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## **STANDING COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS**

### **Review of the Office of the Prime Minister and Department of Immigration 2018-2019 Annual Report**



**PARLIAMENT OF THE REPUBLIC OF FIJI**  
**Parliamentary Paper No. 96 of 2022**

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29 August 2022

*Published and Printed by the Department of Legislature, Parliament House, SUVA*

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## **LIST OF ACRONYMS**

OPM	- Office of the Prime Minister
FID	- Fiji Immigration Department
FMWU	- Fiji Mine Workers Union
MVT	- Melanesian Vasu I Taukei

## CHAIRPERSON'S FOREWORD



The Office of the Prime Minister is primarily responsible for providing sound policy advice and support to the Honourable Prime Minister and his cabinet. The Department of Immigration is mandated in providing efficient and effective immigration service through the administration and enforcement of immigration related laws and international conventions. The Office of the Prime Minister and Department of Immigration engages with international and regional development partners, Civil Society Organisations and the private sector.

The *Office of the Prime Minister and Department of Immigration 2018-2019 Annual Report* was referred to the Standing Committee on Justice, Law and Human Rights for review and for a report on the findings from this review to tabled back to Parliament.

In reviewing the *Office of the Prime Minister and Department of Immigration Annual Report*, the Committee noted that a few of the key achievements were the facilitation of the COP 23 precedence chaired by the Honourable Prime Minister till December 2018. The Department of Immigration successfully embarked on the ePassport project in September of 2018 to allow for a smooth transition to ePassport use in future.

The review also highlighted few pertinent issues which the Committee discussed extensively which is covered in this Committee Report, which include:

- The status of the Vatukoula Gold Mine Strike issue;
- Facilitation of special assignments and projects through the Small Grant Scheme initiative
- Lack of
- Implementation of the Gratuitous Donor Aided Projects
- Efficiency of the ePassport System;
- Weak internal control leading to irregularities in financial reporting.

The Committee was also mindful of the requirements of the Standing Orders of Parliament with respect to the principles of gender equality. It was encouraging to note how the principle of gender equality was reflected in the Annual Report, beginning with one of the vital parts of an institution; the human resource. The office plays a vital role in the oversight of the Governments development plans, which are aligned to the sustainable development goals.

At the conclusion of the review the Committee also provided a few recommendations for consideration by the Office of the Prime Minister and these include:

- In regard to the Vatukoula Gold Mine issue; it was noted that this has been a long-standing issue, and the efforts put in by all the parties involved is duly recognised, but for the purpose of resolving this issue; it is recommended that discussions be reinitiated as soon as possible whereby a settlement is reached that is agreed upon by all parties involved.

- In regard to the non-utilisation of funds from the Rotuma Subvention Fund; the Committee supports the stance by the Office of the Prime Minister, and recommends that adherence to necessary processes in place for submission of financial reports for audit, should be maintained, and monitoring of this should be upheld so as not to affect the release of funds.

I wish to acknowledge the Honourable Members of the Justice, Law and Human Rights Committee, Hon Rohit Sharma (Deputy Chairperson), Hon. Salik Govind, Hon. Mosese Bilitavu, Hon. Mikaele Leawere and former Member, Ratu Suliano Matanitobua for their deliberations and input, the secretariat and the representatives of the Office of the Prime Minister and Fiji Immigration Department for their cooperation, which assisted the Committee in its work.



**Hon. Alvick Avhikrit Maharaj**  
**Chairperson**

## COMMITTEE MEMBERSHIP



**Hon. Alvick A. Maharaj**  
**(Chairperson)**

- Assistant Minister of Employment, Productivity, Industry Relations, Youth and Sports
- Chairperson of Public Accounts Committee
- Government Whip
- Pharmacist



**Hon. Rohit Ritesh Sharma**  
**(Deputy Chairperson)**

- Former Civil Servant – Education Sector
- Deputy Chairperson of the Standing Committee on Justice, Law and Human Rights
- Deputy Government Whip



**Hon. Ratu Suliano Matanitobua**  
**(former Member)**

- Former Shadow Minister for Youth and Sports
- Former State Minister of Fijian Affairs
- Territorial Military Officer – Republic of Fiji Military Forces



**Hon. Dr. Salik Govind**  
**(Member)**

- Public Health Specialist – United Nations (World Health Organisation)
- Deputy Chairperson of the Standing Committee on Foreign Affairs and Defence Committee



**Hon. Mosese Bulitavu**  
**(Member)**

- Shadow Minister for Defense, National Security, Immigration and Correction Services
- Former Opposition Whip
- Business Consultant/Farmer
- Territorial Military Officer – Republic of Fiji Military Forces
- Law Graduate and Researcher

## **COMMITTEE SECRETARIAT**

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## 1.0 INTRODUCTION

The Standing Committee on Justice, Law and Human Rights was referred the *Office of the Prime Minister and Department of Immigration Annual Report 2018-2019* on 7 February 2022 to review and report back to Parliament on its findings. As part of its review the Committee conducted its own deliberation on the Annual Report and identified key points that was sent for clarification to the respective offices.

### 1.1 Review Process/Program

The Committee began its review of the Annual Report in June 2022. The review process adopted by the Committee was agreed upon through consensus by the Members and a summary of this is as follows.

#### i) Initial Analysis of the Annual Report

The Committee began with an initial reading of the Annual Report and had discussions on matters that were noted by individual Members. From these discussions, a variety of issues were identified, which the Committee resolved needed clarification and further discussions.

#### ii) Identification of mode of public consultation

The Committee then discussed, which mode of public consultation would be suitable for the review. The Committee resolved to rely on one main mode of public consultation, which is to send questions, via written correspondence, to the OPM and FID and seek a response, within a given timeframe.

#### iii) Review of evidence (response) received from the OPM and FID

The Committee sent a set of issues, which were in the form of questions to the OPM and FID and which were responded to accordingly. The response was reviewed, whereby the Committee had extensive discussions on the response to each question posed.

#### iv) Drafting of Committee Report

The final step of the review process was the compilation of all issues identified from the evidence received. This was then deliberated on and the Committee forms its own independent view on all issues identified. The Committee then compiles a Report on the review of the Bill, which was also reviewed before being finalised for tabling before Parliament.

### 1.2 Office of the Prime Minister

The Office of the Prime Minister is responsible for providing high quality service and support to the Head of Government, the Honourable Prime Minister. The support provided is given with the aim of ensuring that all activities, engagements and policies that the Hon. Prime Minister contributes to or is involved in line with the Constitution and the laws of Fiji and for the betterment of all Fijians.



### **1.3 Fiji Immigration Department**

The Department of Immigration under the Office of the Prime Minister is mandated to provide efficient and effective immigration service through the administration and enforcement of immigration related laws and international conventions. These services are mainstreamed to ensuring the integrity of Fiji's borders and the effective management of people in and out of Fiji.

## **2.0 DELIBERATION AND FINDINGS BY THE COMMITTEE**

This part of the report covers the Committee's deliberation process and the findings of the Committee, which also include points extracted from the Annual Report and the written response from the clarifications sought.

### **2.1 Committee's Initial Deliberation**

For the initial stage of the review, the Committee first read through the Annual Report and noted numerous issues, which were deliberated on and whereby the pertinent ones that needed further clarification were identified. These pertinent issues are as follows:

- Facilitation of special assignments and projects through the Small Grant Scheme initiative;
- The status of the Social Assistance for the Vatukoula Gold Mine Strike;
- The status of the Rotuma Subvention Fund disbursement;
- Implementation of the Gratuitous Donor Aided Projects;
- Efficiency of the ePassport System and the security measures in place regarding the Integrated Passport Issuance System to guard against major technology related threats;
- The costs involved in regards to the partnership with Muehlbauer High Tech International for the introduction of its e-Passport system;
- The role of the immigration department in terms of border control for goods and cargo;
- The measures put in place by the Office and the Department to rectify the issues that led to qualified opinion of the Audit of the Financial Statements provided in the Annual Report.

### **2.2 Evidence received via correspondences with the OPM and FID**

The next stage of the review was the clarification seeking stage, whereby there was a correspondence sent to the OPM and FID on the issues identified and which were responded to accordingly. A summary of the response to the Committee's queries is provided below.

#### Office of the Prime Minister

- The Vatukoula Gold Mine Strike issue has been ongoing for over 3 decades, but with numerous attempts to resolve the issue. A legal opinion on the cause of the issue had been sought and this has led to a stalemate of sorts, whereby the Gold Mine company has been relieved of any obligations to compensate and the Government has stepped in to try and offer an ex-gratia payment to the affected

persons, who are also part of the FMWU. Unfortunately, these persons wanted the payment to be compensation for the 30 years of dispute and wanted a substantial amount of money for this.

- Of the \$9m budget allocation to OPM for the Small Grant Scheme Program, \$5.2 million was utilized with a total of 70 projects funded during the financial year in the sectors i.e. Education, Village/Settlement and Other integrated.
- On the Gratuitous/Donor Aided projects, only one project was undertaken and completed while 10 projects are still on feasibility study. The completed project was the renovation of a newly State House Squash Court with a cost of FJ \$2 million.
- The Rotuma Subvention Fund was not released due to non-submission of audited accounts; thus it was advised that these submissions are necessary for having transparent and accountable financial records. Thus, it was impressed upon the Council of Rotuma that following the relevant processes will be key to the continued release of funds from the Rotuma Subvention Fund.

#### Department of Immigration

- The Department of Immigration undertook a joint venture program agreement with the Muehlbauer High Tech International for the introduction of the ePassport system. The total cost of this investment is approximately FJ \$7.8m to FJ \$8m. This covered the costs for hardware, software, installation, etc. The ePassport system is enclosed by a secured firewall and uses access control as part of its security measures. This together with the Departments security regulations and SOP's safeguards the Integrated ePassport Issuance System.
- For the period 2018-2019, the total number of permits approved is 14,321. Categories of permits issued by FID are: Exemption Permit, Investor Permit, Residence Permit, Special Purpose, Student Permit, Visitor Permit, and Work Permit.
- The FID is responsible for border control in relation to people. Other things such as good and cargo that come across the border control are looked after by the Biosecurity and Customs Offices.
- Numerous SOPs have been reviewed and developed to boost efficiency of the services provided by the FID such as faster turnaround times for application outcomes.
- There were weak internal controls, which led to irregularities in financial reporting for the FID. There have since been measures put in place to address these irregularities, which is aimed at improving the revenue process and financial reporting for the Department.

Written copy of the issue and clarification document is uploaded along with this Report and can be accessed from the Parliament website: [www.parliament.gov.fj](http://www.parliament.gov.fj).

### **2.3 Sustainable development goals impact analysis**

Additionally as part of its deliberation the Committee appreciates its role in keeping track of Fiji's efforts towards the sustainable development goals and the national development plans. Thus, the Committee noted from the OPM Annual Report that there were certain activities supported by the OPM and DI, which could be linked to the efforts towards achieving the national development plans and ultimately the global agenda.

The OPM's Development Cooperation and Facilitation Division is responsible for the small grant scheme, which is also provided to rural and outer islands communities. It is worth noting that this scheme is aimed at addressing the needs of these communities in terms of village/settlement improvements, education and climate resilient projects.

Furthermore, the Committee is bound by Fiji Parliamentary Standing Order 110(2) which provides as follows:

*“Where a committee conducts an activity listed in Clause (1), the committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit of both men and women equally”.*

Therefore, the Committee sought clarification on how the principle of gender equality was implemented in the Office of the Prime Minister. The Committee noted that the OPM's efforts towards gender equality was focused on its human resource, which is one of the vital parts of an institution. It was noted that the OPM and FID utilised the Open Merit Recruitment System for hiring and recruiting staff, which is a system that ignores specific sex and gender as a criterion for recruitment.

It was also noted that the OPM and FID has given much effort in empowering its female staff by encouraging attendance in trainings and development programmes. The OPM during the reported year recorded 37% males and 62.8 % females were provided and supported in capacity building and development programmes. For the FID, gender mainstream ratio stands at 53% (female) to 47% (male). During the period, 68 trainings were conducted through overseas and local courses and a total of 131 officers attended.

### **2.4 Findings**

The Committee had extensive discussions on the response provided At the penultimate stage of the review, the Committee noted the following as its key findings on the OPM and DI 2018-2019 Annual Report.

- The Office of the Prime Minister has put in efforts in achieving the nations' development plan and the global agenda, by supporting gender equality and the development of communities.
- That the three-decade old Vatukoula Gold Mine dispute is still yet to be resolved.

- Rotuma was allotted the largest funding of \$240, 000.00 as compared to Rabi, Kioa and MVT with a ceiling of \$155, 000.00. During the reporting year, the Rotuma Subvention Fund was not utilized due to non-submission of the audited accounts by the Council of Rotuma.
- Difficulties faced due to the transition to e-Passport system from the Machine - Readable Passports Management. The sudden power fluctuations and shut downs affect network system and delivery of services within specified timeline. Some of the challenges include power fluctuations and failures in Fiji causing network disruption which in turns affects the service delivery hours at times.
- There were weak internal controls that relate to financials for the Fiji Immigration Department, which have been addressed through measures being put in place.

### **3.0 RECOMMENDATIONS**

Given the commendable effort done by the Office of the Prime Minister and Department of Immigration, the Committee feels that more support be focused in strengthening the respective units in terms of delivery by the OPM and DI. Therefore, the Committee puts forth the following for the consideration of the Office of the Prime Minister and the Fijian Immigration Department.

#### **Recommendation 1:**

In regard to the Vatukoula Gold Mine issue; it was noted that this has been a long-standing issue, and the efforts put in by all the parties involved is duly recognised, but for the purpose of resolving this issue; it is recommended that discussions be reinitiated as soon as possible whereby a settlement is reached that is agreed upon by all parties involved.

#### **Recommendation 2:**

In regard to the non-utilisation of funds from the Rotuma Subvention Fund; the Committee supports the stance by the Office of the Prime Minister, and recommends that adherence to necessary processes in place for submission of financial reports for audit, should be maintained, and monitoring of this should be upheld so as not to affect the release of funds.

### **4.0 CONCLUSION**

The Standing Committee on Justice, Law and Human Rights has fulfilled its mandate approved by Parliament, which is to examine and review the *Office of the Prime Minister and Department of Immigration 2018-2019 Annual Report* with due diligence.

The Committee's review highlighted a few issues that were brought to the attention of the Office of the Prime Minister and Department of Immigration's representatives, which were appropriately addressed and this was reflected in the findings and the recommendations put forth in this report.

The Committee through this Report commends the *Office of the Prime Minister and Department of Immigration 2018-2019 Annual Report* to Parliament

## MEMBER'S SIGNATURES

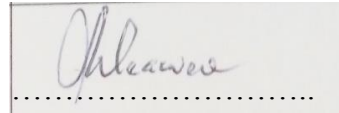
**Hon. Alvick Maharaj  
(Chairperson)**



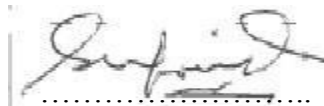
**Hon. Rohit Sharma  
(Deputy Chairperson)**



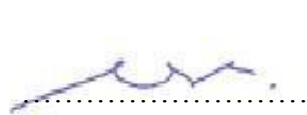
**Hon. Mikaele Leawere  
(Member)**



**Hon. Dr. Salik Govind  
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**Hon. Mosese Bultavu  
(Member)**



Date: 26/08/2022