MINISTRY OF DEFENCE AND NATIONAL SECURITY ANNUAL REPORT 2016-2017

APPENDICES

Presentation by the Ministry of Defence and National Security



MINISTRY OF DEFENCE, NATIONAL SECURITY AND IMMIGRATION

ANNUAL REPORT 2016-2017

PRESENTATION TO THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE 02 MARCH, 2020









SCOPE OF PRESENTATION



- · Role of the Ministry
- Legislations that governs the Ministry
- Responses to 2016-2017 Annual Report:
 - 1. Responses to Substantive Questions
 - 2. Responses to SDGs Related Questions



MINISTRY OF DEFENCE AND NATIONAL SECURITY



- The Ministry of Defence and National Security is mandated by His Excellency, the President of Fiji, to provide a safe and secure environment that we can all live in peace and harmony in.
- The core responsibility of the Ministry is to manage the nation's security through the formulation and implementation of policy initiatives, programmes and projects on matters of defence, national security, and intelligence.



LEGISLATION THAT GOVERNS THE MINISTRY



- 1) Anti-Personnel Mines Decree 2011
- Arms and Ammunition Act 2003
- Biological and Toxin Weapons Decree 2011
- Chemical Weapons Conventions Act 2005
- 5) Geneva Conventions Promulgation 2007
- 6) Police Act (Cap. 85)

- 7) Public Order Act (Cap. 20)
- Public Safety Act (Cap.19)
- Rehabilitation of Offenders Act 1997 (Irrelevant Convictions Act)
- 10) Republic of Fiji Military Forces Act (Cap.81)
- 11) Security Industry Act 2010
- 12) Visiting Forces Decree 1991



- Corporate Service Division (CSD)
- National Security Defence Review Secretariat (NSDR)
- Security Forces Division (SFD)
- Security Division (SD)
- Department of Immigration (DOI)



CORPORATE SERVICE DIVISION (CSD)



- Key Performance Indicators (KPI's) and measuring progress of Ministry's performance (Q1)
- Acting Appointments Update (Q5)
- Savings under Special Expenditure NSDR Vacant Posts (Q13)



SECURITY FORCES DIVISION



- Security Forces Capabilities for epidemics outbreak (Q4)
- Legislation Update (Q8)
- Search and Rescue Claim Compensation (Q9)
- Cyber Security Platforms (Q10 a)
- 30Million RMB Donation (Q10 b)
- Relocation of Naval Base Project (Q10 c)



CRIME STATISTICS (Q3)



FPF Crime KPIs (2016-2019)

14	2010	2013	2018	2018
2 Reduce Overall Crime by 1078		10,110	17,718	10,000
E Reduce Serieus Crime by 1076	3,364	3,000	2,770	1,110
2 Zestues Cross against Warman by 1076	3,132	1,111	2,004	2,710
A Zestues Crime against Children by 1076	1,338	1,083	1,086	1,141
 The of dask drops second regularized 	524		1,000	

Crime Trend 2016 - 2019





SECURITY DIVISION



Critical Infrastructure (Q2)







- NSDC COMPOSITION AND ACTIVITIES (Q6)
- NSS & WHITE PAPER UPDATE (Q7)





- IBMS and FMIS Genera ledger Variance (Q11)
- Work permit and Security Bond (Q12)





RESPONSES TO SDG RELATED QUESTIONS



- Gender Statistics and women promotion (Q1)
- Gender parity and UN Peacekeeping Contributions (Q2)
- RFMF Annual Report (Q3)
- SDG 16 (Q4)
- Sexual Harassment and Sexual Assault Complaints (Q5)
- Psycho-social support (Q6)

[VERBATIM REPORT]

STANDING COMMITTEE ON

FOREIGN AFFAIRS AND DEFENCE

TREATY/CONVENTIONS

1. Treaty on the Prohibition of Nuclear Weapons

2. ILO Convention 190 - Violence and Harassment Convention 2019

3. ILO Protocol 155 – Protocol of 2002 to the Occupational Safety and Health Convention 1981

INSTITUTIONS: Ministry of Defence & National Security

Republic of Fiji Military Forces (RFMF)

Fiji Police Force (FPF)

Fiji Corrections Service (FCS)

VENUE: Big Committee Room (East Wing)

DATE: Monday, 2nd March, 2020.

VERBATIM NOTES OF THE MEETING OF THE STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE HELD AT THE COMMITTEE ROOM (WEST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS, ON MONDAY, 2ND MARCH, 2020 AT 1.35 P.M.

Interviewee/Submittees: Ministry of Defence and National Security

Department of Immigration

Republic of the Fiji Military Forces

Fiji Police Force

In Attendance:

Ministry of Defence and National Security

1. Mr. Manasa Lesuma - Permanent Secretary

- 2. Mr. Akuila Savu Director, Monitoring and Evaluation
- 3. Ms. Silina Cama Manager, Ministry of Defence and National Security
- 4. Mr. Joji Dumukoro Manager Police
- 5. Mr. Savenaca Raiwalui- Manager Corporate Services
- 6. Ms. Marica Rinakama Principle Administration Officer Administration &

Budget

- 7. Mr. Eroni Rokisi Senior Administration Officer Defence and Police
- 8. Mr. Lorima Sautu Administration Officer Defence and National Security

Department of Immigration

- 1. Ms. Litia Saumaka Acting Assistant Director
- 2. Mr. Umeshwar Ram Principal Accounts Officer

Republic of Fiji Military Forces

Captain John Fox - Chief of Staff

Fiji Police Force

SSP Aporosa Lutunauga - Senior Superintendent of Police, Director Planning

MR. CHAIRMAN.- Welcome Honourable Members, members of the public and the media, to today's Committee Meeting on livestream, those watching through the Parliamentary Channel and Walesi Platform and also on Facebook on the submission by the Ministry of Defence and National Security 2016-2017 Annual Report.

I take this opportunity to welcome the Officials from the Ministry of Defence and National Security, Permanent Secretary and your team, who have agreed to appear before today's Committee hearing.

Please, be advised that the Meeting is open to the public and media and any sensitive information concerning this review that cannot be disclosed in public, can be provided to the Committee either in private or in writing.

At the outset I wish to remind members of the public and the media present in the room that minimum movement is to be maintained during the duration of the submission. Allow me to introduce the Honourable Members of my Committee.

(Introduction of Committee Members by Mr. Chairman)

I now take this opportunity, Permanent Secretary, if you could introduce your team and then the floor is yours, Sir. Thank you.

MR. M. LESUMA.- Thank you, Mr. Chairman. Firstly, I would like to acknowledge and thank the Committee for its request to make the submission this afternoon with regards to our 2016-2017 Annual Report, likewise with the three Treaties that you have alluded to earlier. Let me introduce my Team this afternoon.

(Introduction of Ministry Officials by the Permanent Secretary)

MR. CHAIRMAN.- Sorry, if I just may intervene, PS, I forgot to mention that I am ably assisted by the Secretariat staff and a Hansard Reporter.

MR. M. LESUMA.- We have what the Secretariat had actually circulated to you, Mr. Chairman and Honourable Members, the responses. What we actually did was, we looked at the questions that had been sent to us with regards to the Annual Report and we identified the questions in relation to the various Departments that comes under the Ministry.

Prior to that, Mr. Chairman, if I could go back to the PowerPoint that is before you this afternoon, the scope of our presentation this briefly talks on the role of the Ministry and the legislation that governs the Ministry. We will be responding to the questions that were raised with regards to the 2016/2017 Annual Report that was recently tabled in Parliament. There are also responses that we have prepared with regards to the Sustainable Development Goals (SDG) questions that were raised to the Ministry. The second phase of the presentation which we will later touch on, as I am been briefed, round about 2.30 p.m. today would be the Treaties itself.

If I may, Honourable Chairman, the Ministry of Defence and National Security is mandated by His Excellency the President of Fiji to provide a safe and secure environment that we can all live in peace and harmony.

The core responsibility of the Ministry is to manage the nation's security through the formulation and implementation of policy initiatives, the programmes and projects on matters of defence, national security and intelligence.

The legislation that governs the Ministry, you will have that listed before you, Honourable Chairman and Committee Members. We have the:

 \Box Defence and National Security;

□ Anti-Personnel Mines Decree 2011;

 \Box Arms and Ammunition Act 2003;

□ Biological and Toxic Weapons Decree 2011;

□ Chemical Weapons Convention Act 2005;

□ Geneva Conventions Promulgation 2007;

 \Box Police Act (Cap. 85);

 \Box Public Order Act (Cap. 20);

S/C on FAD Interview with the Ministry of Defence & National Security Officials 3. Monday, 2nd March, 2020 ------

- □ Public Safety Act (Cap. 19);
- □ Rehabilitation of Offenders Act 1997;
- □ Republic of Fiji Military Forces Act (Cap. 81);
- □ Security Industry Act 2010; and
- □ Visiting Forces Decree 1991

In terms of our responses, as I had alluded to earlier, Honourable Chairman, we have taken note of the questions that were raised to the Ministry and we have actually laid out our responses based on the respective Departments and Units that are under the Ministry of Defence. They will note, as I respond to questions, I will definitely be highlighting the questions that you have raised.

Some of the questions are very much HR and come under our Corporate Service Division, while the next lot of questions that we will be responding on, come under the National Security Defence Review Secretariat, the Security Forces Division, the Security Divisions and the last two questions, I have my colleagues from the Department of Immigrations, who will be responding to the questions on immigration. With regards to Question No.1, that was raised by the Committee to the Ministry, on the KPIs and the measuring progress of the Ministry's performance; it was highlighted that the Ministry's Workplan had KPIs and outputs were well defined, however, they were not used to measure the progress and performance of the Ministry's activities.

Our response, whilst we noted the questions that was raised, we wish to advise that the Report had been provided in general, taking into consideration the wide range of areas of reporting. Although this may not have been clearly reported, there were internal mechanisms in place, such as weekly and monthly reporting that are used to measure the progress of the Ministry's performance. Additionally, the Ministry undertake activities that are related to national security, that were not factored as part of the deliverables of the reporting year, and these have also been reported.

On Question No. 5 still under Corporate Service Division, on Page 15, what is the progress and update on the 15 acting appointments before you? Honourable Chairman and Honourable Members of the Committee, these acting appointments were made on vacant positions and on subsequent acting. Details as tabulated before you are updates and responses on individual acting appointment.

Moving on to Question No. 13: Can the Ministry update the Committee on the Savings of the \$290,000 under the Special Expenditure Allocation which was mainly due to the non-establishment of the seven vacant project position for the NSDR (National Security Defence Review) on page 46?

Ever since the establishment of the National Security Defence Review Project, the recruitment of staff were planned to be done in three phases. The first phase was for the seven positions as highlighted before you the:

- □ Director Strategic Planning Policy;
- □ Director for Monitoring and Evaluation;
- □ Director for Intelligence and Assessment;
- □ Principal Administration and Budget;
- □ Principal Intelligence Officer;
- □ Principal Assessment Officer; and
- \Box Senior Accounts Officer.

S/C on FAD Interview with the Ministry of Defence & National Security Officials 4. Monday, 2nd March, 2020 ------

The Committee may also have noted that this was when all Ministries and Departments undertook the Job Evaluation Exercise (JEE) in 2017 with the implementation of the new salary structure and transitioning of officers from permanent to contract basis. Although recruitment of officers were delayed due to the need in further clarifying the implementation of the JEE on these new positions, acting positions were granted on the positions of:

- □ Principal Intelligence;
- □ Principal Assessment;
- □ Principal Administration and Budget; and
- \Box Senior Accounts Officer.

This was to ensure that necessary support is provided to the appointed Director-General that was heading the project during that time.

You will also note, Mr. Chairman and Honourable Members of this Committee, that during this time, we also had seconded officers from the two Forces, who were assisting the Ministry and were being paid from their respective payroll. So they would have indicated savings also in those areas.

On Question No. 4: What is the capability, the level of resourcing and training available for Security Forces for outbreaks of epidemics for 2016-2017 and for the most recent, the COVID-19?

The Ministry, again, acknowledges the importance of the question that have been raised but wishes to inform that the Ministry of Health and Medical Services take lead role in any such outbreaks. Nevertheless, the Security Forces stand ready to assist the existing mechanisms in line with the mandated roles under the 2013 Constitution. The Republic of the Fiji Military Forces has a medical corp with a Level 1 capability, a medical centre that is available to RFMF personnel and families, which is resources with capable doctors and nurses and equipment to deal with any outbreaks of epidemic.

In terms of resources and support for outbreaks of epidemics in mission areas, the RFMF deploys MEDIC team consisting of doctors and nurses with the contingent that is being deployed. The role of the Fiji Police Force in this regard is to ensure the containment of any epidemic through the enforcement of laws and legislation, such as the Public Order Act regarding any epidemic outbreak. Any police response will be conducted in coordination with the Ministry of Health, such as the cordoning off of quarantine areas. This was evident in the recent measles and typhoid outbreak.

The Police Special Response Unit is a special Unit within the Fiji Police Force that conducts training and drills for such emergencies and the Unit is also well equipped with resources capable of deployment to any affected area.

On Question No. 8 on Page 29 under the Security Forces Division, what are the updates on the Review of the RFMF Act (Cap. 81), the Fiji Police Act (Cap. 85), the Illicit Drugs Act 2004, the Bail Act, the Chemical Weapons Act 2005 and the Formulation of Search and Rescue and Cyber Crime Bill?

Mr. Chairman and Honourable Members, with regards to the RFMF Act, the Ministry has been liaising closely with RFMF and the Office of the Solicitor-General on the review of Cap 81. Considering its state, most of the provisions of the Act of 1948 have been considered obsolete and, therefore, requires a complete review. *S/C on FAD Interview with the Ministry of Defence & National Security Officials 5. Monday, 2nd March, 2020* ------

In view of the genesis under the British rule, the RFMF Act was aligned to the British Military Law and as such, we have requested the British for assistance by providing their Manual of Military Law as a guiding reference.

We have been closely working with the New Zealand Defence Legal Team under the mutual assistance partnership to align our review against the New Zealand Military Law and we are also currently working on the RFMF Military Justice Bill, which is separate from Cap. 81. It is expected that the Bill would be subject to public consultation before it is presented to Parliament.

Mr. Chairman, with regards to the review of the Fiji Police Act (Cap. 81), it has been finalised and now awaits its presentation to the Honourable Minister. The final draft will repeal the 1956 Act which is archaic in nature. The draft incorporates provisions relating to science and technology for solving crimes in the 21st century.

Mr. Chairman, with regards to the Illicit Drugs Act 2004, the Ministry and the Office of the Solicitor-General, in consultation with key stakeholders amended the Illicit Drugs Act 2004 late last year, taking into consideration most emerging drugs, precursors and other control pharmaceutical products. The amendments also incorporate provisions of testing kit findings and to further analysis by the Forensic Chemistry Expert. The amendments will be tabled soon in Parliament sometime this year.

Mr. Chairman, with regards to the review of the Bail Act, the need then to review the Bail Act was to increase the detention period of an apprehended person for questioning from 24 hours to 48 hours. However, the 2013 Constitution of the Republic of Fiji has a provision for mandatory

of 48 hours consistent with the international standard, hence there is no need to review the Bail Act.

Mr. Chairman, with regards to the Chemical Weapons Act 2005, this has been amended. The Ministry has done the first round of consultations with relevant stakeholders in 2019.

The provisions of the Act, given the evolving technology and in the sphere of science, we need to take into considerations new chemicals which are precursors of weapons and most are used in mining industries and for commercial use. Monitoring of chemicals at the border is essential, compelling importers to provide a list of chemicals for approval prior to ordering.

Mr. Chairman, on the formulation of the Search and Rescue Bill and Cyber Crime Bill, the final Search and Rescue Bill is currently with the Office of the Solicitor-General for vetting and submissions to Parliament.

The formulation of the Cyber Crime Bill is currently being undertaken by the Ministry of Communications. The Ministry is a key stakeholder, providing contributions from the national security perspective, as outlined in the response provided. The Bill will be tabled in Parliament soon after extensive consultation with the public.

Question No. 9: On Page 29 under the Search and Rescue Bill, what are the provisions available for relatives to claim compensation for their loved ones, who were lost at sea or the drowning cases in rivers and streams? How can amendments to the Inquest Act address issues of loved ones lost at sea?

is a proposed legislation that aims to enhance rescue response mechanism for land and sea rescue operations, particularly on the establishment of the Fiji Rescue Coordination Centre.

Currently, Mr. Chairman, there is no specific provisions in the draft Search and Rescue Bill for compensation claims for relatives or persons lost at sea. However this is an area that the Ministry can consider looking into, with other relevant legislation and compensation mechanisms, like the Accident Compensation Commission to address compensation claims.

On Question No. 10 on page 32, can the Ministry update the Committee on the cyber security platform in Fiji?

With regards to the cyber security platform in Fiji, Mr. Chairman, the Ministry was mandated by Cabinet in 2011 to undertake work in strengthening Fiji's cyber environment through commissioning of Fiji's Cyber Security Working Group to undertake the role of research and survey with the task of working towards national strategy, policy and legislation. However, the National Security and Defence Council in its meeting on 19th March, 2018, endorsed that the Ministry of Communication was to take on the official responsibility of cyber security, and that the Ministry of Defence and National Security was to provide assistance from the national security perspective.

It is to be noted that the rationale from the decision is within the cyber security space. The major threat at the moment for Fiji has more to do with crimes and not the shutdown of financial institutions, like other bigger and more developed countries. The Committee may be aware that the Cyber Crime Bill is currently in its consultation stage.

The Ministry of Communication works with the European Council on Cyber Convention Committees, which administers the Budapest Convention on Cybercrime. The Convention provides technical assistance to member States, including signatory States; sought assistance, including funding and technical expertise in the implementation of strategies and polices that gives effect to the implementation of the Budapest Convention.

Fiji is on track to acceding to the Budapest Convention with the finalising of the Cyber Crime Bill.

On the establishment of the Online Safety Commission, the Ministry advises that the Ministry of Communication provides advice and responses to the Standing Committee on the progress of Fiji's cyber security platforms, as they are now the mandated Ministry in regard to this agenda.

With regards to the donation of 30 million RMB by the People's Republic of China to the RFMF as outlined on Page 32, Mr. Chairman, the RFMF appreciates the support and assistance provided by its defence partners, like China who had donated 30 million RMB to facilitate the areas of defence co-operation covered under the Memorandum of Understanding between the two countries.

The 30 million RMB donation, plus other grants ensured our attainment of some of the following development assistance that we have received so far:

 \Box *RFNS Kacau* in 2018....

HON. PROF. B.C. PRASAD.- PS, can I just interrupt you and ask a question now so that you can answer it straightaway; you mentioned the Cyber Crime Bill and you said that it is already at the *S/C on FAD Interview with the Ministry of Defence & National Security Officials 7. Monday,*

2nd March, 2020 ------

consultation stage, does the Ministry already have a position on the Cyber Crime Bill? Have you looked at it? Have you made a submission?

MR. M. LESUMA.- We are working with the Ministry of Communication. They have actually sent us the draft and we are providing also our comments from the national security perspective. It is in progress at the moment.

HON. PROF. B.C. PRASAD.- Thank you.

MR. M. LESUMA.- Mr. Chairman, with regards to the relocation of the Naval Base Project, since Fiji's accession to the United Nations Convention on the Law of the Sea (UNCLOS) in 1982, where Fiji's sea boundaries extended from the traditional 14 miles territorial sea to now include 200 miles of the Exclusive Economic Zone (EEZ), this substantial increase puts Fiji's sea area to 1.4 million square nautical miles.

The large sea area and the evolving security landscape have led to an increase in the naval fleet and its capabilities, and there should be a corresponding increase in the capacity of infrastructure to support this. This was the rationale behind the concept to relocate and expand our Naval Base in order to enhance the navy's capacity and capability.

Honourable Chairman, the current location of the Stanley Brown Naval Base at Walu Bay has limited space for possible expansion. As per the 2016/2017 Ministry's Annual Report, the RFMF wanted to look at the possibility of identifying a site for a possible naval base. As part of this plan, a feasibility study of Togalevu Naval Base was being upgraded to support the full naval base with wharves, et cetera. However, preliminary geo-tech survey as reported during this period, recommended that the proposed site would require substantial works to make it suitable.

A further consultation on suitable site was conducted which identified the lower Lead House site at Nakula Street, Lami, to be upgraded. This, Honourable Chairman, was a more suitable location compared to the initial proposed location at Togalevu.

So, the Ministry was provided the capital projects budget to undertake the relocation of the Naval Base in two phases:

1. Phase 1 was the renovation of a temporary location of the 3DP Suva Coastal Radio Station to the existing quarters at the lower lead house in Lami; and

2. Phase 2 was construction of a full facility to accommodate the three essential services of the Fiji Navy and their headquarters.

Honourable Chairman, I am happy to say that Phase I has now been completed and the 3DP Suva Coastal Radio Station are currently operating out of their renovated existing lower lead quarters in Lami, and the implementation of the second phase will be phased out over the next three-year period.

On Question No. 3: What is the crime statistics in the reporting period of 2016/2017 till to date and what are the crime trends - gaps identified as strategies and results to curb crime from 2016 to 2017?

Before you, Honourable Chairman, and the Honourable Members, we have the statistics for your reference. Now, the Fiji Police Force performance is driven by its role and functions set in the Police Act, the Constitution Crimes Act and the Force Standing Order. The overall organisational performance of the Fiji Police Force is measured in terms of 18 KPIs. For the reporting 2016/2017 period till to-date, the Fiji Police Force KPIs record is tabulated before you.

We have a corresponding graph that illustrates the figures that are tabulated before you for the reporting period till the four years, the following was noted:

 \Box The overall crimes decreased by 15 percent;

 \Box Serious crime decreased by 19 percent;

 \Box Crimes against women decreased by 13 percent;

 $\hfill\square$ Crimes against children decreased by seven percent; and

 \Box the number of illicit drugs cases registered shows an increase of 133 percent.

Strategies to curb crime; the key strategies that were implemented by the Fiji Police to reduce crime in this reporting period, included the following:

1. Focusing and prioritising on the Duavata Community Policing through initiatives, such as:

- (a) Know Your Neighbour Concept;
- (b) Catch Them Young;
- (c) Scholastic Programmes;
- (d) Loloma Blue Light Life Skill Edge and School Camp;
- (e) Vueti Ba;
- (f) Follow Your Star;
- (g) Entertainment Policing through Sports;
- (h) Music;
- (i) Religion;
- (j) Vanua;
- (k) Youth; and
- (l) Media Engagements

2. Our strengthening partnership and collaborations with stakeholders, such as the:

- (a) Ministry of Women, Children and Poverty Alleviation;
- (b) Ministry of Education; and

(c) NGOs, faith-based Organisations, Civil Society Organisations (CSOs), including regional and international counterparts.

3. Enhancing police capabilities through Government's provision of resources, such as vehicles, police boats, solar and hiring of drones.

4. Execution of operations nationwide targeting drugs, serious crimes and crimes against women and children, such as:

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- (a) Operation (OPS) Cavuraka;
- (b) Operation Sa Rauta Mada;
- (c) Operation Tatarovi;
- (d) Operation Viribai;
- (e) Operation Gauna ni Marau;
- (f) Operation Tagimoucia, et cetera

5. Strengthening of technological capabilities, such as forensics and DNA.

6. Stringent monitoring and evaluation of police programmes and activities.

On Question No. 2, the follow-up questions from the previous Report on the issue of Critical Asset....

HON. PROF. B.C. PRASAD.- PS, if I can just interrupt you, again, I think just to make it easier for us to ask a question as we go along; just on the crimes statistics, I take it that this statistics is based on the number of crimes reported, it does not say anything about the investigation, the conviction, so these are statistics of crime reported?

MR. M. LESUMA.- Thank you Mr. Chairman, I will ask my colleague from the Fiji Police Force to further elaborate and respond to the Honourable Member.

MR. A. LUTUNAUGA.- Thank you, Mr. Chairman, in response to the question, this is the number of registered cases that have been reported in the 34 Police Stations around the country, registered and the accused have been charged.

HON. PROF. B.C. PRASAD.- So, what you are saying is, all those reported or registered have been charged, not just reported or registered?

MR. A. LUTUNAUGA.- Yes, Honourable Member. Many cases may be reported but these are the ones who have been found to have committed an offence, charged and were produced in court.

HON. PROF. B.C. PRASAD.- So, you do not have statistics on the number reported?

MR. A. LUTUNAUGA.- As this presentation, this does not include the number of cases reported, only the ones that we have registered as criminal cases.

HON. PROF. B.C. PRASAD.- And charged?

MR. A. LUTUNAUGA.- And charged.

HON. PROF. B.C. PRASAD.- Thank you.

MR. M. LESUMA.- Thank you, Honourable Member, for the question.

Moving on to Question No. 2 that was raised to the Ministry with regards to the follow-up questions from the previous Report on the issue of Critical Asset Protection, the Ministry appreciates the Committee's concern on the issue of Critical Asset Protection.

In response the Ministry wishes to update the Committee on the following Policies that are now in place or being reviewed for the protection of critical assets: *S/C on FAD Interview with the Ministry of Defence & National Security Officials 10. Monday, 2nd March, 2020* ------

 \Box The Critical Infrastructure Protection Strategy was endorsed by Cabinet in 2011 which provided the Ministry with the mandate to stocktake critical infrastructure assets; and

 \Box Evaluate protection levels of these assets and make recommendations to Cabinet, with irrespective of asset owners on mitigating any risk that threatens the operations of these assets.

Moreover, the Ministry has finalised and is awaiting the endorsement of the Protective Security Policy that has a physical security component which will provide guidelines for the protection of critical assets.

The Ministry is expected to conduct yearly surveys for these critical assets and appraise the National Security and Defence Council and Cabinet on the reports of these surveys for earlier identification and mitigation of threats. Given the change in security threats, the Ministry appreciates the comments of the Committee on the Critical Infrastructure Protection Policies and we will work on the review of the Critical Infrastructure Protection Strategy, in order to be on par with the changing trends and the advancing technologies.

In terms of licensing and security on conveyance of dangerous goods and explosive, Mr. Chairman, the Ministry advises that the licensing regime for conveyance of dangerous goods and explosives is regulated by the Land Transport Authority (LTA). However, the Ministry is mandated to vet and monitor the security of importation, conveyance and storage of explosives and fireworks and subsequently recommends to the Department of Mineral Resources for the issuance of permits and licences to import.

On Question No. 6: What is the composition of the National Security and Defence Council and what are the activities of the Council?

The National Security and Defence Council (NSDC) comprises of national security and defence related portfolio and associated Ministers. Mr. Chairman, the current NSDC membership comprises of the following, the:

- 1. Honourable Prime Minister as Chairman;
- 2. Minister of Defence and National Security and Foreign Affairs;
- 3. Honourable Attorney-General and Minister for Economy, Civil Service and Communications;
- 4. Honourable Minister for Health and Medical Services;

5. Honourable Minister for Agriculture, Rural and Maritime Development, Waterways and Environment;

- 6. Honourable Minister for Infrastructure, Transport and Disaster Management;
- 7. Commander of the Republic of the Fiji Military Forces (RFMF); and
- 8. Commissioner of Police.

The Permanent Secretary for Defence and National Security is the Secretary to the NSDC.

Mr. Chairman and Honourable Members of the Committee, the functions of the NSDC is:

1. to determine and direct the actions to be taken in relations to defence and national security related issue;

S/C on FAD Interview with the Ministry of Defence & National Security Officials 11. Monday, 2nd March, 2020 ------

2. to provide guidance and direction to government agencies responsible for the maintenance of good order in Fiji;

3. the overall development of military on both traditional and non-traditional military engagements; and

4. the preparations of national level intelligence collections; and

5. to monitor the national security of all Fijians and the impact of ongoing and forecasted possible traditional and non-traditional threats.

Mr. Chairman, moving on to Question No. 7 that was raised to the Ministry with regards to the National Security Strategies and the Defence White Paper for RFMF and the Fiji Police Force, with regards to the National Security Strategy (NSS), the draft NSS has been finalised after two years of consultation and review. The National Security and Defence Council at its meeting held in November 2019, had considered this draft and subject to consultations with the Office of the Solicitor-General. The NSS is currently being vetted by the Office of the Solicitor-General before it will be submitted to the Council for endorsement, and further to Cabinet prior to its launching.

With regards to the Defence White Paper for RFMF and the Fiji Police, the Ministry of Defence and National Security in its 2019 and 2020 Operational Plan anticipates that the first draft for both, Defence and Police White Paper will be formulated before the end of the current financial year. It is envisaged that the passing of the National Security Strategy (NSS) will provide a useful context to this work into the 2020-2021 financial year.

Mr. Chairman, moving on to Question No. 11 that was raised to the Ministry on Page 38, in regards to the variance of \$3 million existing between the Integrated Border Management System (IBMS) and FMIS General Ledger and the next question is on Question No. 12 with regards to the detail listing of work permits holders equating to the security bond of \$25,215,349 not being maintained by the Department of Immigration; if I may, Mr. Chairman, I request that my colleagues from the Department of Immigration address the two questions and elaborate more on the issues and concerns that are being raised by the Committee.

MS. L. SAUMAKA.- Thank you, PS. Mr. Chairman and Honourable Members, on Question No. 11, I think it is proper that I explain the two systems – the Integrated Border Management System (IBMS) and the Financial Management Information System (FMIS).

The IBMS is a software used by the Department of Immigration for all immigration processes, supported by Informatics, a company from Sri Lanka. On the other hand, FMIS is the system provided by the Ministry of Economy for all Government financial activities, and used by all Government Ministries and Departments.

The variance reported was due to the receipt of payments of all immigration processes received from our Foreign Missions and from our Consular Offices through the Ministry of Industry, Trade and Tourism. All these payments were posted directly by the Department of Immigration's FMIS revenue allocation.

However, the Department of Immigration's standalone system, the IBMS, only records payments of all applications registered using our software at our local stations in Fiji. This has resulted in the variance reported. Moreover, manual receipts are issued for those applications received during power outage or network downtime, which also contributes to the variance. *S/C on FAD Interview with the Ministry of Defence & National Security Officials 12. Monday, 2nd March, 2020*

The Department of Immigration has managed to identify solutions within, and we are currently working with the service-provider, Informatics, to factor both, manual and system receipts with a provision to be created in the IBMS to cater for all payments effective from 1st August, 2019. Furthermore, we have also liaised with Informatics on the IBMS to cater for all immigration-related revenue received from our Foreign Missions.

Moving on to Question No. 12, a security bond is an amount paid by either a permit holder or the company which equates to one-way economy class travel to country of origin, should they breach their permit conditions and the company feels to repatriate them.

The Department of Immigration has maintained a detailed listings on a manual register to update all bond fee records, receipts and refunds, however, we failed to maintain a database in excel sheet to record the same. This would ease the equating of the detailed listing and the spreadsheet.

Honourable Chairman and Honourable Members, we have commenced with the updating of the database with effect from 25th January, 2019 for the period 1980 to 2008, and we are still continuing from 2008 to January 2019. We are still working on that as backlog for the time being. However, from February 2019 to date, the record has been updated.

The second part of the question, where is the money being held in trust; currently the trust fund is deposited in two commercial banks, Westpac and HFC Bank.

PROF. B.C. PRASAD.- Mr. Chairman, a quick question. Thank you for that answer.

What you are saying is that, the bond which I understand is refundable to the companies or the individuals, is paid at the end of their permit.

MS. L. SAUMAKA.- Yes.

PROF. B.C. PRASAD.- So the question is, how much do you refund? Is there a process of refund? If this is in the trust accounts with these two Banks, then what does that mean to the Department of Immigration?

MS. L. SAUMAKA.- Thank you, Sir. The second part of the question as to why do we have two bank accounts, last year in August, we transferred part of the bond trust to HFC, the reason being HFC is giving us three percent annual interest whereas Westpac is giving us 0.1 percent. Some of our Offices around the country do not have access to HFC Bank and that is why we still maintain Westpac. We are using Westpac Bank as our revolving account for now. We make withdrawals for their fare to be paid from this Westpac account but we make HFC as our deposit account for the long term.

For your other part of the question on this Trust Fund, they are used for airfares of those who have breaches, as I have mentioned, or those who have completed their term and they are equated to 50 percent of their one way back to their country.

HON. PROF. B.C. PRASAD.- Can you give some indication as to the volume of these refunds and breaches? How regular is it? How often is it?

MS. L. SAUMAKA.- Can we get back to you on that question, Sir? S/C on FAD Interview with the Ministry of Defence & National Security Officials 13. Monday, 2nd March, 2020 -----

MR. M. LESUMA.- Honourable Chairman, in regards to the SDG-related questions for the Ministry to provide gender statistics for males and females recruited and employed by the Forces from the period of 2015, 2016 and 2017 and are there plans to promote women to senior positions; for the RFMF, there is currently 250 women out of the total of 3,549 personnel in the RFMF. The female strength in the RFMF is currently eight percent of the total force, and the RFMF is working towards increasing this percentage to 15 percent, to ensure our compliance to the UN peacekeeping requirements.

Promotions within RFMF is based on merit, irrespective of gender. On the same note, the RFMF is pushing for promotions of women in Senior UN Staff positions, for example, Lieutenant Colonel Silipa Vananalagi, who was the Chief Military Planning Officer for UNDOF Mission from 2018 to 2019.

As for the Fiji Police Force, Honourable Chairman, the Fiji Police Force is an equal opportunity employer that values and strives for equal participation of both, males and females in the workforce. The organisation employs both, sworn and unsworn officers, meaning police and civilian staff, whose conditions of employment are embedded under Section 129 of the 2013 Constitution of the Republic of Fiji.

From the period of 2015 to 2017, the Fiji Police Force recorded the gender statistics tabulated before you. In 2015, there were 3,233 male and 945 female officers. In 2016, there were 3,180 male and 919 female officers. In 2017, there were 3,388 males and 970 female officers.

The Fiji Police Force restructure and reform provides an opportunity for women officers to apply for senior positions in the organisation. However, the Fiji Police Force's policy on promotion is, again, merit-based, which means that an officer is to meet the minimum qualification requirements to fill a senior position and rank.

Since the tabling of the 2016/2017 Ministry of Defence Annual Report, the Fiji Police Force currently has two women in the command group as Directors, one of which is seconded to the United Nations as Commissioner of Police in South Sudan. Furthermore, we have three female Deputy Directors in Forensics and Criminal Investigations and Corporate Services portfolio.

In 2018, Honourable Chairman, one female cadet officer was commissioned as an officer after graduating from the Commissioner of Police Cadet Programme. The same officer is currently pursuing Masters of Policing Programme at the University of China. Furthermore in 2019, three more female cadets were commissioned as Officers. All these women officers have been earmarked for leadership positions in the Fiji Police Force.

Mr. Chairman, for last year, the Fiji Police Force received further leadership training for women officers with the Pacific Faculty of Policing (PFP) at the Australian Institute of Police Management with the intention of progressing them into leadership roles within the organisation.

Five female senior officers have completed the training, and another five female senior officers are earmarked for the same training this year.

As far as plans to provide women into senior positions, the Fiji Police Force has always provided opportunities and prospects for women to progress into senior positions, but we wish to highlight that such progression must be done so through merit.

On the second question that was raised – how does gender parity affects Fiji in terms of its UN Peacekeeping contribution and the composition of Forces and Force development moving *S/C on FAD Interview with the Ministry of Defence & National Security Officials 14. Monday, 2nd March, 2020*

forward from the reporting period till 2020 and beyond; Mr. Chairman, the United Nations' mandate under the United Nations Security Council Resolution (UNSCR) 1325 on Women, Peace and Security, recognises the importance of women participation in peace operations. The UN has seen the women are active agents of peace in conflict situations. This Resolution allows Fiji to participate equally in peacekeeping contributions by ensuring that the 15 percent women quota is met.

With regards to the RFMF, RFMF takes this UN requirement seriously as evident in the increase in female recruitment and the enlistment since the reporting period. The Committee may also have noted that the first-ever recruitment of women in the Fiji Navy. Additionally, the Fiji Navy is continually increasing its vessels capability to ensure that it is also user-friendly for female naval personnel.

However, the difficulty encountered by the RFMF is the lack of women that hold middle management positions or Senior and CO's level. This retention of female in the RFMF is a challenge, as a good number of women who were enlisted leave the Force due shifting priorities, such as family commitments.

Mr. Chairman, with regards to the Fiji Police Force, the UNSCR 1325 also extends to the Fiji Police Force by ensuring that the 15 percent quota is met for its deployments. It is through this Agenda that the Fiji Police Force has taken an initiative to conduct an All-Female United Nations Selection Assessment and Assistant Team, to select suitable and qualified candidates for peace operations. The Fiji Police Force has also maintained a 20 percent female composition in all its peacekeeping missions.

In the UN Security Council Meeting on 11th April, 2019 on the topic of Women in Peacekeeping, Fiji's Permanent Representative to the United Nations, Mr. Satendra Prasad, noted that the women currently make up 21 percent of the UN Staff POs and 51 percent as

individual police officers who are IPOs. This indicates Fiji's gender equality commitment, as far as UN Peace Operations is concerned.

To date, there are 16 female officers serving in the Mission, while one is seconded to the UNPOL as Police Commissioner in South Sudan. The Fiji Police Force is currently putting plans in place to prepare all female from the Police Unit, to be deployed to the UN Mission as required by the UN through the commitment made by the Fijian Government.

Moving on to the next question on the RFMF, to confirm when was the last time the RFMF Annual Report was submitted to Parliament; the RFMF is currently, at this point in time, working backwards from 2019 to compile its Annual Reports and have yet to submit these to Parliament.

HON. PROF. B.C. PRASAD.- PS, again, I think the question is pretty simple, which says, when was the RFMF last submitted an Annual Report? Can you tell us, since when the RFMF has not provided Annual Reports?

MR. M. LESUMA.- Through you, Mr. Chairman, with regards to the question that was raised, there has not been any Annual Report that has been submitted. We have the Chief of Staff who can probably further elaborate on that but currently, we are now working on the 2019 Annual Report as we speak.

HON. PROF. B.C. PRASAD.- I think you are still not answering the question. When was the last RFMF Annual Report submitted? *S/C on FAD Interview with the Ministry of Defence & National Security Officials 15. Monday, 2nd March, 2020* ------

MR. M. LESUMA- Through you, Mr. Chairman, like I have mentioned earlier, Honourable Professor Prasad, we have not submitted any report.

MR. CHAIRMAN.- He did earlier mention that they have never done that.

MR. M. LESUMA.- Thank you. Moving on to the next question, Mr. Chairman and Honourable Members of the Committee, advances in ending violence, promoting the rule of law, strengthening institution and increasing access to justice are uneven and continue to deprive thousands of Fijians, the security rights and opportunities and undermine the delivery of public service and broader economic development, the renewed efforts are essential to move towards the achievement of the SDG 16. What has the Ministry done to eliminate these problems?

As entrenched in the SDG 16, Mr. Chairman and Honourable Members, the Ministry, including the Forces, is obligated to promote a peaceful and inclusive society for sustainable development, provide access to justice for all and also build effective, accountable and inclusive institutions at

all levels. The Ministry and the two Disciplined Forces are continuingly progressing and aligning itself with the United Nations Convention on SDG16, has created policies to ensure that the delivery of services is not undermined.

Stringent measures and abidance to institutional policies are tools for ensuring gender equality and the elimination of violence at all levels. Mr. Chairman, policies such as the No Drop Policy, the Use of Force Policy, the Zero Tolerance Policy and the Gender-Based Violence Policy, are put in place as a guideline for transparency and accountability in pursuing justice and strong institution.

For the RFMF, Mr. Chairman, the following initiatives, policies and programmes are being introduced and implemented in realising SDG 16. These are the review of the Military justice which ensures that:

 \Box service personnel within the RFMF have access to an updated fair and impartial justice and redress system;

 \Box the women peace and security in Fiji;

 \Box RFMF and the Ministry are continuingly progressing the obligations and commitment under the UNSCR 1325;

□ key deliverables are attest to this include the increase in female recruitment and intake;

 \Box establishment of gender advisory network; and

 \Box training provided for gender advisors and women holding key positions within the two Forces both, in Fiji and the Missions abroad.

□ Zero Tolerance Against all Forms of Violence Policy with both Forces; and the CEA combat.

Enhancing the institution's capabilities in infrastructure, equipment and manpower are as follows. As for infrastructure, Mr. Chairman, the development of Blackrock Peacekeeping and

Humanitarian Assistance and Disaster Relief Camp with the assistance of the Australian Government; the upgrading of the Stanley Brown Wharf at Walu Bay; and the proposed development *S/C on FAD Interview with the Ministry of Defence & National Security Officials* 16. Monday, 2nd March, 2020

of the Marine Essential Services Centre for the Fiji Navy, which I had alluded to earlier, which has also accommodated the relocation of the 3DP radio station.

Mr. Chairman, with regards to equipment; the enhanced capacity of the 47 specialised military vehicles and *RFNS Kacau* and *RFNS Volasiga*, the Naval Vessels, and the specialised hydrographic equipment.

With regards to the review of the RFMF Act, Cap. 81, these are, again, indications of our compliance with regards to the SDG 16.

With regards to the Fiji Police Force (FPF), they are currently reviewing the Police Act and this will ensure relevance to the evolving security landscape and bolster gender mainstreaming of institutional policies, legislations and programmes at all levels of the organisation.

Moreover, the FPF is currently undergoing restructure and reform which is rolled out for the next five years. This will lead to the increase of human resources, ensuring that all police stations, particularly police posts, are fully manned, providing quality delivery and service to the community. Additionally, the FPF capabilities, infrastructure, mobility and logistics which are also part of the restructure and reform programme will ensure the establishment of 20 new community posts in remote and isolated maritime areas to allow communities to access to justice.

On Question No. 5: Can the Ministry provide specific statistics on sexual harassment and sexual assault complaints from with the FPF and RFMF, and their outcomes? The RFMF has a strict Sexual Harassment Policy with zero tolerance. Any case of sexual harassment will be dealt with by the Military justice system. The RFMF has had no cases of sexual harassment during the reported period. The only serious case of this nature was a rape case in 2018, and the perpetrator was sentenced to 10 years imprisonment by Court Martial.

The FPF also has a stern Sexual Harassment Policy which was endorsed in 2016. This ensures that all sexual harassment-related cases are dealt with internally by the FPF, the Internal Affairs Unit.

Statistics on sexual harassment for the period of 2017 to 2019 are outlined or tabulated before you. In 2017, there were three in total, two are still pending in court, and one was dealt with. In

2018, there were also three cases, two are still pending in court and one has been filed. In 2019, there is one currently pending in court.

Moving on to the next question. What kind of psycho-social support is available for Police and Army personnel, and also their families? The RFMF and the FPF currently access the psychosocial services provided through the Ministry of Health and Medical Services.

In addition, the establishment of the Office of the Force Chaplain for both, the RFMF and FPF provides another avenue for psycho-social support through counselling. The main activities of these Units include:

□ visitations to family members whose spouses are deployed in Mission areas or tour of duty;

 \Box visitation to members of the organisations who are sick; and

 $\hfill\square$ visitations to officers who have been interdicted.

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The Unit also conducts awareness programmes and fellowship gatherings for the respective organisations.

Apart from counselling and chaplaincy services, the two Disciplined Forces have welfare mechanisms that reach out to service personnel for medical assistance, monetary payouts to spouses in instances where an employee has passed on, and also provide health and wellness infrastructure, such as gymnasiums for physical and mental stress therapy.

The Disciplined Forces also have measures that provide therapeutic atmosphere for relaxation where service personnel can meet after a long day's work.

The Ministry has plans to look into the establishment of a joint psycho-social support services that will specifically be accessible to the two Disciplined Forces. The RFMF is currently in discussion with the New Zealand Defence Force for provision of some of these services and the Fiji Police Force is also pursuing to secure the services of a fulltime physiotherapist and a psychologist to address issues relating to the nature of policy.

That concludes the questions, Honourable Chairman and Honourable Members of the Committee on our responses on the questions that were raised to the Ministry with regards to the 2016/2017 Annual Report that was just recently tabled in Parliament. Thank you, Honourable Chairman.

MR. CHAIRMAN.- Thank you, PS, and your Team for the very concise answers that you have supplied for the substantive questions we have raised. Time is up against us. If we do have any pressing questions, we will certainly get back to your Team, PS, and I wish to say thank you once again.

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

MR. M. LESUMA.- Thank you. Just a guidance from you, Honourable Chairman, with regards to the Treaties, are we will be touching on the Treaties after this?

MR. CHAIRMAN.- Yes, immediately after this, we will have the other officers come in and we will run through the Treaties.

MR. M. LESUMA.- Thank you, Honourable Chairman.

MR. CHAIRMAN.- Thank you.

MR. M. LESUMA.- We can only ask for the Officers from Immigration to be excused for other next session, Honourable Chairman.

MR. CHAIRMAN.- Honourable Members and submittees, we will take a short break before we get on to the next session. Thank you.

The Committee adjourned at 2.42 p.m.

The Committee resumed at 3.05 p.m.

Ministry of Defence and National Security

- 1. Mr. Manasa Lesuma Permanent Secretary
- 2. Mr. Joji Dumukuro Manager Police
- 3. Mr. Eroni Rokisi Senior Admin Officer Defence and Police

Republic of Fiji Military Forces

- 1. Mr. Viliame Naupoto Commander Viliame Naupoto
- 2. Captain John Fox Chief of Staff

Fiji Corrections Service

- 1. Mr. Apakuki Qura Deputy Commissioner
- 2. Ms. Salasia Racaca Assistant Commissioner Corporate Services
- 3. Ms. Rada Bainivalu Legal Officer
- 4. Mr. Samisoni Naba Legal Officer
- 5. Mr. Aisea Vucago Chief Correction/Legal Officer

MR. CHAIRMAN.- Welcome, Honourable Members, members of the Media and members of the public who are listening in, especially those listening in on the Walesi Platform or through *Facebook* at this afternoon's live broadcast session.

Welcome Commander Naupoto and the Team. Welcome, again, PS for Ministry of Defence and National Security and also the Fiji Police Force, as well as the Fiji Corrections Service. Without further ado, Sir, we could start off, PS, if you can commence this afternoon's session. Thank you very much.

MR. M. LESUMA.- Mr. Chairman and Honourable Members of the Committee, firstly, I would like to introduce my Team this afternoon.

(Introduction of Team by PS)

Mr. Chairman, with regards to the Three Treaties on the Prohibition of Nuclear Weapons, the ILO Violence And Harassment Convention 2019 and the ILO Protocol of 2002 to the Occupational Safety and Health Convention 1981, the Ministry, including its line agencies - the Republic of Fiji Military Forces (RFMF), the Fiji Police Force (FPF) and also as you are aware that the Fiji Corrections Service (FCS) which apparently is not under the Ministry of Defence but are also seated before you this afternoon. I have prepared submissions on the request of the Standing Committee as per 25th February, 2020 correspondence.

Now, the three proposed Treaties and Conventions have been reviewed from a national security perspective and the scope of our review has been focused on the intention of the proposed Treaties. The Standing Committee may be aware that the Treaty on the Prohibition of Nuclear Weapons is the Ministry's prompt Treaty, as it falls within the purview of the mandate given to the Ministry and its line agencies. So, the provisions of the two ILO International Instruments have a degree of significance to the Ministry and its respective line agencies and its roles. Our joint submission is provided for these two ILO Instruments that will be presented by the respective Heads of the Institutions, limited to its relevancy and implications to their respective roles.

Mr. Chairman, with your indulgence, I would like to request the Manager Police to briefly present to you the first Treaty before we will then ask the Commanding Officer for the RFMF, likewise with the FPF and the FCS to present their submissions this afternoon.

MR. J. DUMUKURO.- Thank you, Mr. Chairman and Honourable Members. My presentation today is on the Treaty on the Prohibition of Nuclear Weapons. Of course, the scope of my presentation covers the United Nation Security Council 1540, the status of the Prohibition of the Nuclear Weapons Treaty and, of course, the Treaty itself. The last slide is why Fiji should ratify this particular Instrument.

Mr. Chairman, I believe you may recall last year, I had presented the UN Security Council 1540 which pretty much is interconnected with the Treaty on the Prohibition of Nuclear Weapons. The UN Security Council 1540 relates to the non-proliferation of weapons of mass destruction and their means of delivery in particular, to prevent the spread of weapons of mass destruction to non-State actors or for terrorist purposes, and this includes chemical and biological counter terrorism and, of course, nuclear weapons.

Fiji's status on the Prohibition of Nuclear Weapons (TPNW); Fiji signed the TPNW in September 2017, and we are now in the process of ratifying the Treaty. So, Fiji was actually active in the final negotiation of the Treaty which came into force in 2017.

After depositing the Instruments of Ratification, Mr. Chairman, we will, of course, scout for model law that would enable us to enforce appropriate obligations and other effective measures to prevent the proliferation of these weapons, including fissile material through transit and transhipment process.

Mr. Chairman, let me present to you Article 1. We have actually listed down most of the significant Articles under the Treaty that is more relevant to Fiji.

Under Article 1, member States are required to put in place mechanisms to prohibit the development, testing, production, manufacture, acquisition, possession, stockpiling, stationing, transfer, receipt, control of, use and threat of use of nuclear weapons and other nuclear explosive devices.

Mr. Chairman, Article 3 relates to those member States who do not possess nuclear weapons, to maintain the existing of International Atomic Energy Agency (IAEA) safeguards. They have already done to include with the IAEA and bring into force a Comprehensive Safeguards Agreement.

Mr. Chairman, Fiji had actually ratified the IAEA Instruments in 2012 and we have been accessing some of the technical assistance through this peaceful use of nuclear materials in the areas of health, agriculture, environment and disaster. We have been very supportive of this peaceful use of nuclear technology and also other applications.

Under Article 6, the Treaty on the Prohibition of Nuclear Weapons, Fiji was instrumental in the inclusion of this particular provision in the final negotiations. There has never been a disarmament treaty which incorporates the compensation provisions for those who are actually affected by the use of nuclear weapons. So, basically, Fiji, apart from other countries, had actually lobbied for these particular provisions, given the fact that we had actually paid out medical assistance to Christmas Island Veterans in 2013. So basically this is where we actually formed the basis of our negotiation.

Mr. Chairman, under Article 17, the Treaty shall not be subjected to reservations. Sometimes some of these disarmament Treaties, we hold reservation on some of the Articles but for this particular Treaty, there is no reservations so that is why we fully support.

Why Fiji should ratify this particular Instrument? We have been consistent with our positions on other related nuclear disarmament Treaties. Let me remind this forum that we are a party to the Treaty on the Non-Proliferation of Nuclear Weapons (TNPNW) and we have joined that in 1972.

The TNPNW actually provides Member States to prevent the spread of nuclear weapons, add weapons technology and on the flip side to promote cooperation in the peaceful uses of nuclear energy with the view to achieving nuclear disarmament.

The other Instrument is the Comprehensive Nuclear-Test-Ban Treaty. Fiji actually ratified this particular Instrument in 1996. This particular Instrument allows Member States to ban all nuclear explosives for both, civilian and Military purposes, and Honourable Chairman, this refers to nuclear testing.

In terms of our regional obligation, we have actually ratified the Lakatoro Declaration which is an MSG Framework and, of course, the Rarotonga Declaration 1985 which focuses on nuclear free zone in the Pacific. By identifying those Treaties, it would enable us to promote cooperation and strengthen international relations with other State Parties, to ensure a nuclear weapon-free world.

Lastly, Honourable Chairman, given the fact that in order for us to be consistent with our position in terms of supporting some of the nuclear Instruments, we fully support the ratification of the Treaty on the Provision of Nuclear Weapons. That is all, Honourable Chairman. Thank you.

COMMANDER V. NAUPOTO.- Thank you, Honourable Chairman and Honourable Members of the Committee, for allowing the RFMF to make presentations to your Committee. Before I do so, may I take this opportunity to thank you so much for the big work that you do here as Parliament Standing Committee. We watch you from afar and the big work that you do in Parliament. Thank you for the work that you do over here.

We were asked to come in and make submission on the three Instruments. The TPNW, as mentioned by my colleague, and the two ILO Instruments - the Violence and Harassment Convention 2019 and the Protocol of 2002 to the Occupational Safety and Health Convention 1981, I admit that I have not read in detail the three documents. But I have scrutinised the summary that was provided by the Secretariat of your Committee and if I may thank your Secretariat for that summary, as it is a much easier document to read.

The test that we do, Honourable Chairman and Honourable Members, on any Convention or Treaty or any piece of legislation that comes out for review, is that we ask ourselves the question; if this Treaty or Convention or Protocol (which is the case in this deliberation this afternoon) comes into force, whether it will impede the RFMF in performing the role that is designated to us through the Constitution and through the other legal documents? So, if we do the test and test the three Instruments it they are fully ratified, against whether it will impede the RFMF in performing its role.

The answer to that question, when we look at the TPNW, is 'no'. The TPNW will not impede the RFMF in performing its role. We are a small conventional Force. We see ourselves that way all the time here in Fiji with small arms. Likewise, the other two ILO documents - the ILO Violence and Harassment Convention 2019 and the Protocol of 2002 to the Occupational Safety and Health Convention 1981. The RFMF also finds that the two Instruments will not impede the performance of the RFMF and its roles.

Honourable Chairman and Honourable Members of the Committee, to summarise this very short submission, the RFMF has no objections at all. Also, we do not have any proposed amendments to the Treaty. We fully agree that it should be fully ratified. That, Honourable Chairman and Honourable Members of the Committee, concludes my submission and I certainly will be happy to answer to answer any questions. Thank you.

MR. CHAIRMAN.- Thank you, Commander Naupoto. We will move to the next presenter and reserve questions for immediately after that. Thank you.

MR. A. LUTUNAUGA.- Thank you, Honourable Chairman. The responses of the ratification of the Treaties, the FPF fully supports the proposed Treaties and as custodians of the law, it is mandated to operationalise its functions and as stipulated in the Constitution of Fiji and the Police Act (Cap. 85) and all the other relevant legislations in Fiji.

For the proposed Treaties, Honourable Chairman and Honourable Members, the ILO C190 - Violence and Harassment Convention, the FPF strongly supports the ratification of this Convention.

The Force has, over the years, put in place systems and mechanisms with the support of enabling International Conventions similar to this, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the International Covenant on Civil and Political
Rights, the United Nations Convention Against Torture (UNCAT) and national legislations and policies. This is translated into the Constitution of the Republic of Fiji in the form of the Domestic Violence Act, the Juveniles Act, National Mental Health Policy and the Government's National Development Plan.

In operationalising the above, the FPF has policies in place similar to this Treaty. These are:

- □ Gender-Based Violence Policy;
- □ Sexual Harassment Policy;
- □ No-Drop Policy;
- \Box Zero Tolerance Policy; and
- \Box Use of Force Policy.

On the second Treaty, Honourable Chairman, ILO-P155 Protocol of 2002 to the Occupational, Safety and Health Convention 1981, the FPF also strongly supports the ratification of this Convention. As a Department under the Fijian Civil Service, the FPF aligns itself to the whole of Government approach to address OHS procedures.

The OHS Unit, which is a component of our Human Resources Management within the FPF is responsible for all matters pertaining to Industrial Relations, Workmen's Compensation, Injuries and Diseases, Accidents Report and Compliance and Awareness. The ratification of this Protocol will further strengthen our workmen's welfare and safety in the workplace.

On the third Treaty, Treaty on the Prohibition of Nuclear Weapons, Honourable Chairman and Honourable Members, the FPF also strongly supports the ratification of this Convention. With the mandate to provide safety and security for all Fiji citizens, the FPF fully conquers with the RFMF submission and the Ministry of Defence's submission, particularly in the Treaties that we have discussed.

In concluding, Honourable Chairman and Members of this Committee, the FPF fully supports the Ministry's recommendation that Fiji ratifies the above Treaties without reservations. That is the end of my submission, Honourable Chairman.

MR. CHAIRMAN.- Thank you, SSP Aporosa Lutunauga. I now give the floor to our Official from the Fiji Corrections Service (FCS).

MR. A. VUCAGO.- Thank you, Honourable Chairman and Honourable Members. Before I proceed, I would like to take to take this opportunity to convey our appreciation for the invitation to be here this afternoon to make submission on the three very important international laws.

Although we were given a short period of time to prepare our presentation, nevertheless we are humbled and privileged to be here this afternoon to make a submissions.

With your indulgence, Honourable Chairman and Honourable Members, I would like to introduce our Team from FCS.

(Introduction of Team by Mr. A. Vucago)

Honourable Chairman and Honourable Members, the presentation is on the screen but we will provide a explanation on our position on the ratification with reservations or not on the three international laws.

The impact of nuclear weapons in Fiji and the Pacific and around the world can create irreversible unmatchable destruction. It has a devastating effect on vulnerable countries and it also contributes to climate change. As we understand Fiji is at the forefront of the fight against climate change and the use of nuclear weapons has a propensity to alter global climate and gratifying the prohibition on the use of nuclear weapons will strengthen Fiji's position in imposing in the fight against climate change.

While we sit and discuss on the ratification of this Treaty, Fiji has, in the past, been a party to other international laws that oppose the use of nuclear weapons, one of which had been alluded to by our colleague, the Treaty on the Non-Proliferation of Nuclear Weapons 1972, the Comprehensive Nuclear-Test-Ban Treaty 1996 and, of course, the Rarotonga Treaty which bans the manufacture, possession, stationing and testing of any nuclear explosive device in member territories for which they are internationally responsible. It also bans the dumping of radioactive waste at sea.

In ratifying this international law, Fiji strengthens its position in opposing the use of nuclear weapons in Fiji, in the Pacific region and around the world.

The reasons for the Fiji Corrections Service supporting the ratification of the Treaty is that:

 \Box It will ensure a safe and secure environment.

 \Box It will prevent the use of nuclear weapons.

□ It reinforces the Comprehensive Safeguards Agreement.

 \Box The International Atomic Energy Agency (IAEA), who is tasked with the monitoring and inspecting countries with nuclear materials will ensure that they are not used for other purposes other than for peace.

 \Box It also allows member countries to ensure that they do not abuse or misuse the nuclear materials in their possession for massive destruction.

 \Box State Parties can also access international assistance to fulfil its obligation under the Treaty, as has been alluded to earlier. The Veterans of Christmas Island have been compensated for being exposed to what occurred in Christmas Island. So member countries can have access to be compensated for any setbacks that maybe faced through the collaboration of atomic energies.

□ Promotes co-operation and strengthens international relations with other member States. International cooperation between member States towards nuclear security can prevent a non-member State in nuclear materials or purposes of mass destruction or terrorist organisation from using nuclear material or other radioactive material, or the use of nuclear materials against civilians that can be enhanced with the support of IAEA and the United Nations.

International Labour Organisation on Violence and Harassment Convention 2019; for the information of the Committee, we have a little reservation, although we support the ratification of the International Labour Organisation Law on Violence and Harassment. The International Labour Organisation would not have come at a greater time, given the recent past history of Fiji having workers exploited, harassed and workers been often subject to violence at the workplace.

The Fiji Corrections Service submits before the Standing Committee that even though we support the ratification of the Treaty, we have reservations on some parts of the application of the Treaty and that is, the application of the provision of the protocol should not extend to apply to security services.

The environment where Disciplined Services, especially where the Correctional Services personnel work in, demands strenuous physical and mental training which may, from the outset, be regarded as harassment, if the intention and purpose of such training is not well understood. This is, of course, to prepare and equip correctional personnel acquire the necessary mental and physical ability to enable them to be steadfast in the rest of the situation, while in the face of danger. It also allows personnel to utilise their capabilities and as such, optimise their productivity.

Members of the Discipline Services, if I may speak, let me speak on behalf of our brother Discipline Services, must not, therefore, be held liable and should be immune from any form of liability emanating from the course of facilitating training or course of instruction.

Mr. Chairman, on the Protocol to the Occupation Safety and Health Convention 1981, the International Labour Organisation Protocol 2002 is one of much needed Protocol and we submit that this will further strengthen our national laws with regards to the safety and health of workers.

The Protocol facilitates the publication of national statistics concerning occupational accidents, occupational diseases and as appropriate, dangerous occurrences and accidents as stipulated in Article 6 of the Protocol. We submit that this will have a positive impact on employers, policy makers to provide a healthy and safe environment working conditions to workers.

We agree that we must fully ratify the Protocol, to ensure that workers are protected from sickness, disease and injury arising out of their employment. This is to ensure that workers are well looked after by their employers.

The ratification of the Convention at this time will to demonstrate Fiji's commitment to occupational health and safety in international forums. This will also further indicate Fiji's determination to improve our occupational safety and health in workplaces.

We submit that the annual publication of national statistics concerning occupational accidents, occupational diseases and as appropriate, dangerous occurrences and accidents will also improve the standard of the occupational safety and health of any workplace and will only make us grow better. This will also ensure that employers seek solutions of occupational accidents and occupational diseases.

The periodic review will then highlight the resolutions that have been undertaken with regards to the challenges faced by employers in compliance of the occupational health and safety of any given workplace. It will reflect on the compliance of the employer to our current laws, such as the Health and Safety at Work Act 1996 and Employment Relations Act 2007, to name a few. This Protocol will show the international forum that we are committed and determined to comply with the current laws.

The Fiji Corrections Service agrees that the State should fully ratify the Protocol of 2002 to the Occupational Safety and Health Convention.

Mr. Chairman, to conclude, Fiji Corrections Service recommends ratification without reservation on the:

□ Treaty on the Prohibition of Nuclear Weapons; and

□ International Labour Organisation Protocol of 2002 to the Occupational Safety and Health Convention 1981.

However, the Fiji Corrections Service recommends the ratification with reservation, the application of the International Labour Organisation Violence and Harassment Convention 2019 for reasons that I had mentioned earlier.

Thank you, Mr. Chairman and Honourable Members. That is the presentation from the Fiji Corrections Service.

MR. CHAIRMAN.- Thank you, Mr. Vucago. Permanent Secretary, do you wish to comment, if not I will open the floor to questions. Thank you.

MR. M. LESUMA.- Just to conclude, Mr. Chairman, the Ministry and as we have heard from our line agencies, together with the views highlighted today by the Fiji Corrections Service, they have no reservations to the intent and provisions of these Treaties and recommend for Fiji to ratify these Treaties and Conventions. Thank you, Mr. Chairman.

MR. CHAIRMAN.- Thank you, PS. Honourable Leawere?

HON. M.R. LEAWERE.- Thank you ,Mr. Chairman. I would like to thank the Permanent Secretary for Defence for a middle line up this afternoon. We have the Commander of RFMF, the *S/C on FAD Interview with the Ministry of Defence & National Security Officials 25. Monday, 2nd March, 2020* ------

Commissioner of Police, the Commissioner of Fiji Corrections Centre and these are our officers who will be in the front line in terms of security. Thank you very much for this afternoon.

I have a very simple question in terms of slip off. When warships are berthing at the wharf and in case of some accidents, in terms of security of our people, do they inform that they have some arsenal on board that can probably jeopardise the lives of our people? That is the question that I would like to pose. Thank you, Mr. Chairman.

COMMANDER V. NAUPOTO.- Thank you, it is a very good question. Understanding the way our trade when it comes to ships that berth, before they arrive, I think there is a certain time where they will have to inform in advance the cargo they are carrying, so that information is supposed to be with relevant authorities.

We, in the Military through the Fiji Navy, track very much the movement of vessels that come. The information on the cargo, I think, is with Fiji Ports through their agent. If there is a ship with some mishap at the wharf and it is sinking, the cargo inside should be known already as to what is still in and what is being taken ashore. If it has some toxic material and if there is a request, they certainly do let us know very quickly if we can come in and help.

MR. CHAIRMAN.- Honourable Professor Prasad?

HON. PROF. B.C. PRASAD.- I think it would be kind of follow-up from Honourable Leawere but my question to you, Commander and perhaps to the FPF as well, my understanding is that, if we ratify this Treaty, obviously there are ships with nuclear propulsion systems. If we ratify this, does it mean that ships with any kind of nuclear propulsion system would not be allowed into our ports? Is that your understanding or do you still feel that, for example, if our partners have nuclear propulsion systems and the ships are coming through our ports, would they be allowed under this Treaty?

COMMANDER V. NAUPOTO.- Thanks. My understanding is that, the Treaty is on nuclear weapons. It is really a ban on nuclear weapons, not on nuclear power, generally speaking.

My understanding of the Treaty is that, if there is a vessel that comes in is nuclear-powered, I think it is alright. I think it is a Treaty that we are ratifying to say that we will not have nuclear weapons, to put it simply, I think if I read it correctly. Thanks, Sir.

MR. CHAIRMAN.- Thank you. Honourable Dr. Salik Govind.

HON. DR. S.R. GOVIND.- Thank you, PS and the Team. My question is to the FCS. The Protocol of 2002 to the Occupational Safety and Health Convention 1981, I think you have said that FCS has some reservations about ratification. What is that reservation?

MR. A. VUCAGO.- Thank you, Honourable Member. As I alluded to earlier, the environment that we work in demands a lot. People with potential, personnel with potential, personnel who are assertive, authoritative, the capability to work in such an environment and for them to be able to do so, they would need to undertake trainings - strenuous training, vigorous training, a training that would compel them beyond the limits.

facilitated and that is, to train people to be physical and mentally ready to carry out their work, reflecting on the environment they work in.

As we know, in the corrections environment, we deal with a whole lot of offenders from rapists, murderers and we need to prepare our officers to face people with that calibre and what better way to do it, is to train them in such a way so that they can withstand whatever comes from the calibre of people they face everyday. Thank you, Honourable Member.

MR. CHAIRMAN.- Honourable Professor Biman.

HON. PROF. B.C. PRASAD.- Just a minor point. Are you suggesting that some current laws, for example, Sexual Harassment Policy and others, is hindering that kind of trainings or do you think if this Protocol comes into effect or if we sign, then it is going to, or some of the existing laws or policies already affect what you were saying?

MR. A. VUCAGO.- Thank you, Honourable Member. The reason why we have reservations, we are not for, we do support the ratification but we have reservations on a few provisions that apply under the Convention, that we feel would be an impediment on how we train our officers, impediment on how we prepare our officers in doing the work they will be expected to carry out. Thank you, Honourable Member.

MR. CHAIRMAN.- Thank you, Mr. Vucago. Any further questions from the floor?

HON. M.D. LEAWERE.- Probably, the last question from me. I believe that the FPF is tasked under the Police Act, to maintain law and order. How are they putting their resources together with the Military in terms of training and expertise in case of mishap or threat in terms of the security of the nation?

COMMANDER. V. NAUPOTO.- Thank you, Honourable Member. We work very closely with the FPF. They have their own level of expertise that they train with that they bring. We also have our own level of expertise, that is, with RFMF.

The way we work is this, when they need us, they know that we are available to them 24 hours a day. So, when there is a set of expertise that is not with them that we have, we certainly make it available to them so that we can tackle the situation at hand very quickly. That is a way we cooperate with the Police. We are available to them 24 hours a day and as I said, there are some expertise that we have that they do not have. When they need it, we make it available to them very quickly.

MR. CHAIRMAN.- Honourable Selai Adimaitoga.

HON. S. ADIMAITOGA.- My question is to the FPF, you have 20 percent women component in line with SDG 5. My question is, how can the leadership in the Force ensure there is zero tolerance of violence and harassment in the workplace and amongst families? What are some of the strategies and forward planning initiative in place?

In addition to that, we have our Internal Affairs as a proactive team that goes out to the various Divisions and talking only to Police Officers on issues specifically on Violence against Women

internally and not only in that instant but then it extends to families where we have our quarterly family day. The Police and families having their team bonding and get together on a quarterly basis and these are the platform where we penetrate our awareness sessions as far as respecting women within the Police Force, specifically Women Police Officers and their various families.

HON. PROF. B.C. PRASAD.- Just to follow up, Commander Naupoto, on the answer that you gave to Honourable Leawere, I am just wondering because last year when the RFMF Officers arrested the 16 year old boy for allegedly writing vulgar language against the Honourable Prime Minister, the Commissioner of Police came out and said very clearly that the RFMF had the powers under Section 131(2) of the Constitution to do that. In relation to what you have just said, how does the Police and the Military determine when to evoke Section131(2), to deal with what Honourable Leawere was saying, how do you co-operate? What are the basis on which you decide that this is the Military's role to do that when, in fact, it will actually be the FPF?

COMMANDER. V. NAUPOTO.- Thank you, Honourable Member. For that incident, may be the word 'arresting' is not the right word. We really handed those two over to the Police and the Police had to do their role as policemen and do the necessary investigation, et cetera. It was almost just like a citizen arrest. I think there is that term where when you see an offence that is committed, you can take them and hand them over to the police.

For law and order in Fiji, FPF takes the lead, which is their role. We provide a backup service to them. And as I mentioned before, if they need our help in whatever area that they think is lacking, we provide to them that service if we have to, but they are always the lead when it comes to law and order in Fiji and we play a supporting role to them. Thank you.

HON. M.R. LEAWERE.- Mr. Chairman, this is on the Protocol for Occupational Health and Safety Convention. Should Fiji ratify that, how will RFMF, FPF and FCS include this into their policies and programmes, moving forward? Thank you.

COMMANDER V. NAUPOTO.- Thank you. If I can just kick it off and I speak on behalf of RFMF, we already have OHS policies in place. As we speak, we have OHS Committees in our different workplaces, for example, the Navy, the Engineers. They have their meetings and we get officials from the Ministry of Labour who come and do training for our OHS Committees. So, it is very much in practice right now, and it is something that I, as the Commander, am very happy about, knowing that the work spaces for the people that we employ are safe. They come in and do their service and do it in a safe manner and it is an area that we are very keen to improve. We try and work as hard as we can, to make sure that our workplaces are safe.

MR. A. VUCAGO.- Thank you, Mr. Chairman. The FCS has OHS policies in place. In fact, if I may share this with the Committee, the FCS, amongst the Disciplined Services, was the first to have developed the OHS Policy and practically putting it in place. We have a Unit that looks after occupational health. They go around and conduct trainings and, of course, we have provisions that guide us in our occupational and safety matters. Thank you.

MR. A. LUTUNAUGA.- Thank you, Mr. Chairman, I share the same sentiments with the Commander of the Fiji Military Forces.

HON. S. ADIMAITOGA.- Thank you, Mr. Chairman. I would like to ask this question, how prepared and ready is the Ministry in dealing with aviation disaster in Nadi, in Fiji Waters, and on the fringes of Tongan Waters on the currently disputed Minerva Reef? That is on the Treaty on the Prohibition of Nuclear Weapon.

The Committee understands that vessels and aircrafts that pass through the Fiji Waters and space carrying nuclear material and have nuclear capabilities. My question is; how prepared and ready is the Ministry in dealing with an aviation disaster in Nadi or maritime crisis in Fiji Waters on the fringes of Tongan Waters on the currently disputed Minerva Reef?

COMMANDER V. NAUPOTO.- Thank you. I will give it a go.

If there is an aviation disaster, the lead agency, I think, is CAAF. As usual, the RFMF provides a very quick assistance to them in those aviation crisis and if we can just use that as an example, the planes that crash. We were almost the first ones to the site, try and get things done.

I think one of the beauty about technology now is that when vessels and aircrafts transit the world, there is a lot of advanced knowledge in what they carry and technology allows us to track them right through. So, if an accident happens, the technology allows us to track where they are and secondly, we have prior knowledge as to what they are carrying and that goes for both, ships and aircrafts.

If there is a mishap, as you have mentioned at the Minerva Reef area, from a maritime perspective when there is a mishap as sea, we do not go around asking questions who that area belongs to? Our first response is to go in and save lives. Again, we should have prior knowledge of what that ship is carrying if a ship goes down in that area, so we would not really worry about the border whether it belongs to what country.

Our first response and priority is to really just save lives and we should find from somewhere information that says, that that ship is sinking at this area, has this cargo on board and then the right responses, I guess, can be tapped into with the other expertise and relevant department, I suppose. That is a very difficult question that I have been asked.

MR. CHAIRMAN.- Thank you, Commander Naupoto. Perhaps, if I just may possibly add, there is the mere fact that the Navy has a fantastic nerve centre at Stanley Brown Naval Base which tracks every aircraft and vessel within our EEZ.

Having said that, I take this opportunity to say 'thank you all' once again to our presenters and PS and his Team. If there are some pressing questions that the Committee may think of before writing up our Reports, we will certainly get back to your goodselves. If you have any departing comments, PS, the floor is yours. Thank you.

MR. M. LESUMA.- *Vinaka*, Mr. Chairman and Honourable Members of the Committee, on behalf of the Ministry of Defence and our line agencies, the Commanders and the two Forces, likewise with our colleagues from the Fiji Corrections Service, would like to thank the Committee for the opportunity to make submissions today and, again, our reassurance should there be additional information requested or required by the Committee. We will gladly provide this in due course. Thank you once again.

The Committee adjourned at 3.52 p.m.