders the right to a fair assessment of their qualification among the Parties becoming party to the Convention. It will improve understanding and recognition of our qualifications among Convention members. Hence, it is recommended that Fiji ratify the Asia-Pacific Convention on the Recognition of Higher Education Qualifications.

MR. CHAIRMAN.- Thank you. Any questions on the floor, Honourable Members? If not, we will hear from the fourth presenter.

PROFESSOR P. AHLUWALIA.- While we are getting that presentation, I might just add that really, the students union is supplementing what I had said.

HON. A. JALE.- I think the idea of bringing student association representative is a good one. It just confirms to us the need to ratify. Thank you very much.

[VERBATIM REPORT]

STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

TREATIES

- 1. Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**
- 2. 2011 Asia-Pacific Convention on the Recognition of Higher Education Qualifications**
- 3. Council of Europe Convention on the Manipulation of Sports Competition**

INSTITUTION: **Ministry of Foreign Affairs
Office of the Solicitor-General**

VENUE: **Big Committee Room (East Wing)**

DATE: **Monday, 27th January, 2020.**

VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE HELD AT THE COMMITTEE ROOM (EAST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON MONDAY, 27TH JANUARY, 2020 AT 9.50 A.M.

Interviewee/Submittee: Ministry of Foreign Affairs

In Attendance:

- | | | | |
|----|---------------------|---|--------------------------------|
| 1. | Ms. Keleni Seruvatu | - | Manager, Multilateral Division |
| 2. | Ms. Melania Bada | - | Senior Foreign Service Officer |
-

MS. K. SERUVATU.- *Vinaka*, Mr. Chairman.

To the next Convention, in 2011, the Asia Pacific Convention on the Recognition of Higher Education Qualifications. Mr. Chairman we note that this Convention deals with the recognition of Higher Education Qualifications and at the outset, we would like to state our support for this Convention. If I may retract a little bit Mr. Chairman, I beg your indulgence, we had not mentioned this point in terms of the first Convention which is Kigali Amendment, we had not specifically reiterated our support for it, but, as you will note from the previous presentation that we have done so.

For this Convention as well, Mr. Chairman, we would like to convey our support, noting that this Convention deals directly with and has very relevant linkages with the Sustainable Development Goals, as well as Fiji's National Development Plans.

We note that education mobility is fundamental to regional prosperity, while equal access to quality higher education is essential for peace and stability. This is the recognition also given from UNESCO in terms of higher education and education overall.

This vision is also at the core of Sustainable Development Goal 4 on education. Fiji aligns with this vision through its National Development Plan that seeks to enhance and strengthen the support for Higher Education Institutions through the implementations of a National Accreditation Framework.

The benefits that we foresee with this Convention is that, it allows Fiji's Higher Education graduates and international graduates access to greater studies and work opportunities across the Asia-Pacific Region. It has the potential to increase the supply of well-trained, world-class professionals, who are equipped for job opportunities in the global market. As we speak, labour migration and Fiji's outreach into the world in terms of its graduates and its people, the world is now interconnected. Speaking of this Convention, it really adds to our aspirations to market Fiji and its people to the world, the specific skills and abilities that our graduates may be able to offer the global market which is before us, Mr. Chairman.

Mr. Chairman that is a very brief submission on the second Convention that we are seeing this morning, that is, on the Recognition of Higher Education Qualifications.

MR. CHAIRMAN.- Thank you, Ms. Seruvatu. Honourable Members, do you have questions on this?

If I may start, I have a question, it is to do with labour migration. From time to time, we have had some foreigners arrive into the country and, sort of, overstayed. I think as we speak, we have two brothers who are facing the court but that is duly immigration. If it is, what has the Ministry have in place in so far as, if they are to check on their employment status? What are their career past? If they are academics so to speak, can the country not make use of those? Just a thought, thank you.

MS. K. SERUVATU.- *Vinaka*, Mr. Chairman. In terms of the issue that you have rightfully highlighted would be with the ambit or the jurisdiction of the Department of Immigration, as well as the Ministry of Employment. But overall for the Ministry of Foreign Affairs, our role basically is to utilise the presence of our Missions in foreign countries, to do the ground work for us in terms of liaising with our partner governments and seeking opportunities that we may be able to capitalise on.

Labour and migration is one such issue that is very, very significant in this day and age, given the interconnectivity of the world nowadays. Of course, the situations as you have already highlighted are bound to occur but our Ministry is playing an oversight facilitative role in terms of working with other line agencies that will govern these specific issues. Thank you, Mr. Chairman.

MR. CHAIRMAN.- Thank you, Ms. Seruvatu, for the explanation. Honourable Members, are there any other questions on the subject matter?

The Committee resumed at 11.05 a.m.

Interviewee/Submittee: Office of the Solicitor-General

In Attendance:

- | | | | |
|----|-----------------------|---|--------------------------------|
| 1. | Ms. Seema Chand | - | Acting Principle Legal Officer |
| 2. | Ms. Manisha Ali | - | Legal Officer |
| 3. | Ms. Nazia Ali | - | Legal Officer |
| 4. | Mr. David Solvalu | - | Senior Legal Officer |
| 5. | Ms. Raumanu Pranjivan | - | Acting Principle Legal Officer |

MR. CHAIRMAN.- Honourable Members, we have before us now the team from the Office of Solicitor General. A very good morning and welcome to you all. Welcome to you, Seema, and the rest of the team.

(Introduction of Honourable Members and Secretariat)

With those few words, the floor is yours Seema. Thank you.

MS. S. CHAND.- Good morning, Honourable Members, and Happy New Year to everyone. Thank you for giving us an opportunity to present on the various Conventions. I will just briefly introduce you to the team.

We have Nazia Ali and a colleague from FHEC, who will be presenting on the Convention to the Recognition of Higher Education Qualifications. I will be speaking on the Council of Europe Convention on the Manipulation of Sports. Mr. Solvalu, Ms. Ali and Mr. Pranjivan will be speaking on the first Convention, which is the Kigali Amendment. So I pass it to Mr. Solvalu and team to take us through that presentation.

Honourable Members, do you have any questions on the Kigali Amendment?

Since there are none, Ms. Seema would you like to proceed to the next item which is the recognition of higher education qualifications. Thank you.

MS. S. CHAND.- Thank you, Mr. Chairman. I will pass it to my colleague, Ms. Nazia Ali, to present on that.

MS. N. ALI.- Thank you, Mr. Chairman, and good morning Honourable Members. I will be presenting on the 2011 Asia Pacific Convention on the Recognition of Higher Education Qualifications, which is more commonly known as the Tokyo Convention.

I believe that the Fiji Higher Education Commission (FHEC) has already presented to the Committee and taken the Committee through the Convention in each Article of the Convention. We do not intend to do that again, however, on 20th January, we received one question in particular from the Committee which was: Why Fiji did not ratify the Lisbon Convention and why do we intend to ratify the Tokyo Convention?

So for the purposes of our presentation this morning, we are going to expound on that question, and also Fiji's obligations under the Convention and its readiness from a legal perspective.

The first question: Why did not Fiji ratify the Lisbon Convention and why do we intend to ratify the Tokyo Convention?

As a way of history and background UNESCO has from a very long time tried to develop a Global Convention on the recognition of higher qualification. However, due to the lack of consensus among State Parties, this actually resulted in regional Conventions. So in total, we have

six Regional Conventions on the Recognition of Higher Qualifications and these are for different regions, for example:

1. Latin America and the Caribbean;
2. Mediterranean Region;
3. Arab States;
4. African States;
5. Asia-Pacific; and
6. Lisbon Convention which is the European Region Convention.

The Lisbon Convention is predominantly for the European Region and its purpose is to facilitate the mobility of students and workers among the European countries. The countries that have ratified the Lisbon Convention are mainly the European countries, however, there are some non-European countries that has ratified the Lisbon Convention, and this includes, Australia and New Zealand.

Why they ratified the Lisbon Convention at that time, the Lisbon Convention actually came into effect in 1979. At that time, there was no Asia-Pacific Regional Convention to govern the mobility of students and workers in Asia and the Pacific. And at that time Australia and New Zealand was ready to ratify this Convention and undertake the obligations in a context of the European region.

Fiji, at that time, was not ready to comply with the obligations under that Convention. Now when Fiji is ready to undertake its obligations, we have a more relevant and appropriate Convention, that is, the Asia-Pacific Convention. So why we intend to ratify the Tokyo Convention is because it is more appropriate and relevant to the Asia-Pacific Region.

Honourable Chairman and Honourable Members, we have prepared documents that we will be referring to in our submissions, and we would like to distribute it to the Honourable Members.

(Documents were distributed to Honourable Members)

Fiji by ratifying the Tokyo Convention will not be losing out on not ratifying to any other regional Conventions because if you look at the preamble of the Tokyo Convention, it actually calls out for the State Parties to engage in active international collaboration at the global level with parties to other UNESCO regional Conventions.

As such, by ratifying the Tokyo Convention, Fiji will automatically affiliate itself with other regional Conventions. So there is no restriction by ratifying the Tokyo Convention to affiliate ourselves with other regional countries. By doing so we automatically will be liaising with other countries and it actually encourages State Parties to the Tokyo Convention to affiliate itself with other regional countries.

We move on to the obligations under the Convention from a legal perspective. Under the Convention, there are particularly three obligations that Fiji has to undertake.

The first one is the Recognition of Higher Qualifications itself. Article 3 for the Convention imposes an obligation on State Parties to recognise qualifications issued by other Parties that need the general requirements for access to respective higher education programmes, unless a substantial

difference can be shown. So that is a bottom line obligation. The State Parties have to recognise the higher education qualifications received from other countries, unless a substantial difference can be shown in the standard that we have in Fiji when compared to the standards that is in other countries.

In assessing the substantial difference, that is where Fiji will need to undertake its assessment in accordance with principles and standards that we have domestically. To assess the qualification and application received by Fiji, the State Parties need to have a competent recognition authority. This is already in Fiji, that is, the Fiji Higher Education Commission. They are mandated under the Higher Education (Qualifications) Regulations 2010 to determine the criteria and processes for the assessment of foreign qualifications. So this obligation Fiji has in its place, we do not need to take undertake any further activities or to develop a separate Unit or an office to undertake this obligation.

The second obligation is the assessment itself. Articles 4 to 7 of the Convention mandates for State Parties to make appropriate arrangements for the assessment and recognition of qualifications that are transparent, coherent, reliable, fair, timely and non-discriminatory. This includes the assessment of partial studies as well. For example, if in Australia or New Zealand, a student has undertaken partial studies and was unable to complete its qualification and makes an application to Fiji to recognise its higher qualification, we have an obligation under the Convention to assess that partial studies and give a recognition, if it meets our criteria.

In 2012, the UNESCO Asia-Pacific Regional Bureau for Education established a technical working group which prepared a toolkit for the recognition of Foreign Higher Education Qualifications, and you can see the toolkit at Annexure I of the document that we had just handed over.

The goal behind the development of this toolkit was to provide a common reference guide for the Asia-Pacific Region in regards to assessing higher education qualification. These are the set of guidelines which is a standard guidelines that the State Parties need to take into account when carrying out the assessment in its own countries.

Fiji has, in its place, what is called the Fiji National Qualifications Framework (FNQF) and it can be seen at Annexure II of that document. The FNQF is mandated under the regulations and the Fiji Higher Education Act, and it creates a platform for different learning pathways and promotes learner mobility by clarifying how qualifications relate to each other within the National Education and Training System. The Framework includes a credit point system, which is used to compare provider qualifications with levels on the Framework for the accreditation of qualifications at the national level. The Framework is managed by the Fiji Qualification Council which is mandated under the regulation and the Act.

The Framework, as we have been informed by the Higher Education Commission, was revised last year, to align itself with the UNESCO toolkit. So, Fiji already has, in its place, a Framework to assess qualifications received by foreign countries. The FHEC has already been doing this where we have been receiving requests from foreigners to assess the qualification and that is the Framework that Fiji utilises to assess the qualifications that we receive in our country.

The third obligation is to establish a National Information Centre (NIC), which is under Article 8 which requires each country to establish a system, a unit or a centre that acts as a single point of contact which is called the National Information Centre, for providing information on qualifications and higher education systems. In 2013 the UNESCO Asia-Pacific Regional Bureau for Education established a technical working group to prepare the guidelines for National Information Centres for the recognition of foreign qualifications in higher education, and we have provided a copy at Annexure III.

The main purpose for the guidelines is to provide clarity to State Parties, that substantial administrative commitment is not necessary to establish and maintain the NIC. It does not require a separate infrastructure or statutory authority. It simply means, having a system in place, a single point of contact to provide information on a State Party's higher education systems.

Under Section 7(1) of the Higher Education Act, the FHEC is mandated to maintain a database of higher education information. The FHEC already maintains a NIC, that collates information about the Higher Education Institutions, the qualifications and the like information.

This can be expanded for the purpose of the Convention in line with the guideline. The guideline also provides for model systems from Australia, New Zealand and other countries, that Fiji can utilise as a guide on what type of information needs to be available on its database when other countries request for information.

The whole point of having a NIC is that, we have readily information available that can be provided timely when other countries or other higher institutions from other countries requests for such information, for the purpose of assessment of higher education qualification.

Under the Convention, Fiji has also obliged to appoint a member of its NIC to the network of National Information Centres established under the proposed Convention. So, each State Party will have to develop a NIC and there will be a point of contact person, who will liaise with each other to develop a database that will be for all regional parties and all the information will be deposited in that database.

For implementation purposes, Fiji does not need to enact any new legislation to implement this Convention domestically. There is no need to amend the existing legislations, there is no possible financial cost to Fiji of compliance with the Convention obligations, as there is nothing new that Fiji will need to perform that they are not already undertaking. So Fiji is ready at this stage to ratify the Convention. There is no legal implication and there is no extra financial implication on Fiji by doing so.

That is all from our Office, unless the Honourable Members have any further questions.

MR. CHAIRMAN.- Thank you, Madam, for that very comprehensive elaboration on the subject matter.

Honourable Members, do you have any questions on the subject matter right now that is before us?

[VERBATIM REPORT]

STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

TREATY

4. 2011 Asia-Pacific Convention on the Recognition of Higher Education Qualifications
5. Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer

INSTITUTION: University of Fiji

VENUE: Big Committee Room (East Wing)

DATE: Thursday, 30th January, 2020.

**VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE HELD AT THE SMALL COMMITTEE ROOM
(WEST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON
THURSDAY, 30TH JANUARY, 2020 AT 9.22 A.M.**

Interviewee/Submittee:

University of Fiji

In Attendance:

- | | | |
|------------------------------|---|------------------------------------|
| 1. Professor Shaista Shameem | - | Dean of Law |
| 2. Mr. Davendra Kumar | - | Executive Director, Just Atonement |
-

MR. CHAIRMAN.- Honourable Members, we have before us is Professor Shaista Shameem and her colleague Mr. Davendra Kumar. Welcome to you both.

(Mr. Chairman introduced the Committee Members and Secretariat)

With that brief introduction, Madam Shameem, the floor is yours.

PROFESSOR S. SHAMEEM.- Thank you very much indeed for your very warm welcome. There seems to be quite a few ex-Grammarians in the room and it is good.

I have copies of my submission and I think the Secretariat did not inform me that the soft copy had been circulated but I had brought hard copies with me. I thought it might be easier if you could refer to my submission which is seven pages long.

I am hoping, even though the subject is an academic one in regards to higher education being a Convention and also legal one, that I try not to make it too technical. So with those words, Honourable Chairman and Honourable Members of Parliament, I will start my submission, if that is alright.

By way of introduction, first of all, I would like to say that I am grateful to be provided with an opportunity to make a submission under the 2011 Asia-Pacific Convention on the Recognition of Higher Education Qualifications and its ratification by Fiji as proposed.

I have been involved, Honourable Members, in higher education for nearly 30 years in both, Fiji and New Zealand, and have taught generations of students in both countries. I feel that at my stage in life, I am in a position to personally make some remarks in light of the Convention that may be useful to lawmakers of Fiji.

I make these remarks in my capacity as a citizen of Fiji and a Fellow of the Royal Society of Arts, Manufacturers and Commerce, and not on behalf of my Employer, the University of Fiji, where I am Dean of the Justice Devendra Pathik School of Law.

I do acknowledge with pride the University, owned by the Arya Prathinidi Sabha, and supported by a robust Council, which has provided affordable education to students who may not otherwise have been able to receive higher education.

Many of the Professors of the University are eminent Fijian leaders, in particular I mention Professor Tupeni Baba and Professor Subramani, who are the gurus of our entire nation, and any student would be fortunate, from a local perspective, to have such experienced scholars provide

them with a sound education which is based not only on a rigorous curriculum, but also on ethical values common to all our societies in Fiji.

At the same time, those of us with lifelong experience in higher education in Fiji are faced with enormous difficulties emanating from global problems out of our control. To be upfront about this, the crises facing the world affects our own education system at its core.

The students, who are our next generation of citizens are, in my view, seeking answers that we hope we can provide, but I believe we have fallen far short in making them feel confident and secure, as well as providing them with sound ethical values that will serve them and the nation well in the future.

In fact, I have to be blunt here, we are failing our students abysmally and I feel a deep sense of responsibility myself that I am not able to do more than what those of us in senior positions, who have the nation's interest at heart, are already doing. It is just not physically possible to do more for the next generation, unless we confront head on, as a society, what I regard as mediocrity in the global education system.

The new Convention, if ratified by Fiji, will help to alleviate some of these problems, for example, institutional weaknesses, democratic engagement, and the ability of higher education to contribute effectively to the public good. I will elaborate on this a little later, but I turn now to the value of the Convention itself.

The key points of the Convention that are important for Fiji's higher education framework and, for that reason alone ought to be ratified, are as follows:

1. Recognition of our own curriculum and qualifications; the Convention allows all signatories to respect each other's higher education framework, despite the diversity that exists in the Asia-Pacific region. This goes to transferability and thus, employability of our graduates in the region.
2. Collaboration; the Convention allows us to collaboratively support better quality in higher education due to the need to be able to transfer the knowledge gained by individuals who are residing in the States who are Parties to it. This allows the up-skilling, not just of the individuals but also of States to which knowledge is transferred.

The quality of higher education is what concerns me now, particularly when we hear news that very few students have passed the 7th Form Maths examination in Fiji. Does the Convention provision on collaboration allow us to employ collaborative techniques to improve teaching standards and not just qualifications, since it is not clear what causes the failure of high school students in such large numbers in one subject?

3. Standards; the Convention allows standardising of assessment of qualifications and this, in turn, introduces an element of common educational understanding among the Parties in terms of the criteria to be used for measurement which is non-discriminatory and, therefore, reliable. Standardising should not mean, one size fits all and thus, we need to be able to explore the parameters of this clause, to be able to allow for diversity of assessment of qualifications.

4. Accreditation of qualifications; these are not set in stone as the Convention allows Parties to impose additional requirements suitable for their unique circumstances, and this is important in the Fijian sense, for our autonomy. The presumption that accreditation of our qualifications elsewhere has to meet certain criteria applies across the board for all State Parties to the Convention.
5. Obligations; Fiji's international obligations towards refugees and internally displaced peoples is reflected in section 7, in case a qualification that is stated by a person in that position cannot be proven. Fiji has not opened her doors to refugees in any significant numbers yet, but the principle expressed in this clause is important.

The right to information is covered by section 8 and is well represented in the Fijian sense by Fiji Higher Education Commission (FHEC) and the Ministry of Education, which now have the relevant database and a rigorous approach to standardisation of the recoding forms through their Fiji Qualifications Framework (FQF).

Impact on Fiji of Ratification: Quite apart from adhering to Fiji's obligations pursuant to the Sustainable Development Goals (SDGs), which emphasises lifelong learning, as well as gender-neutral access to affordable education overall, the impact of ratifying the Convention for improvement of our educational landscape will be felt immediately. As always, Fiji will be taking a leadership role by ratification and her people will be able to take advantage of jobs and qualifications in the region suitable to their career preferences.

However, there is more to ratifying the Convention and the process of compliance than merely joining the international benchmarked family. Importantly, the Convention provides us with a unique opportunity in Fiji to review our education system, particularly in terms of whether we meet the requirements necessary for a robust educational profile for future generations and for those who wish to pursue lifelong learning skills as or lifelong learning as adults.

Issues pertinent, in my view, to higher education in Fiji that will be assisted by the ratification: In the second part of my submission, I would like to survey some of the issues that those of us with the background in higher educational institutions in Fiji have learnt and, at the end, address the benefits that may accrue with ratification and the future direction in education that the opportunity to ratify represents.

These are some questions that I raised for consideration for a further review of the FQF that ratification can allow.

1. Education as a social good and public service: Do our higher educational institutions make any contribution to understanding important issues that face us, including of survival, for example, environmental and economic challenges, the ways that our body politic can better earn the trust of the people, the idea of a public service; and corporate social irresponsibility? If not, how will ratification of this Convention help? It can, but only if it opens up proper and inclusive discussion of all these issues by the public.
2. Research quality and not quantity: Research in higher educational institutions the world over, and Fiji is no exception, has become a Key Result Area (KRA) or a KPI, that has pulled academics into publishing the results of research in obscure ranked journals that no one reads and has little or no social impact.

Research on improving a society so that it makes some effort to impact positively on the lives of people, is not as much a priority in the academic career race. Thus, what is

academia in higher education about? This is true the world over, and much has been written on it. Educators who consider that their job is also to be the critic and conscience of society, recognise the difference between academic and an intellectual. But, which one do we favour in higher education in Fiji?

3. Knowledge versus Skills: In our higher education system, are we teaching and learning knowledge or skills? Do we, as a nation, sufficiently value knowledge, or do we value skills more? This raises the issue of the rise in the 20th and 21st centuries of 'low value' higher education and higher fees for low cost subjects.

Skills are less transferable than knowledge. We emphasise technological skills but these are useless without adding knowledge represented by the human experience. If we do not take this matter on board for discussion, not just in Fiji but the world over, humans will come to resemble robots more. It will no longer be robots resembling humans, but the other way round.

Furthermore, in the pursuit of formal education and qualifications, how much we appreciate the value of Emotional Intelligence (EI) as an educational tribute? EI constitutes things, such as self-awareness, self-regulation, motivation, empathy and social skills. Is emotional intelligence encouraged at primary or high school? We should discuss this openly as a society.

4. Knowledge that matters: To acquire a meaningful knowledge, we should place emphasis on appropriate humanities and social science education in all the disciplines. Humanity is also called, 'liberal arts', and the social sciences encourage critical thinking, intellectual flexibility, development of a social conscience, communication, teamwork, ability to work in diverse environments and writing aptitude.

We also need to think about how we teach and not just what we teach, and also get beyond the confines of the disciplines.

Peer learning has become an important new methodology of learning that has allowed us to move away from the top-down hierarchical methods used in our classrooms. Higher educational institutions should use the peer learning pedagogy to good effect because it turns failure into success.

The knowledge economy seeks to understand why the fundamental problems of society, namely; poverty, law and order crises, gender inequality (and the trafficking that is part of it), violence against women and children, and also now climate change which is the ultimate effect of excessive waste and emissions brought about by the conventional ways of making a living still exist. Are our higher educational institutions taking the responsibility of asking those hard questions?

The Future of Work: In the traditional sense, work is defined as the number of hours during the week where one is productive in a specific environment which has some value attached to it. Fiji's employment legislation sets out the number of hours per week that an employer can expect an ordinary worker to work, a maximum of 48 hours, for example. The description of what can be achieved in that time period is set out in Job Descriptions or KPIs, and measured against performance.

However, there is an increasingly popular view that life skills or what some may call ‘soft skills’, are as important in work as formal qualifications. These are skills gained through providing support to the disadvantaged, or mentoring young people, or building houses for the homeless, volunteering, et cetera. Such skills are not usually included in CVs or resumes, but in terms of the kind of work we will have to do in future and life-long learning are significant.

While not everyone works in a factory, the factory production format has risen to apply to bureaucrats and professionals’ work methods. However, nowadays the employment frameworks are no longer uniform. Some countries and businesses have introduced a four-day working week with marked success, not just for work/life balance, but for productivity. Can we ask that question for Fiji; what would be under discussion is not the future of work but the future of good work?

Ethical responsibility of the private sector is another question for us all. The issues, whether we can expect companies to behave ethically in all circumstances and what would be the definition of ethical conduct? Creating a work environment free from sexual or other harassment would be one example, and I am pleased as a human rights advocate to see that Fiji’s employment legislation has played a large part in the transformation, from exploitation to ethical conduct at work with ultimate oversight of this by the judiciary.

So how does ratifying the Convention assist with these five issues of concern for the civic-minded person in relation to High Education in Fiji?

The light is focused on two aspects of the Convention and that is:

1. The notion of wide recognition of qualifications to promote lifelong learning and education which will, if properly done, take care of the concerns relating to education as a social good and public serve and the quality of research.
2. To emphasise collaboration in the advancement of knowledge that will take care of the concerns regarding knowledge versus skills, knowledge that matters and the future of good work.

The ratification of the Convention is not simply about standards and transferability of our degrees and qualifications in the region, but about the opportunities that ratifying gives us, to open up the conversation and space for discussion of the social conditions that higher education can improve, and the value of higher education for the transformation of the social milieu which surrounds us as a nation.

If we cannot find our students jobs that make them happy and fulfilled and if they are not satisfied with the way the higher education system cannot currently prepare them for the world they need to face and the problems their countries obviously have, then we need to allow them to go elsewhere, whether or not this would represent a skills flight. Ratifying the Convention opens up that opportunity.

Of course, there is a way to prevent the braindrain, but only if we first have a proper consultation on what the definition of national and global interest is with respect to employment and enjoying a decent life, and whether our national interest coincides at all with the personal preferences of students.

The core value of Fiji’s ratification of the Convention, in my view, is the fact that it allows us, as a nation, to open up space for a meaningful conversation with each other about higher education as a whole. This is an opportunity we cannot miss, if we are to progress with dignity and national pride alongside with other Parties to the Convention.

Thank you, Mr. Chairman and Honourable Members.

MR. CHAIRMAN.- Thank you, Professor Shameem, for that presentation. As you did say that it is your views and not that of your employer and I must say, there must be some very leading points there that do hit the nail on the head, basically. Honourable Members, do you have any questions for Professor Shameem?

HON. A. JALE.- Thank you, Mr. Chairman. Professor Shameem, thank you very much for this thought provoking submission that you have just put through to us.

The point I want to raise with you is on No. 5 - the future of work. Experience, as you had mentioned life skills and soft skills are as important in work as formal qualification. I think I agree with your point.

We were trying to do something in the Public Service to try to bring that in, in terms of designing the Minimum Qualification Requirements (MQR) for people in the Public Services, because there are a lot of people in the Public Service who really have those type of skills - work skills but you cannot equate it to a formal education or formal qualification. I am asking of you, I do not know how I can express it, but how can this be recognised in our Qualifications Framework in Fiji?

PROFESSOR S. SHAMEEM.- Thank you for that very important question. Although I said I am not representing the University here at all, I cannot help but respond to that from my experience at the University of Fiji and also universities in New Zealand. That is, we are now opening up the entry requirements to include what we call mature entry, and mature entry is very, very wide.

It means that people who are of a certain age (and we put the bar as very low, it is like the age of 21) and have had experiences outside of formal high school, for example, they may have started work at the age of 17 as a plumber or electrician or something like that but they may only have a Certificate or not at all, but have that as part of their CV, would be included in first year law, for example, offers to University at the discretion of the Dean of the School. That is something that is already happening, in fact, for practical reasons alone because we recognise that these people have the skills that benefit, not only the attribute of education itself more formally but also in terms of their interaction with young people in the schools who have finished Seventh Form.

So I guess my answer to that would be, if ratification of this Convention opens up this conversation for policy to change on that issue, I would totally support if someone who is involved in higher education because you really cannot in many cases. My mother, for example, at the age of 15 became a primary school teacher. There was no formal training for that in Fiji, but the Methodist Mission allowed a little training programme to include young students who showed promise. And on that basis, she then received a scholarship to go to Ardmore Teachers Training College in New Zealand and then got her formal qualifications.

So if someone said my mum was not qualified to be a primary teacher now in Fiji, those people who know my mum or knew her when she was alive would say that it is just ridiculous because she became a very good infant teacher and she is well-known in the country for having taught generations of students herself. So I think it was probably my background that allowed me to consider education as not just formal education.

In anyway, Sir, our formal education has failed, as I made that point very clear. Maths is one good example, I mean, how do so many people failed maths, except four or five students? And I raise the question I am hoping more diplomatically than I would with amongst my friends and that is, there is something wrong with the teaching here, is what I am saying.

Also, we are not actually making students like Maths, we make them hate Maths and so if you hate something, you are not going to study it, and so as the teachers. I mean, we went to Suva Grammar School. I do not know whether you remember, Mr. Chairman, Mr. Huddleston who taught us Maths. You know what he did? He would write a formula on the board, take out a cigarette which he would pinch in half to make it last longer, go out into the balcony and smoke it. He would come back and say, "What is the answer to this question? Of course, I failed Maths.

Maths is also about communication, but if we do not teach it as a communication, the students are going to fail. I think as Parliamentary Members as Honourable Members representing the people of Fiji, you have to ask these hard questions like, how can people fail anything if the teaching is right? I hope that answers your question.

Absolutely, it is not about formal education. Formal education is not a success necessarily. It is the experiences that people bring to our education system that is what that is going to take us afar and we should talk about it. It is a very important point.

MR. CHAIRMAN.- Just talking about Maths, in our days, ye, we did have Mr. Huddleston, but we also had Mr. Graham Eden and he was one very, very stout gentleman. If we deliberately left our textbooks at home, he would say, "Go home and accompany your textbooks at home." We deliberately stayed away because of the subject matter itself.

Yes, I mean, here I am at home with my daughter and her grandchildren and the Maths is totally, totally different from when you and I did it.

PROFESSOR S. SHAMEEM.- Yes

MR. CHAIRMAN.- For me, I had a very good education, but every time I sit down with my grandchildren, I am thinking of the less fortunate, those who are in the rural areas. They are getting the same subject, probably not so much about the same teaching but the same subject matters and how do they survive? I honestly do not know.

My grandchildren are finding it hard as it is because we were taught differently and we try to get around them in today's mathematics. I mean, that is a very good example.

Honourable Members, do you have any other question you wish to ask?

HON. A. JALE.- The issue that really concerns me from some of the presentations that have come through is that, the Fiji Higher Education Commission has not been able to assess some of the qualifications, let us say, which provided by the universities. Maybe, because they are just a newcomer into the field, but what concerns me is hearing that there are certain institutions that are teaching or providing education in Fiji that are not registered with them and there is no method to be able to assess the quality of the training or courses that they provide.

In my view, it is most unfair for people to be paying for something that does not have the quality so that it will be able to open up opportunities for them in the market. I do not know how it is going to be rated in terms of us ratifying the Convention because there are certain processes there on the assessment part.

How do you see that and how can we remedy it in Fiji now? Does FHEC have the teeth to be able to rope the people in? From your experience, what can we do to see that whatever training that is provided by training institutions in Fiji is up to a certain level that can be recognised under the ambit of this Convention if we ratify it? Otherwise, to me, it is a bigger waste.

The people are wasting their money in pursuing a particular degree, et cetera, and when this ratification comes through and they are assessed under that Convention by other regions that would like to consider these people with that piece of paper that they bring in, whether it is going to be helpful or going to be a big surprise for them that it is worth nothing. So, I just want your views and comments, and I hope you understand what I am trying to ask?

PROFESSOR S. SHAMEEM.-and that has been a concern for us in higher education as to who is teaching what. How are they qualified to teach anything?

One of the things that we have been working very hard on over the last 12 months, is the FQF recording forms. We found it originally very, very strict because one of the regulations that was passed, I think, by the previous Minister for Education was that a person who is teaching in a class has to have a higher qualification than the students whom he or she is teaching.

That became a little bit too rigid because sometimes the qualifications are a little bit uncertain in terms of what you are teaching. Not everyone is teaching what they are supposed to be teaching because of the way the resources are allocated across universities or higher educational institutions.

But what the FHEC has tried to do through the Ministry of Education as well, in my experience just over the past 12 or 18 months, has been to set up this very detailed recording form (and I have just completed that process for the School of Law) so that everyone who is teaching, first of all, you set out the course outlines on what is supposed to be taught and at what level. So they have levels, like up to seven, there is also certificate, diploma, degree, et cetera, and there are pre-degree as well. And then, everyone who is teaching in that subject has to show that they have the qualifications higher than the students whom they are teaching. So you have to record that, and then on top of that, you have to attach your Curriculum Vitae (CV) to show that you have those qualifications.

One of the good things about attaching the CV, which is going back to the original question that you had posed about broader education is, for example, in our case, you may have a Degree in Theology, religious studies or Masters in Theology, and what you are teaching is either Social Science or the Pre-Law Programme or something like that.

As far as I am concerned, as long as they have the LLB qualification, the higher qualification being the Masters in Theology, it is fine, they are qualified to teach because they have got a higher degree. So we can be too rigid on one side, but as we develop and as we ratify, because the problem will be whether overseas countries or the other Parties, because you are going to be exchanging accreditation principles, whether they will recognise the qualifications that come from us.

Just on the recognition, we actually have to prove it. We have to show them that the qualifications that we have here commensurate with the qualifications they have there. That is the purpose of the Convention, so that we can exchange, so the students can go from here to there, there could be staff exchanges or they just leave, so that their qualifications are recognised. At the moment, that is not the case. If lawyers trained in Fiji go to New Zealand, they have to do another examination.

So ratification, in a way, will actually get rid of that problem but at the same time those countries, let us say, Vanuatu and the others will not have a problem because USP recognises appropriate qualification. But Australia and New Zealand, usually western countries, become a little bit harder when it comes to looking at third-world education and a lot of it is prejudice and a lot of it is protecting their employment framework as well.

So, they will then see whether or not we can just walk into Australia and New Zealand and start practising law, for example, or do we have to go through another exam or test or training programme which they do with doctors and medical people. You have to actually go through another registration process which is quite tough. So, ratification, in a way, will allow us to sign off and them to sign off as well.

But they will still, I believe, scrutinise unless they are confident that the FHEC or the Ministry of Education or that our qualifications are actually on par with theirs. And it will always become a difficult issue unless we do a review of our own higher education system ourselves with these broad questions being asked, that it is not just that you get a BA formal qualification, and you are fine or you are qualified, no, it has to be much broader than that. What kind of BA and what are the skills do you have?

If you have a diploma, for example, and you have 10 years in the Military as a Military Officer, that is not a formal qualification as such in the higher degree sense, but we recognise that into our Postgraduate in International Relations Programme. If you have, like, five years of being an officer in the Military or the Police or the Prisons, in any of the Disciplined Services, we take them on board and we take them into our Postgraduate Certificate and Diploma Programme. So there has to be some wisdom associated with this as well. Education is a very complex issue; it is not straightforward at all. It involves politics and involves the social.

MR. CHAIRMAN.- Thank you, Professor. Just talking about the New Zealand and the medical fraternity, I have a case in Fiji, Dr. Satish Awadh, who is a general practitioner of Lautoka. He could not get himself to start the profession in New Zealand because of the degree of what the exams that he has to sit for and the criteria he had to meet. So he actually came back and he continued in Lautoka. I think it was after a year he tried but it was so, so difficult.

Honourable Members, do you have any questions? Thank you.

HON. L.S. QEREQERETABUA.- Yes. Thank you so much for your presentation. I am so glad you spoke about reviews and discussions upon ratification.

My big worry about ratification, easy enough to bandy the word about and then it goes and gets deposited somewhere, then everyone forgets about it until the proverbial hits the fan when we say, "Our Form 7s cannot speak English." What would your suggestion be upon ratification? What should Government or the Ministry of Education do upon ratification, because we hear so often the scaling of marks from primary school?

Just about anyone can pass through, you fail you still go through. And because of the emotion intelligence or the lack of the importance of emotionally intelligence in our primary school system and then our high school system, a lot of kids are falling through the gaps.

As you know, the classrooms are getting bigger and bigger, and just so many kids who could be doing something else instead of going through this factory-wrought system of learning are

just falling through the gaps. So upon ratification, what would your suggestion be for primary to secondary because that is whose feeding our education?

PROFESSOR S. SHAMEEM.- Yes, thank you for that very important question. You know, I am at the end of my career now and I am rather glad I am not at the beginning of it because as a teacher, this would be a terrible problem. But in my long career as a teacher, I have also taught at Ratu Sukuna Memorial School before I went off to New Zealand, then I taught at Waikato University and then back to Fiji again. But it has been a problem that has constantly concerned me that we have not opened up the discussion properly about education and what it is for.

There is such a thing as national interest; we all know that, because we have not been told what that national interest is. So we are going to be training all these people for the national interest, but what is the national interest? National interest is a moving fist, it goes from one end of the spectrum to the other. If, for example, someone says, “You must train a whole bunch of checkout operators for a supermarket because that is what Fiji needs”, are we going to do that? What happens to those who want to study rocket science? Are you just going to ignore that, or what? And this is my worry right now, that we are going down this path where someone decides that it is going to be this or the other and then it changes.

With all due respect, when Governments change, policy changes and education policy is one where everyone likes to experiment with, and I think it is not fair in our next generations to do it as just an experiment. There has to be some commitment to it for a particular reason.

My suggestion would be, Madam, is to, first of all, when you have debates in Parliament about this, that you really open up the space for the discussion in Parliament because you are our representative. Who else is going to ask?

It is not easy to just find some media to quote you or to put something on paper for you and if it does, it is sometimes distorted and there is no space for a debate. The debate is in Parliament, the discussion is in Parliament and it is something that is a bipartisan approach. It is not something that is either Government or Opposition or another Party because it affects everyone. And it is about the education of a nation, it is not just about education of the individuals. There is a lot of things associated with it, the stakes are huge.

Then the second thing would be after that, is to put a condition on that ratification, that straight after this we should now have a countrywide, nationwide consultation on this topic, which again will be a mixed Parliamentary-organised process, not just one or the other. Government can take the lead on it, it does not matter.

For us, it does not matter, whoever does it, but it is time to do it and we need another Education Commission to be established. There was one in 2000 and if you like to look back on the Report, Honourable Jale, you will recall it. It was a good one. I mentioned Professor Subramani, he was actually on it; Professor Vijay Naidu, and all the people that we already know and respect as educators. And then we need to have a good education sector analysis about who is doing what. That is really, really important. So I am not sure whether the FHEC should engage in that analysis, but they have to go around the country. It has been a long time since 2000, 20 years and it is almost a generation and generation being 25.

So we need to go back and find out from the people because the people who were born in 2000 have no idea about education. I mean, so many political things have happened since then. So it is time for the country to go back before the next Election, I suggest, go back to the people and say, “Alright, tell us, what you think about education?” Leave it as wide as possible, have some

frames or terms of reference and say, "Please, what do you think about education?" This is when people like myself and others, who are now, sort of, heading for retirement would be coming back and saying, "Look, in our experience, this is I think what you should be looking at."

One of the good things about our society is that, we value the wisdom of the elders. It is not just the young people with the great ideas, the older people have that experience and a lot of us are teachers and educators, plus doctors, whoever, but involved in education field.

To me, I do not know what the end result would be, but it would involve reform of legislation, amendment to the current legislation, looking at the FHEC and what it does and what it is supposed to be doing, whether it is within its own framework, whether it does have the teeth that Honourable Jale referred to earlier.

It does because they have the power to remove registration of an institution, they do have the power in their legislation. They can just say, some institution that offers higher education because they threatened University of Fiji with removing that. I mean, that is off the record because we had not done all the steps that we were supposed to do according to their accreditation process. We have now completed that so we are fine, out of danger.

Yes, I think you need to kind of look at that really properly from primary but I think, please do not forget pre-school. I think early education is the most important foundation for everything. If you have not get that right from years three to five, then whatever happens after the age of five is going to be very difficult to change.

MR. CHAIRMAN.- Thank you, Professor Shameem. Just a thought, are you aware that the Ministry of Education will be phasing out Form 7 from next year? If it does happen, what are your thoughts?

PROFESSOR S. SHAMEEM.- Form 7 and instead?

MR. CHAIRMAN.- Just up to Form 6.

PROFESSOR S. SHAMEEM.- Like before?

MR. CHAIRMAN.- Yes.

PROFESSOR S. SHAMEEM.- Form 7 would be like going back to USP, we used to have P2 in my day..

MR. CHAIRMAN.- If I remember correctly, going straight into tertiary.

PROFESSOR S. SHAMEEM.- Going straight into ...

MR. CHAIRMAN.- Or Foundation.

PROFESSOR S. SHAMEEM.- Foundation.

MR. CHAIRMAN.- Yes.

PROFESSOR S. SHAMEEM.- Well, I actually think it is not a bad idea. I have a 17 year old nephew, who is mature and old enough. Children mature very early these days much earlier than during our time, Mr. Chairman, I might add.

Social media does that, the technology is available to them. They can watch anything and do anything that form opinions, their parents are of a generation where they are happy to talk to children, nothing is banged behind closed doors anymore so they grow up really fast. And I know that my 17 year old nephew who is currently in seventh former or the equivalent of 7th Form should have been in the university this year. And I suggest that, in fact, a lot of students in Fiji, if not most, should also be there.

Even if they do not go directly to a Degree Programme, we have a Foundation Programme in Law called Fundamentals of Law which we have just introduced this year. In fact, I would like all the law students to do that first. So it is four subjects; Legal Research; Writing English for Legal Purposes; Law and Technology; and Law for Beginners. They get their first introduction to law.

I actually think law should be a high school subject as well, I seriously think so because law is about everything from birth to death. You cannot do without law. When you are born, you have to get your children registered within the framework of Births, Marriages and Deaths, et cetera, and we cannot do without law and why is that we are calling it a specialist subject and that it is not part of society generally. It also will help in the law and order situation that we have.

They would go first into Foundation which I completely agreed and it does not mean you are stretching out the education timespan, you are still within the years that they can be in high school and then go on to get a Degree. But they would go to university and they would become more responsible as well as dealing with students who they have never ever come across before like I did.

When I went to P2 at the University of the South Pacific, I met students from the Solomons, Vanuatu, Kiribati, Tokelau, and I did not even know some of these islands, and it was fantastic. We just grew up real fast and became totally responsible at that stage. Then you decide what you want to do and you go on to the Degree Programme. I would fully support it, Sir.

MR. CHAIRMAN.- Thank you for that, Professor Shameem. Yes, Honourable Member.

HON. S. ADIMAITOGA.- Mr. Chairman, talking about knowledge verses skills, what I found, like academically at this point in time, they will rather go with the academic level than skills. But my belief is that, if you put skills and knowledge together, it is good for advancement but can you elaborate further into that.

PROFESSOR S. SHAMEEM.- So, skills we can call them vocational skills as well. We have the FNU, for example, which started out as Derrick Technical Institute which was for Plumbers, Electricians, et cetera, people who are absolutely needed in the economy and they were apprenticeships as well.

Then they started the University of the South Pacific and they felt that they would perhaps, fill in the Civil Service, people who wanted to get into the professions, et cetera, so there was a little bit of demarcation between the two.

Now that the FNU has become also a university, it is continuing to foster the skills base, but they are also introducing, it is too early in the day now to suggest whether or not this is going to work in the long run.

My experience in New Zealand is that, we call them poly-techs before, had become like Auckland University of Technology (AUT), et cetera, were not quite able to make the change rapidly so that when they finally got their Degrees, if you saw it was from the University of

Auckland, you will get the top of the employment structure. But if it was from AUT, they said, “It is only a Degree from AUT”, even though it was a Degree.

So you need to, kind of, look at that prejudice that exists with the employers, particularly. So anyone coming from FNU or anyone coming from the University of the South Pacific at the moment, University of the South Pacific is ranked highest, I think in my biased view, only because it has been there for so long, that has become part of our system and we all have our Degrees from there so we measure that. But if someone comes from Auckland University or University of Sydney, et cetera, it is in the employer’s mind that this people have got a Law Degree from such and such university and not from USP or FNU or University of Fiji ranks in law.

So I believe that knowledge and skills have to go together. I agree with you completely, Madam, because I do not think you can do one without the other but what is happening is that, we have not had a proper discussion about this to see how we can melt the two without prejudice to either. That is the discussion we have not had, and it is a discussion that can be done by the FHEC because it is the Commission where all universities have to answer to whatever it is that they do.

I am not an expert in this area at all because I do not know anything about skills base, and you will see that in my paper that we are emphasising too much skills sometimes because skills are sometimes safer. All these people, the trouble makers with the Degrees they talk too much, they talk back and answer back and all the rest of it, they all come from universities but let just go with the people who are apprentices because they know how to follow orders and instructions and so that is the issue there. But I think we do need to talk about it.

I fear sometimes that we are going more towards skills in Fiji than towards the knowledge-based economy. We may say knowledge but we actually mean skills.

I think there were some discussions in 2010 around the Peoples Charter that we should now become a knowledge-based economy but we have not explored what that actually means. It has become a wrought thing but we do not know what it means around the People’s Charter, that we should now become a knowledge-based economy, but we have not explored what that actually means. It has become a wrought thing but we do not what it means. Within this framework of Parliament, I think we need to go back to that idea.

MR. CHAIRMAN.- Thank you for that, Professor Shameem. Are there any other questions on the subject matter?

HON. L.S. QEREQERETABUA.- Thank you, Mr. Chairman.

Professor, I think this Committee was in Canberra in December and while we were there, the Programme for International Student Assessment Results for Australian High School students came out and they rated lower than Estonia and places like Czechoslovakia in Maths and English. Do you reckon that something like this should be done in Fiji, should we be part of this kind of assessment, especially when we are talking about our higher education learners going out into the region, into the world with education that they have gathered here, that this sort of assessment of our high school students based on 70 or 80 countries, I think it has been done for Australia and our neighbours?

PROFESSOR S. SHAMEEM.- I always had trouble with things like Intelligence Quotient (IQ) tests when we were at school because, in order to be intelligent, you have to recognise an apple as a fruit and we did not have apples in Fiji. If they had put mangoes there, we would have

recognised them. So, you have to be very cautious as to who is conducting the research and what the terms of reference for that research are.

But once it is worked out, and we are all engaged in it, let us say, it is around the people or countries that are Parties to the Convention, and we all agree on the terms of their accreditation. I mean, that is one side to say, yes, I agree, we should know where we are. It is a bit ridiculous for Australia to be lower than Estonia. It just sounds really bizarre. So what happens when that result comes out, people do not value the results and they said, "This is ridiculous! Who did this thing? That is the question that needs to be asked.

I think, yes, we can compare and contrast but what I think we should do, is have a sense of pride in our own measurement and in our own ways of looking at the world. Too often, we have been aping the rest of the world, like, they are better, they are richer, et cetera. I do not really care about that anymore because I think what we have in Fiji is so unique, it is incomparable, you cannot compare it. Whom are you going to compare it with? You can only compare like with like.

So, you to have a country that has exactly the same conditions as ourselves - political, social, economic, foreign affairs, diplomatic, defence, et cetera, and another country that is similar. Australia cannot be compared with Estonia. I mean, their domestic products, et cetera, figures will be different, I would say, and like Fiji, it cannot be compared. Even if you did compare us with Vanuatu in the Pacific or Papua New Guinea, you cannot, can you really? Trinidad may be the closest, but I do not even think that would work, because Trinidad is just, I think, a State of the United States.

HON. L.S. QEREQERETABUA.- My question was just around the subject of labour mobility and our quality, compared to the qualities of the places that we would like to send our learners.

PROFESSOR S. SHAMEEM.- I agree with that, but that really raises the question of whether or not we want our people to go anywhere. Why are we losing them? Highly skilled people are going to Australia. Every time I go to New Zealand, there are all these doctors, lawyers and everyone else who are over there, why are they not here?

We have a particular history, but I really think that you also have choices. You can go anywhere you like, that is freedom of movement. Those individuals who are faced with those questions when they try and get into another country, I do not think that the accreditation or the model that you were talking about or the study that was done, necessarily improves the chances of mobility, I do not really think so. For example, if you showed the results between Estonia and Australia, UK would say, "Australia you are ranking below Estonia, we would rather have people from Estonia." Does that make any sense? It does not make any sense. Those things, comparison, do not make any sense to me because I think that we should be comparing ourselves with ourselves.

We should be setting ourselves against ourselves for improvement and for that, you need a policy and the policy is, what is it that we are educating our students for? What is it about the country that is important for them to be educated in this way? I do not think we have got it right at the moment because what I think is that, this notion of national interest depends on who you talk to as to what national interest might be.

For some people, it might be more electricians, plumbers and engineers at that level of employment. If you ask big companies, where they want people, they just want low-paid labourer force because that is where the profits are larger. If you ask Government, Government is listening to all its stakeholders and coming out this way or the other way. So there has to be a consistent

approach to education for what purpose? That is the question. Then you can ask questions about whether we want to compare ourselves with anyone, or whether it is going to give us mobility for the young people. I think we should have freedom of movement, no trouble at all, but if people are attracted to stay here, why should they not stay here because how else can the country grow?,

MR. CHAIRMAN.- Thank you, Professor, for the sharing. There are no further questions on that subject matter. We will ask, if you do not mind, your colleague, Mr. Davendra Kumar, if you would like to share with us on climate change and also with regards to the commitment of Parties. We are going to COP 26 this year in Scotland, just some thought behind that. Thank you.

MR. D. KUMAR.- Thank you very much, Mr. Chairman and Honourable Members of Parliament. It is an honour to sit here with you and to talk a little bit about my views on what I call the climate crisis and what people are calling now, as opposed to climate change.

I think this actually dovetails very nicely on Madam Shameem's comments about education because part of my own learnings from this and my efforts in this area are a result of my own education in the last five years on this subject and not understanding the urgency of the crisis, particularly for island nations, such as Fiji, Vanuatu, Tuvalu, Kiribati, in the Caribbean and effectively for people living on coastlines everywhere around the world.

This is an imminent crisis that will affect all of our lives in ways that we are only starting to really conceive of and imagine. All of this is happening in a framework of international politics of hundreds of years of history where rich countries, we can say western countries but now we can speak of rich countries, like China and Japan as well, who have been the historic emitters of greenhouse gasses for now hundreds of years. The countries who have not emitted, like Fiji, Ghana, and South Africa, will be the first victims of the climate crisis, so this is all happening in a framework of history with the past remains the prologue to this century.

I guess in terms of your question, Mr. Chairman, specifically on COP and I can speak briefly on COP 25 while I was not there in Spain but from what I observed and read in the papers, in my view, the rich countries have dominated the diplomat talks and they have been able to use their resources to employ armies of diplomats to come to this Conventions and lawyers and, in my view, they have two agendas. One is the financing agenda which is very much something, as you may know of the UNFCCC Framework, there is supposedly an obligation on the rich countries to support less developed States, to provide them with resources, technology and finance, and to help them adjust and adapt to the centuries ahead. In my view the rich countries are using that framework as a means of continued financial dominance, in the same way that this last 20th century was the century of IMF loans and World Bank planning, in a lot of ways, that was not with the input of local communities, not respectful enough of self-determination of countries in which these loans and financing instruments were being sold. And that left and perpetuated an unfair global system throughout the 20th century. So I think that framework is zipping back in now into the COP Framework and when you go and talk to an Economist who shows up from the rich countries and they want to talk about carbon markets, they give you the brief and you can read through the briefs and if you have an Economics Degree or you have some influence in Economics, it does not take too long to recognise that what is being proposed here is a type of new form of economic domination with the climate and with geography being used as the bargaining chips now between the rich and the poor. That is one aspect of what I think is happening now at COP.

The second aspect is just simply to stall on change and unfortunately, I would not make that type of allegation without reading the news, especially from the last year at the COP. There was not, in my view, a much more open and naked effort now by the rich countries just to stall any type of change when it comes to the way the global world works because just to be blunt in the

tradition of Madam Shameem of this blunt without getting kicked out of the room, the 20th century was the century of oil and international politics was dictated by oil. I mean, what we are witnessing in the 21st century is a continuation of that history and as long as oil continues to be the foundation of economic and international development or international politics, we will never be able to change our economies to adjust.

Again, just speaking nakedly here and frankly, I think that this is a crisis of self-determination fundamentally. It is not a question of 'if' but when the seas rise and overtake so much of our coastlines in this world and overtake low-lying countries, the self-determination of an island people itself is at risk in a way that it is unprecedented in history in terms of what happens. Will the country of Kiribati maintained its seat at the United Nations when it no longer has coral reef to come home to? These are questions that the rich countries do not have to ask, they will never have to deal with in terms of the injury to self-determination. I think this is also fundamentally a project of deep, deep national independence and sovereignty for people like Fiji to take charge of their own destiny in a world that is still dominated by a lot of great power, but to do in a way where there is that remains an absence of leadership.

So the third thing I would say about COP is that, there is a failure to control the narrative, to control the future of what it could be, and that is a role that island countries such as Fiji could play in creating a narrative in the framework in a manner that all comes back in the 1960s and 1970s there was a non-aligned movement. There was a first world and a second world, but there was a group of States who said, "We are not going to fall into that narrative and we are going to control our own narrative as mostly decolonised peoples but also firstly independent and proud of our traditions, who want to be independent of great power politics and who want to forge a genuinely free destiny for our peoples. That was, in my view, a very big of thing.

The Non-Aligned Movement has mostly ceased to exist, there are some echoes of it from countries like Malaysia, some countries in Africa, but the force of it is lost. I think it is time for a renewal of that concept based on this idea of positive healing concept coming from countries who want to forge destinies together in a shared way with other countries who will be mutually respectful of their independence and sovereignty, but also free of the financing arrangements that are being proposed and free of the 21st century that echoes the 20th century in terms of its international relations. The COPs can be valuable for messaging and for providing that narrative.

And in the same way that my colleague on the left has advised the Committee to focus on the messaging of education. I think similar work could be done with this topic. What is Fiji's message about the climate crisis and to take that message to the full spectrum of its Government apparatus, starting with leadership through the Diplomatic Corp, through the Attorney-General, down to domestic policies, to the things that get taught in school. What is the fundamental message? And that is for Parliament to decide and talk to but that type of hard work, I think, could make Fiji which has an opportunity here, to be a real leader on this issue. Thank you very much.

MR. CHAIRMAN.- Thank you, Mr. Kumar. The Standing Committee on Foreign Affairs and Defence has been tasked through Parliament to make a report on the Adoption and Ratification of the Kigali Amendment on Substances that Deplete the Ozone Layer. Are there any thoughts you may have on that please, Mr. Kumar?

MR. D. KUMAR.- That is a great question. I think with respect to Ratification of the Kigali Amendment on Substances that Deplete the Ozone Layer, I think in my view, the framework that exists internationally, the international framework that has been proposed generally speaking by the United Nations is a decent mechanism, it is not perfect.

But I think to show leadership, it boils down to the question of knowing that to become an effective leader in the space, you also have to walk. I know one of the concerns on the ozone depleting amendment is that, Fiji will have to look at its own domestic industries and determine; are we in compliance already? What is the cost to shift?

I mean, it is a fundamentally an economic question, I think, at the end of the day and I know that for rich countries, it might be easier for them to subsidise an economic transformation of certain industry, versus a not so resourceful country. That being said, the way that Fiji could handle and explore ratification is an opportunity to explore how countries like Fiji deal with their (I do not want to say responsibility because it is not their responsibility) role in effectively cleaning up so much of what has been polluted by other countries and other generations.

So one thing to consider would be doing that analysis, so what is the cost? What is really the cost to our country to comply with this? What do we have to do and what would it cost? Come up with that number, and then that becomes an issue with the COP. And then I think you can absolutely say ' "This is what is going to cost us. Here is why it is going to cost us this much. We are willing to do it. Who is going to help us? Why are you not going to help us?" Especially if it is legacy industries, legacy pollution, but those are the topics that come up.

I think before we can get to say, "yes" or "no", I think it is more about examining the cost and coming up with the procedure for how we can start compliance with that in a way that also reflects the amount is really at fault for emissions and for those steps of ozone depleting chemicals.

MR. CHAIRMAN.- Thank you again, Mr. Kumar, for sharing on the subject.

Thank you again Professor Shameem and Mr. Kumar for availing yourself this morning. If you do have any departing comments, the floor is yours and we thank you once again.

PROFESSOR S. SHAMEEM.- Thank you, Sir. Thank you for the opportunity for me as well as my colleague from the United States of America, he returns to New York at the end of the week. He is the Executive Director of an NGO called Just Atonement and it deals mostly with climate change issues. So his organisation and the University of Fiji School Of Law are engaged in a special Law Project Course which will involve international students, in company with local students to do a course on Climate Change Advocacy and Litigation, a summer course that will last from May to July. We have had five applications from international students already, and our students will obviously like to do that. One of the things I should actually flag right now to you is that, the advocacy part will include setting themselves as a group of Government and Opposition on the issue of climate change and how to change public opinion about that. And another group will be taking up climate change litigation, so there will be the countries that offend most on the other side and Fiji will be taking this up on behalf of the countries that are suffering climate change effect.

So, I think that is something to just tell you that it is going to happen. It will obviously have a lot of public attention and interest and media attention on it, but also I would like you to have your support when it comes to Parliament because we will ask to speak the Honourable Speaker to actually be the real Speaker when we take this to Parliament session when Parliament is not happening. So, we will invite the Honourable Parliamentarians to come and observe. Thank you.

MR. CHAIRMAN.- We just would like to invite you to have morning team with us if you do have the time, we will appreciate that.

The Committee adjourned at 10.31 a.m.

[VERBATIM REPORT]

STANDING COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE

TREATIES

6. **Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**
7. **2011 Asia-Pacific Convention on the Recognition of Higher Education Qualifications**
8. **Council of Europe Convention on the Manipulation of Sports Competition**

INSTITUTION: Ministry of Foreign Affairs
Office of the Solicitor-General

VENUE: Big Committee Room (East Wing)

DATE: Monday, 27th January, 2020.

VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE HELD AT THE COMMITTEE ROOM (EAST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON MONDAY, 27TH JANUARY, 2020 AT 9.50 A.M.

Interviewee/Submittee: Ministry of Foreign Affairs

In Attendance:

1. Ms. Keleni Seruvatu - Manager, Multilateral Division
 2. Ms. Melania Bada - Senior Foreign Service Officer
-

MR. CHAIRMAN.- Honourable Members, we have before us the Officials from the Ministry of Foreign Affairs.

A very good morning and welcome, Keleni, the Manager; and Melania, the Senior Foreign Affairs Officer.

(Introduction of Honourable Members and Secretariat)

We do not have, unfortunately, the service of Honourable Dr. Salik Govind, who is away overseas on a very personal issue. Ladies, with that, a brief introduction of your good selves and the floor is yours for your submission. Thank you.

MS. K. SERUVATU.- *Vinaka vakalevu*, Mr. Chairman. First of all let me just convey the greetings of the Honourable Minister for Foreign Affairs to this Standing Committee and also the greetings of the Acting Permanent Secretary for Foreign Affairs. It is our pleasure this morning to come and address you very briefly on the three Conventions or Treaties that we will be speaking on this morning.

First of all, as you have rightly said, my name is Keleni Seruvatu, I hail from the Province of Kadavu and on my left is Melania. We both work for the Multilateral Affairs Division of the Ministry of Foreign Affairs. With those greetings, Mr. Chairman, I would like to request if we could just proceed straight to our submission this morning.

As you can see behind me is a PowerPoint, we prepared the PowerPoint for the purposes of our submission this morning. It is not too technical and it will not be too extensive for the purposes of just conveying our position on the issues that we have this morning.

If I may begin on our submission this morning, we note that we will be looking at the three proposed international laws or Conventions that are being proposed for Fiji to ratify or to become a member of. And we would like to begin with the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer.

Mr. Chairman, as you will note, our Ministry plays a facilitative role in the issue of Treaties and Conventions. Rightfully, the implementing agency for the Kigali Amendment to the Montreal Protocol is the Department of Environment. But for the purposes of our submission this morning,

we would like to just highlight a number of issues in terms of our position on this proposed Amendment.

The Kigali Amendment to the Montreal Protocol is basically an amendment that looks at clarifying or assisting Member States to the Montreal Protocol on their efforts to implement activities that will phase out the use of Ozone Depleting Substances (ODSs) in Fiji.

As you will note, Mr. Chairman, the Montreal Protocol is an old protocol. It is an old international law that was introduced in 1987 and Fiji has been a member for 32 years so 2019 was our 32nd year of being a State Member acceding to the Montreal Protocol.

The Kigali Amendment is just one of the amendments that have been made to this Protocol. Speaking on the legal basis of the Montreal Protocol, it deals with substances that deplete the ozone layer. You will note, Mr. Chairman, that Fiji's current leadership efforts on the global stage to combat climate change is complemented by protocols and amendments, such as the Kigali Amendment and the Montreal Protocol.

We would also like to say that the Department of Environment has also undertaken measures to implement or domesticate the Montreal Protocol through the Ozone Depleting Substances Act 1998. There are other mechanisms in place that have been implemented domestically to help Fiji commit or to phase out ODSs.

You will have seen, Mr. Chairman, that the Kigali Amendment is just one such amendment to the main Protocol that will assist us to coordinate better and to help us in completely phasing out ODSs as part of our agenda under the Agenda 2030 or the Sustainable Development Agenda.

The key benefits of this Protocol or this Amendment; it advances the national, regional and common interests on reducing climate vulnerability and amplifying our voices and leverage within the United Nations.

It contributes to sustainability goals consistent with the 2030 Agenda for Sustainable Development. It avoids up to 0.5 percent degrees of warming until the end of the century.

The implementation of the Kigali Amendment is made possible through financial and technical assistance provided by the Multilateral Fund. The Multilateral Fund, if I may speak on it very briefly, it is established under Article 10 of the Protocol and contribution is made to the Multilateral Fund Assistance to developing countries or Parties to the Montreal Protocol, whose annual per capita consumption and production of ODSs is less than 0.3 kilogrammes, to comply with the control measures of the Protocol.

Developing countries have demonstrated that with the right kind of assistance, they are willing, ready and able to be full partners in global efforts to protect the environment.

Mr. Chairman, respectfully, that is our submission on the first Protocol or first international law that we are dealing with or will be speaking to this morning. I request if there are any questions, that they be taken at the end of our presentation, if that is alright with the Honourable Members.

MR. CHAIRMAN.- Honourable Members, do you care to ask any questions?

HON. A. JALE.- Can I just clarify a point on the assistance to developing countries, how are we in terms of meeting that target of 0.3 kilogrammes to comply with the control measures of the Protocol, has Fiji met that requirement? You are talking about the Multilateral Fund and the assistance that we might be able to get, have we met that target?

MS. K. SERUVATU.- Mr. Chairman, if I may be allowed to consult with the Department of Environment on that issue and I will be happy to report back to the Secretariat.

HON. A. JALE.- Thank you, Mr. Chairman, because our report has mentioned the benefits of Fiji, if we ratify the amendment to the Montreal Protocol and one of it was the financial aspect of it.

Now, this is the targets 0.3 kilogrammes of ODS reduction, have we met it? And I am glad that you are going to give us that answer later.

MR. CHAIRMAN.- Yes, that is fine Ms. Keleni. If you could consult the Department or Ministry concerned and get back to us, we would appreciate that. Thank you. You may carry on now.

MS. K. SERUVATU.- *Vinaka*, Mr. Chairman.

To the next Convention, in 2011, the Asia Pacific Convention on the Recognition of Higher Education Qualifications. Mr. Chairman we note that this Convention deals with the recognition of Higher Education Qualifications and at the outset, we would like to state our support for this Convention. If I may retract a little bit Mr. Chairman, I beg your indulgence, we had not mentioned this point in terms of the first Convention which is Kigali Amendment, we had not specifically reiterated our support for it, but, as you will note from the previous presentation that we have done so.

For this Convention as well, Mr. Chairman, we would like to convey our support, noting that this Convention deals directly with and has very relevant linkages with the Sustainable Development Goals, as well as Fiji's National Development Plans.

We note that education mobility is fundamental to regional prosperity, while equal access to quality higher education is essential for peace and stability. This is the recognition also given from UNESCO in terms of higher education and education overall.

This vision is also at the core of Sustainable Development Goal 4 on education. Fiji aligns with this vision through its National Development Plan that seeks to enhance and strengthen the support for Higher Education Institutions through the implementations of a National Accreditation Framework.

The benefits that we foresee with this Convention is that, it allows Fiji's Higher Education graduates and international graduates access to greater studies and work opportunities across the Asia-Pacific Region. It has the potential to increase the supply of well-trained, world-class

professionals, who are equipped for job opportunities in the global market. As we speak, labour migration and Fiji's outreach into the world in terms of its graduates and its people, the world is now interconnected. Speaking of this Convention, it really adds to our aspirations to market Fiji and its people to the world, the specific skills and abilities that our graduates may be able to offer the global market which is before us, Mr. Chairman.

Mr. Chairman that is a very brief submission on the second Convention that we are seeing this morning, that is, on the Recognition of Higher Education Qualifications.

MR. CHAIRMAN.- Thank you, Ms. Seruvatu. Honourable Members, do you have questions on this?

If I may start, I have a question, it is to do with labour migration. From time to time, we have had some foreigners arrive into the country and, sort of, overstayed. I think as we speak, we have two brothers who are facing the court but that is duly immigration. If it is, what has the Ministry have in place in so far as, if they are to check on their employment status? What are their career past? If they are academics so to speak, can the country not make use of those? Just a thought, thank you.

MS. K. SERUVATU.- *Vinaka*, Mr. Chairman. In terms of the issue that you have rightfully highlighted would be with the ambit or the jurisdiction of the Department of Immigration, as well as the Ministry of Employment. But overall for the Ministry of Foreign Affairs, our role basically is to utilise the presence of our Missions in foreign countries, to do the ground work for us in terms of liaising with our partner governments and seeking opportunities that we may be able to capitalise on.

Labour and migration is one such issue that is very, very significant in this day and age, given the interconnectivity of the world nowadays. Of course, the situations as you have already highlighted are bound to occur but our Ministry is playing an oversight facilitative role in terms of working with other line agencies that will govern these specific issues. Thank you, Mr. Chairman.

MR. CHAIRMAN.- Thank you, Ms. Seruvatu, for the explanation. Honourable Members, are there any other questions on the subject matter?

Ms. Seruvatu, you may proceed to your third item, thank you.

MS. K. SERUVATU.- *Vinaka*, Mr. Chairman, on the last item on our agenda this morning, the Council of Europe Convention on the Manipulation of Sports. For this item, Mr. Chairman, we would like to address specifically the process of ratification or accession to this Convention, noting that this is a Council of Europe Convention which would basically apply to European Union Member Countries.

At the outset, we will say that this Treaty is open for signature by Member States. Other State Parties to the European Cultural Convention, the European Union, the Non-Member States which have participated in its elaboration or are enjoying observer status with the Council of Europe and by other Non-Member States.

Participation in most Council of Europe Treaties is not exclusively limited to the Member States of the Council of Europe. The Treaties concerned are open to accession by Non-Member States, even Non-Member States, provided that they have been informally invited to accede by the Committee of Ministers of the Council of Europe.

It is customary for Non-Member States to request accession in a letter addressed to the Secretary-General of the Council of Europe, signed by a Minister for Foreign Affairs, or a diplomatic representative, acting upon instructions of his/her government.

Formal requests for accession are examined by a rapporteur group of the Committee of Ministers and, then, by the Committee of Ministers. The decision inviting the Non-Member State is usually taken at the level of the Ministers' deputies.

An invitation to accede to one of the Council of Europe Conventions is notified to the State concerned, which, prior to acceding, has to take the necessary measures to ensure that its domestic law allows the Convention to be implemented

It is customary for the Instrument of Accession to be deposited at the seat of the Council of Europe in Strasbourg, in the presence of a representative of the acceding State and of the Secretary General of the Council of Europe or his/her deputy. The representative of the acceding State brings with him/her the Instrument of Accession, and a procès-verbal of deposit is signed by both Parties. States having acceded to a Convention are entitled to accede to the Protocols thereto.

The implication of ratifying the Convention as a Non-member State; we wish to highlight that certain Council of Europe Conventions contain a provision on the financing of their follow-up mechanism by Non-Member States as in Article 32 of the Treaty which states, and I quote:

“A contracting party which is not a member of the Council of Europe shall contribute to the financing of the Convention Follow-Up Committee in a manner to be decided by the Committee of Ministers after consultation with that Party.”

Mr. Chairman, as we have highlighted before, there are no barriers or possibly if I may reword my earlier sentiment, this particular Convention is an open convention in which Non-Member States (Non-EU Member States) may be able to join or to accede to such Conventions. The implications, however, as we have stated here is the financial aspect of the membership of the Convention which would be decided after consultation between their Party, our member State and the Committee of Ministers under the Convention.

Mr. Chairman, with those few remarks, I would like to end our submission on the third issue of this agenda item and also overall our presentation this morning. *Vinaka*, Mr. Chairman.

MR. CHAIRMAN.- Thank you. Honourable Members, do you have any questions for the presenters?

HON. L.S. QEREQERETABUA.- Thank you, Mr. Chairman. *Vinaka vakalevu sara*, Keleni. I just wanted to check on point 4 of the last Treaty. For the domestic laws, have you checked on that? Do we have any domestic laws that could be an obstacle?

MS. K. SERUVATU.- Thank you, I have to revisit this, Madam. We will be happy to supply our research back to the Secretariat.

HON. L.S. QEREQERETABUA.- Thank you. *Vinaka vakalevu sara.*

HON. A. JALE.- Mr. Chairman, I take it that the European Union, the Council of Europe are different bodies. I am just inquiring, what are the sort of membership of this Council of Europe, if it is not the same as the European Union?

MS. K. SERUVATU.- If I may, Mr. Chairman, I could answer this question now but to be sure, I would like to do more research and get back to the Committee.

MR. CHAIRMAN.- We appreciate Keleni and Melania because I think it is probably put forward to you two to represent the Ministry this morning at the eleventh hour, but we do appreciate that Madam. We fully understand that and yes, if you do not mind taking note of those three questions, two on this particular one and the earlier question on the Kigali Amendment.

Yes, thank you very much for that. Thank you again for your presentation.

If we do have any other questions, if you would oblige by having reply to us through our Secretariat and we also, once again, thank you for availing yourselves and acceding to our invitation.

With those few words, Keleni, if you have any departing words, the floor is yours. Thank you.

MS. K. SERUVATU.- *Vinaka vakalevu*, Mr. Chairman. We are grateful for the experience to come and address this esteemed Committee this morning. *Vinaka.*

MR. CHAIRMAN.- Thank you again.

The Committee adjourned at 10.15 a.m.

The Committee resumed at 11.05 a.m.

Interviewee/Submittee: Office of the Solicitor-General

In Attendance:

1.	Ms. Seema Chand	-	Acting Principle Legal Officer	
2.	Ms. Manisha Ali	-	Legal Officer	
3.	Ms. Nazia Ali	-	Legal Officer	
4.	Mr. David Solvalu	-	Senior Legal Officer	
5.	Ms. Raumanu Pranjivan	-	Acting Principle Legal Officer	
6.	Mr. Epi Rawalai	-	Communications Officer, Fiji	Higher Education Commission (FHEC)

MR. CHAIRMAN.- Honourable Members, we have before us now the team from the Office of Solicitor General. A very good morning and welcome to you all. Welcome to you, Seema, and the rest of the team.

(Introduction of Honourable Members and Secretariat)

With those few words, the floor is yours Seema. Thank you.

MS. S. CHAND.- Good morning, Honourable Members, and Happy New Year to everyone. Thank you for giving us an opportunity to present on the various Conventions. I will just briefly introduce you to the team.

We have Nazia Ali and a colleague from FHEC, who will be presenting on the Convention to the Recognition of Higher Education Qualifications. I will be speaking on the Council of Europe Convention on the Manipulation of Sports. Mr. Solvalu, Ms. Ali and Mr. Pranjivan will be speaking on the first Convention, which is the Kigali Amendment. So I pass it to Mr. Solvalu and team to take us through that presentation.

MR. D. SOLVALU.- Thank you, Seema. As Seema has stated, we will be addressing the Standing Committee on the Kigali Amendment, the Montreal Protocol.

On 16th January, from the Standing Committee, we received the specific questions in relation to this Convention, so it is really up to the Committee on how you wish us to do this. Would you like us to specifically go through each question and answer them, or would you like to have, sort of, a conversation?

The issue for us on our end is that, a few of the questions are not very legal in nature, so there are questions that would be best answered by the enforcement agency. We have received answers from them as well, we have got everything on that, so we are aware of their capacity.

However, we are also aware that you have also spoken with the Department of Environment, and so we know that we have three Conventions today. How would you like us to do this, would you like us to only go to the questions with legal effect?

MR. CHAIRMAN.- I think that would be the way to go David. Just give us what you have and if you have consulted the agencies, the legality part of that, yes, we will go through that. All that sort of information will help us compile our final report.

MR. D. SOLVALU.- We will just zero in on Question 5 and Question 6 because from our perspective, these are the questions that have the most potential for legal implications. However, we have prepared copies of answers for the other questions and we are willing to distribute those to assist you with the report.

MS. M. ALI.- Good morning, Honourable Committee Members. I will just take you through Question 5, the contents of the Kigali Amendment. What additional value difference from the original Montreal Treaty?

The Amendment is a binding legal agreement or Treaty which is intended to create rights and obligations in international law. It is designed to particularly, phasedown or reduce the production and consumption of HFCs frequently used in refrigeration and air conditioning systems. It is currently used as a replacement to ODSs.

HFCs are greenhouse gases which can have a high or a very high global warming potential, ranging from 12 to 14800 GWP, and I am pretty sure that the Committee has already heard from the technical perspective of what this means.

This Amendment creates the opportunity and the potential to avoid up to 0.5 Degree Celsius of warming by the end of the century.

The Amendment, in fact, adds new Annex F, which lists HFCs separated into two groups. Group 2 substances, only has HFC 23 for the time being, will be treated differently from Group 1 substances for the purposes of reporting on emissions and application of approved technology to emissions and destruction of substances. Generally this Amendment requires the phasedown of HFCs which are frequently used as substitutes of ODS and are powerful GWP gases. The two groups as annexed below, you can see that subheading one is Annex F – Group 1 and Annex F - Group 2.

This Amendment requires Parties to gradually reduce the use of HFCs by 80 percent to 85 percent by the late 2040s. Fiji is currently listed as a developing country in Article 5 of the Montreal Protocol, and is required as an Article 5 country to phasedown the production and consumption of HFCs listed in Annex F.

Upon ratification of this Amendment, Parties will begin to deploy new technologies in line with its requirements. Parties will also be able to gain competitive advantage in the world market, technologies will be more cost-effective and lead to an improvement in the quality of end products, including improvement in overall energy efficiency.

This Amendment will allow Parties a degree of flexibility in implementing their obligation. It is designed to give Parties sufficient time and opportunities to phasedown HFCs in a way that suits their country need and interest, setting its own priority for particular HFCs, technologies and alternatives.

Through the Amendment, the Montreal Protocol takes responsibility for HFCs and plays a leading role in working towards an environmentally sustainable world where no one is left behind, consistent with the 2030 Agenda for Sustainable Development. Thank you.

MS. N. ALI.- I will take Question 6 which are the key benefits of ratification. Fiji has already ratified the Montreal Protocol and the Four Amendments to it so as you know, this is the Fifth Amendment, the Kigali Amendment.

Once Fiji ratifies this and if successfully implemented, the Amendment is anticipated to avoid up to 0.5 Degrees Celsius of global warming by 2100, a significant contribution towards the Paris Agreement's objectives.

There are trading control restrictions under the Montreal Protocol. Article 4 of the Montreal Protocol restricts Parties from trading controlled substances with States not a party to the Protocol. That Amendment enters into force on 1st January, 2033 and if we are not a party to that, States not Parties to the Montreal Protocol will not be able to trade with us.

In terms of financial and technical support, there are provisions in the Montreal Protocol for that as well. Article 10 of the Montreal Protocol establishes a financial mechanism to provide financial and technical co-operation, including the transfer of technologies to support Article 5 countries, like Fiji, which are developing countries, for their compliance. There will be financial support for enabling activities, institutional strengthening, import and export licensing and quota, reporting, demonstration projects and the development of national strategies for phasing down of HFCs.

Becoming party to the Amendment will also ensure that Fiji does not operate with technologies that are obsolete, and it will avoid situations whereby processors and facilities that are not updated begin to operate at an economic disadvantage. It will result in loss of market for non-party industries and the use of latest innovative technology in related field. So the ratification will reaffirm our existing commitment under the Montreal Protocol and also the Climate Change Conventions, the Paris Agreement.

In terms of cost there will not be much cost involved, there will be minimum costs involved because for attending Parties when normally they will become parties to Treaties, they have to attend meetings, but for this one, we are already attending meetings for the Montreal

Protocol and since this is an amendment to the Montreal Protocol, we will not have addition cost to attend these meetings.

As for technical officers, the Ministry already has these technical officers. If any, they would have just employ maybe one more officer, but it is not that if they do not employ this one officer, they will not be able to meet their obligations in this. They already have technical support, they already have existing, coordinating relationship with agencies like Fiji Revenue and Customs Services (FRCS), MITT, SG's Office and Department of Energy. So there are minimal costs involved and then we will get financial and technical assistance from Montreal Protocol. Thank you.

MR. CHAIRMAN.- Thank you. No other speaker on the subject matter?

MR. D. SOLVALU.- Also, Fiji has a long relationship with this Protocol and like Ms. Nazia said, we ratified the Protocol and all of its Amendments so far, and this is another one in the line of us sticking to our international commitments.

But also of particular note is that if we are to ratify this Amendment, we have an Ozone Depleting Substances Act 1998, the then Parliament saw fit to pass/enact domestic legislation to give greater reflect to our international commitments, and this Amendment will also lead to a review of that Act, to ensure that it is brought up to standard.

MR. CHAIRMAN.- Thank you, Mr. Solvalu.

Honourable Members, do you have any questions on the Kigali Amendment?

Since there are none, Ms. Seema would you like to proceed to the next item which is the recognition of higher education qualifications. Thank you.

MS. S. CHAND.- Thank you, Mr. Chairman. I will pass it to my colleague, Ms. Nazia Ali, to present on that.

MS. N. ALI.- Thank you, Mr. Chairman, and good morning Honourable Members. I will be presenting on the 2011 Asia Pacific Convention on the Recognition of Higher Education Qualifications, which is more commonly known as the Tokyo Convention.

I believe that the Fiji Higher Education Commission (FHEC) has already presented to the Committee and taken the Committee through the Convention in each Article of the Convention. We do not intend to do that again, however, on 20th January, we received one question in particular from the Committee which was: Why Fiji did not ratify the Lisbon Convention and why do we intend to ratify the Tokyo Convention?

So for the purposes of our presentation this morning, we are going to expound on that question, and also Fiji's obligations under the Convention and its readiness from a legal perspective.

The first question: Why did not Fiji ratify the Lisbon Convention and why do we intend to ratify the Tokyo Convention?

As a way of history and background UNESCO has from a very long time tried to develop a Global Convention on the recognition of higher qualification. However, due to the lack of consensus among State Parties, this actually resulted in regional Conventions. So in total, we have six Regional Conventions on the Recognition of Higher Qualifications and these are for different regions, for example:

7. Latin America and the Caribbean;
8. Mediterranean Region;
9. Arab States;
10. African States;
11. Asia-Pacific; and
12. Lisbon Convention which is the European Region Convention.

The Lisbon Convention is predominantly for the European Region and its purpose is to facilitate the mobility of students and workers among the European countries. The countries that have ratified the Lisbon Convention are mainly the European countries, however, there are some non-European countries that has ratified the Lisbon Convention, and this includes, Australia and New Zealand.

Why they ratified the Lisbon Convention at that time, the Lisbon Convention actually came into effect in 1979. At that time, there was no Asia-Pacific Regional Convention to govern the mobility of students and workers in Asia and the Pacific. And at that time Australia and New Zealand was ready to ratify this Convention and undertake the obligations in a context of the European region.

Fiji, at that time, was not ready to comply with the obligations under that Convention. Now when Fiji is ready to undertake its obligations, we have a more relevant and appropriate Convention, that is, the Asia-Pacific Convention. So why we intend to ratify the Tokyo Convention is because it is more appropriate and relevant to the Asia-Pacific Region.

Honourable Chairman and Honourable Members, we have prepared documents that we will be referring to in our submissions, and we would like to distribute it to the Honourable Members.

(Documents were distributed to Honourable Members)

Fiji by ratifying the Tokyo Convention will not be losing out on not ratifying to any other regional Conventions because if you look at the preamble of the Tokyo Convention, it actually

calls out for the State Parties to engage in active international collaboration at the global level with parties to other UNESCO regional Conventions.

As such, by ratifying the Tokyo Convention, Fiji will automatically affiliate itself with other regional Conventions. So there is no restriction by ratifying the Tokyo Convention to affiliate ourselves with other regional countries. By doing so we automatically will be liaising with other countries and it actually encourages State Parties to the Tokyo Convention to affiliate itself with other regional countries.

We move on to the obligations under the Convention from a legal perspective. Under the Convention, there are particularly three obligations that Fiji has to undertake.

The first one is the Recognition of Higher Qualifications itself. Article 3 for the Convention imposes an obligation on State Parties to recognise qualifications issued by other Parties that need the general requirements for access to respective higher education programmes, unless a substantial difference can be shown. So that is a bottom line obligation. The State Parties have to recognise the higher education qualifications received from other countries, unless a substantial difference can be shown in the standard that we have in Fiji when compared to the standards that is in other countries.

In assessing the substantial difference, that is where Fiji will need to undertake its assessment in accordance with principles and standards that we have domestically. To assess the qualification and application received by Fiji, the State Parties need to have a competent recognition authority. This is already in Fiji, that is, the Fiji Higher Education Commission. They are mandated under the Higher Education (Qualifications) Regulations 2010 to determine the criteria and processes for the assessment of foreign qualifications. So this obligation Fiji has in its place, we do not need to take undertake any further activities or to develop a separate Unit or an office to undertake this obligation.

The second obligation is the assessment itself. Articles 4 to 7 of the Convention mandates for State Parties to make appropriate arrangements for the assessment and recognition of qualifications that are transparent, coherent, reliable, fair, timely and non-discriminatory. This includes the assessment of partial studies as well. For example, if in Australia or New Zealand, a student has undertaken partial studies and was unable to complete its qualification and makes an application to Fiji to recognise its higher qualification, we have an obligation under the Convention to assess that partial studies and give a recognition, if it meets our criteria.

In 2012, the UNESCO Asia-Pacific Regional Bureau for Education established a technical working group which prepared a toolkit for the recognition of Foreign Higher Education Qualifications, and you can see the toolkit at Annexure I of the document that we had just handed over.

The goal behind the development of this toolkit was to provide a common reference guide for the Asia-Pacific Region in regards to assessing higher education qualification. These are the set of guidelines which is a standard guidelines that the State Parties need to take into account when carrying out the assessment in its own countries.

Fiji has, in its place, what is called the Fiji National Qualifications Framework (FNQF) and it can be seen at Annexure II of that document. The FNQF is mandated under the regulations and the Fiji Higher Education Act, and it creates a platform for different learning pathways and promotes learner mobility by clarifying how qualifications relate to each other within the National Education and Training System. The Framework includes a credit point system, which is used to compare provider qualifications with levels on the Framework for the accreditation of qualifications at the national level. The Framework is managed by the Fiji Qualification Council which is mandated under the regulation and the Act.

The Framework, as we have been informed by the Higher Education Commission, was revised last year, to align itself with the UNESCO toolkit. So, Fiji already has, in its place, a Framework to assess qualifications received by foreign countries. The FHEC has already been doing this where we have been receiving requests from foreigners to assess the qualification and that is the Framework that Fiji utilises to assess the qualifications that we receive in our country.

The third obligation is to establish a National Information Centre (NIC), which is under Article 8 which requires each country to establish a system, a unit or a centre that acts as a single point of contact which is called the National Information Centre, for providing information on qualifications and higher education systems. In 2013 the UNESCO Asia-Pacific Regional Bureau for Education established a technical working group to prepare the guidelines for National Information Centres for the recognition of foreign qualifications in higher education, and we have provided a copy at Annexure III.

The main purpose for the guidelines is to provide clarity to State Parties, that substantial administrative commitment is not necessary to establish and maintain the NIC. It does not require a separate infrastructure or statutory authority. It simply means, having a system in place, a single point of contact to provide information on a State Party's higher education systems.

Under Section 7(1) of the Higher Education Act, the FHEC is mandated to maintain a database of higher education information. The FHEC already maintains a NIC, that collates information about the Higher Education Institutions, the qualifications and the like information.

This can be expanded for the purpose of the Convention in line with the guideline. The guideline also provides for model systems from Australia, New Zealand and other countries, that

Fiji can utilise as a guide on what type of information needs to be available on its database when other countries request for information.

The whole point of having a NIC is that, we have readily information available that can be provided timely when other countries or other higher institutions from other countries requests for such information, for the purpose of assessment of higher education qualification.

Under the Convention, Fiji has also obliged to appoint a member of its NIC to the network of National Information Centres established under the proposed Convention. So, each State Party will have to develop a NIC and there will be a point of contact person, who will liaise with each other to develop a database that will be for all regional parties and all the information will be deposited in that database.

For implementation purposes, Fiji does not need to enact any new legislation to implement this Convention domestically. There is no need to amend the existing legislations, there is no possible financial cost to Fiji of compliance with the Convention obligations, as there is nothing new that Fiji will need to perform that they are not already undertaking. So Fiji is ready at this stage to ratify the Convention. There is no legal implication and there is no extra financial implication on Fiji by doing so.

That is all from our Office, unless the Honourable Members have any further questions.

MR. CHAIRMAN.- Thank you, Madam, for that very comprehensive elaboration on the subject matter.

Honourable Members, do you have any questions on the subject matter right now that is before us?

Since there is none, Seema we go straight into the third and final subject, which is the Convention on the Manipulation of Sports. Thank you.

MS. S. CHAND.- Thank you, Mr. Chairman and Honourable Members. I understand that the Ministry of Youth and Sports made a presentation last week, so I wish to support their presentation and everything that they have furnished you in terms of their PowerPoint slides and any other written notes. So what I will do is, I will focus again on the legal aspects of the Convention, so not to go into things that the Ministry had already talked about.

I think one of the things that is really important to mention from the outset is, that the Convention is the only international legally binding Instrument that helps address manipulation in sports and provides a legal basis and framework for co-operation in this field between various

other public authorities and private entities. It also provides structured mechanisms for the co-operation and for the co-ordination of actions within the framework of the Convention.

As outlined in Article 1 of the Convention, the purpose of the Convention is to combat the manipulation of sports competitions, in order to protect the integrity of sports and sports ethics. The objectives of which are to:

- prevent, detect and sanction national or transnational manipulation of national and international sports competitions;
- promote national and international co-operation against the manipulation of sports competitions between public authority is concerned; as well as
- organisations involved in sports and sports betting.

The Convention is guided by the principles of human rights legality, proportionality and the protection of private life and personal data, and these are all outlined in Article 2 of the Convention.

I will refer to some of the questions from the Standing Committee.

What is the status or the implications of Fiji ratifying this Convention, when Fiji is not a member of the European Union (EU)?

Honourable Members, there is no legal impediment with respect to ratification of the Convention, even though, we are not member of the European Union. The Convention essentially is a set of rules and procedures with respect to international best practice and standards in sports, and is open for countries to ratify on the invitation of the European Council.

I would just like to make a distinction between the European Council and the EU at this point. Unlike the EU, the Council does not make binding rule, but has powers to, therefore, select international agreements reached by European States in a range of topics. The best known body of the Council of Europe is the European Court of Human Rights, which enforces the European Convention on human rights.

The Council of Europe is an international organisation, whose purpose is to uphold human rights democracy and the rule of law in Europe and has 47 Member States. The Council works mainly through Conventions by drafting Conventions or international Treaties.

Common legal standards are set for each Member State, however, there are several Conventions that have also been opened up for signature to Non-Member States. Some of these are the:

- Convention on Cyber Crime;
- Lisbon Convention;
- Anti-Doping Convention; and
- Convention on the Conservation of European Wildlife and Natural Habitats.

So, these are some of the Conventions that via invitation, they have extended it to other countries that are not part of Europe. That is why with respect to Fiji, there really is no impediment for us to sign. If anything that we should sign up to it, given the practices and standards that are set out in the Convention.

With respect to laws that would need amendment, should we ratify the Convention and what are the existing laws that regulated betting, et cetera?

I would like to submit that, with respect to this Convention, of course, like any other Convention, we will have to do a thorough gap analysis to see where we are falling short and whether or not we need to make amendments to our current legislations, or whether we need to enact a standalone legislation, to give effect to various Articles of the Convention. This is something that we may need to look at.

However, the best thing about the Convention is, it promotes collaboration. Article 7 of the Convention, if you have a look through Article 7 on sports organisations and competition organisations, it basically is between the State and the private organisations. The State encourages these sports organisations to have their own internal procedures, internal policies in place, whether it is in respect to anti-doping or any, sort of, other manipulation in data what have you, to have those procedures in place.

When we sign up to the Convention, it is essentially the State encouraging these organisations and other groups to have rules and procedures within your organisation, that comply with the Articles of the Convention, given that Fiji is a party to the Convention, should we ratify it. So, essentially that is what the overarching legal framework looks like.

With respect to which sports are covered in the Convention, under the definition section of the Convention, sports competition is defined and it is encompassing of all sports. Unless the Committee has further questions, I will stop there.

MR. CHAIRMAN.- Thank you, Seema, for that very informative brief. Honourable Members, any other questions?

HON. A. JALE.- A point about traditional sports, like *veitau waqa ni viti*, and certain other sports and I am sure it is really competition, do you see that we need to include that in the scope of the Convention if we ratify that?

MS. S. CHAND.- The Convention is clear. I will just read out the definition of sports competition, so should it fall within that definition, then it will have to adhere to international standard. But, sports competition essentially means, as defined by the Convention, any sport organised in accordance with the rules set by a sports organisation listed by the Convention and recognised by an international sports organisation or where appropriate, another competent sports organisation. I hope that answers your question, Honourable Member.

MR. CHAIRMAN.- Thank you again, Ms. Seema.

We have heard from other stakeholders, like the FHEC but, yes, we now appreciate the fact that we know the legality of these Conventions and Amendments. We thank you for that.

If there are no further questions from Honourable Members, if I may request if we do have any other pressing questions in the time that we putting our report together to present to Parliament, if you would oblige and it will come through Jacob.

With those few words, I thank you once again, Seema, David and the team. If there is any parting comments, the floor is yours, Madam.

MS. S. CHAND.- On behalf of our team, Mr. Chairman and Honourable Members, thank you so very much for giving us the opportunity. We remain on standby, should you require any further information or clarification from our Office, and we will furnish the relevant documents and our answers to the Secretariat. *Vinaka*.

The Committee adjourned at 11.39 a.m.