

SI STUDENTS IN FIJI, VANUATU CONSULTED

A two-person team from the Constitutional Reform Unit left the country for Fiji and Vanuatu late June to do consultations with Solomon Islands students studying in tertiary institutions in both countries.

Permanent Secretary (Special Duties) Mr. Ronald Unusi and Consultant Lawyer Mr. Reginald Teutao left on Thursday 21 June for Suva, Fiji to do the consul-

tations for about one week before heading to Port Vila, Vanuatu for another one-week consultation early July.

It had been arranged that SI students from various institutions there will be participating in a group-audience consultation.

These student-consultations are part of the Conventions on the Draft Federal Constitution 2011

version, approved by the Joint Executive of Constitutional Congress and EPAC in a meeting held in May this year.

This is to get the views of SI students abroad through face-to-face consultations with Constitutional Reform Programme officials.

The duo return early July after completing the consultations with SI students in Port Vila. 

Makira/Ulawa women strongly defend reserved seats



Women representatives of Makira/Ulawa Provincial Convention have unanimously defended the reserved seats for women in the 2011 Draft Federal Constitution during a debate on a resolution to completely remove Clause 69 in Chapter 8, which supports participation of women in Parliament through reserved seats.

The resolution was for the Convention to debate and agree that Clause 69 be completely eliminated from the Draft. It was moved by Mr. Francis Tagua (a chief representative) who viewed this clause as degrading women's political status. He said that the main reason for this resolution is to protect the dignity and integrity of the status of

women in politics.

"If Lily Posnaski and Hilda Kari facing difficulties of those days can get into parliament, why not the women of these days," he said, "when we have a provision like this in the Draft, we are simply saying to women that they can't do it, thus they have to just opt to this reserved seats, which really waters

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CONSTITUTIONAL REFORM UNIT

REFORM NEWS



GUADALCANAL CONVENTION CONSIDERS HONIARA CITY BOUNDARY IN 2011 DRAFT REVIEW

Guadalcanal Provincial Convention, while reviewing the 2011 Draft Federal Constitution for two weeks, considered the Honiara City's boundary shared with the Province.

Honiara City boundary was considered on the second week in detail according to Chapter 17, along with ten Schedules of the draft Federal Constitution.

After much debate, it was concluded that Honiara City remains the Federal Capital, with the government recognizing the indigenous rights of the Guadalcanal people with regards to surrounding Customary Land that are currently occupied as "Honiara" area.

According to team leader of Guadalcanal Constitutional Congress Mrs. Hilda Kari, the Convention, which started on Monday 30th April, was ahead of its program by the beginning of the second week.



Participant giving his view during the discussions of Guadalcanal Convention.

Mrs. Kari and the Province's Congress team members Mr. Rodger Tovosia and Mr. Joseph Anea; EPAC members Mr. Jerry Sabino and Mr. Paul Tovua, and National Nominee Mr. Walton Naezon were at the AOG Centre in Binu with about 50 participants, including community leaders, Members of the Provincial Assembly, legal professionals from

the Province, women, and youth representatives.

Constitutional Reform Unit's (CRU) Consultant Lawyer Mr. Reginald Teutao has been with the Convention to provide legal assistance.

Guadalcanal Convention concluded Friday 11th May 2012. 🌐

NEWS IN BRIEF

LAST PROVINCE CONVENTION

Temotu is expected to have its convention late July till early August, making it the last.

It has already held feedback with the Vattu Region on the Draft, however Tikopia and Anuta were not covered thus will be included in its Convention on the 2011 Draft Federal Constitution to be held in Lata. 🌐

FINAL CC/EPAC PLENARY

Arrangements are underway for the third and final Joint Plenary of CC and EPAC.

This final plenary will put together final contents of the 2012 review of the Draft Federal Constitution, which will go through an audit and professional drafting before the National Convention next year. 🌐

Western PG endorse Resolutions on 2011 Draft

Western Provincial Executive and Assembly have endorsed two Resolutions from the Provincial Convention, which were compiled after their one-week Convention held late April to review the 2011 Draft Federal Constitution in Gizo, Western province.

The Convention, which commenced on Monday 23rd April 2012, reviewed some critical provisions within the Draft Federal Constitution, which the Province considered important. Two Convention resolutions made were 'The Resolutions on the 2011 Draft Federal Constitution of Solomon Islands' and 'the Political Stance of the Western Provincial Convention on the Federal System of Government of Solomon Islands'.

Prior to this, Constitutional Congress

members Mr. Warren Paia and Mr. Jackson Piasi had analyzed the 2011 Draft Federal Constitution and prepared detailed outlines for purposes of Convention discussions.

Western's Congress members Mr. Paia (team leader), Mr. Piasi, Mr. Patt R. Loe, Mr. Ashley Wickham and Mr. Gideon Tuke; and Eminent Persons Advisory Council members Sir George Lepping, Mr. Vainga Tion, Mr. Thornley Hite and Mr. Charles Levo, were in Gizo for this undertaking.

Western Provincial Assembly members and Ward nominees were invited to be part of this Convention.

PS/CRU Mr. Ronald Unisi was present during the first few days of the Convention. 🌐

CRU briefs joint Parliament Committees



Officials of Constitutional Reform Unit (CRU) made a presentation to the Constitutional Review Committee and, Bills and Legislation Committee during a joint committee meeting held at the National Parliament conference room on Thursday 5 April.

Chairman Constitutional Review Committee (CRC) Hon. Stanley Sofu chaired the joint meeting, which was purposely to get progress information on the current Constitutional Reform Program working on reforming the National Constitution.

CRU Consultant Lawyer Mr. Reginald Teutao did a detailed presentation on the 2011 Draft Federal Constitution, which has been used as the Reform's guiding document.

Mr. Teutao also briefed both committees on the progress of activities,

mainly the Provincial Conventions, which has already commenced with Choiseul, Rennell Bellona and Honiara City completing their conventions early this year.

He said he will be attending five Provincial Conventions, namely Isabel, Guadalcanal, Central Islands, Malaita and Temotu. Provinces such as Makira/Ulawa and Western province have legal experts who are also Congress members to guide them through discussions on the 2011 Draft Federal Constitution.

He said that if funding permits, tertiary students abroad will be consulted. Mr. Teutao said the draft will go to a Congress and Eminent Persons Advisory Council (EPAC) third Joint Plenary where views from Provincial Conventions and public are to be considered and put together as the revised 2012 Draft. It is anti-

pated that a National Convention will be held after the 2012 Draft is audited and published.

"The national convention will be a time for [members of the] National government, provincial governments and various stakeholders to come and bargain the new political order of this country," Mr. Teutao said.

After this Congress and EPAC will have a final meeting to put the Constitution together according to views from the National Convention, before the Constitution undergoes professional drafting. This final version of the Federal Constitution will go through Cabinet then to Parliament.

Chairman CRC Hon. Sofu thanked CRU and working groups for the effort put in coming up with the latest draft, and reiterated that such a work wouldn't be accomplished without the dedication and commitment of these working groups.

Those that attended the joint committee meeting were Hon. Stanley Sofu (Chairman CRC), Hon. Manasseh Sogavare (Chairman Bills and Legislation Committee), Hon. Milner Tozaka, Hon. John Maneniaru, Hon. James Tora, CRU Consultant Lawyer Mr. Teutao, PS/CRU Mr. Ronald Unusi, Parliament and CRU officers. It is understood another meeting will be held on a later date. 

Isabel Provincial Convention reviews 2011 Draft

Isabel Constitutional Congress team held its Provincial Convention with participants in the Diocese of Isabel's Conference room at Jejevo, Isabel province.

Congress members Mr. Dennis Carlos Lulei (team leader), Mrs. Jane Tozaka, EPAC member Mr. Clement Rojumana, CRU Officials Mr. Reginald Teutao (Consultant Lawyer) and PS/CRU Mr. Ronald Unusi were there for this undertaking.

During the opening remarks PS Unusi thanked participating community

leaders which included, Members of the Provincial Assembly, chiefs, women representatives, school headmasters and principals, and church representatives for the commitment and seriousness they have shown towards the process of developing the new Federal Constitution of Solomon Islands.

He said that every Constitution envisages a political community and the basis in which that community is identified is very important because it has a decisive bearing on the political framework of a country, the terms

of a constitution, its performance and efficacy.

"I am confident your selection which reflects a broad cross section of community representatives and leaders of Isabel province in modern and traditional civic capacities has carefully taken this into account," Mr. Unusi said.

Mr. Teutao was instrumental in guiding discussions on the 2011 Draft for the two-week convention, which started on April 16 and concluded April 26. About fifty (50) delegates attended. 

Reform in Pictures



Above: A chief representing the Russell Islands giving remarks during CIP Convention.

Below: A chief representing Ulawa Islands making a resolution during MUP Convention.



Above: Guadalcanal leader Ezekiel Alebua contributing to discussions during Guadalcanal Convention.

Below: A participant of MUP Convention listening attentively to discussions.



Participants during the Central Islands Provincial Convention in May 2012.



Women Representative Mrs. Clera Riki and a chief (below) giving their comments during Malaita Convention.



A former MUP Premier making his remarks during Makira/Ulawa Convention.



Draft's Women in Parliament Method Debated



Nester Marahora speaking during MUP Convention on Clause 69, is MUP's only female politician in Provincial Government today, and one of the few female politicians in modern Solomon Islands.

Photo and Story: Marilyn Maeta'a

Clause 69 of 2011 Draft Federal Constitution, which provides for the concept of women's participation in Federal Parliament has by far been one of the most debated clauses and a topic of concern in the Draft's recent review.

The 2011 Draft gives a detailed provision for women's participation in Parliament through the "ten reserved seats for women", setting out the basic mechanism whereby seats can be obtained through an election process.

In theory, all nine States and Honiara City will have one woman representative each to be elected into Federal Parliament; thus guaranteeing a seat each for 10 female Federal parliamentarians in Solomon Islands each term.

The clause has 5 sub-clauses that provide the mechanism for representation. This mechanism is to get a woman representative of each State into parliament through the rotation of members' seat allocation for each State in Federal Parliament as provided for under sub-clauses 1, 2 and 3.

That means if a State has four regions; that makes four seats allocated to it in Federal Parliament.

Therefore each region of that State will take turns to put a woman representative on each Parliament term.

Sub-clause 4 gives State Governments liberty to provide a different mechanism on how they would like to elect a woman representative from their State into Federal Parliament.

While sub-clause 5 is for States to choose and specify between the rotation mechanism in sub-clauses 1, 2 and 3, or opt for a different mechanism as authorized by sub-clause 4, to adopt in their State Constitutions.

Thus Clause 69 expands on the idea of supporting women's participation in Federal Parliament, giving it a mechanism, and the option of using that mechanism or designing another one.

However, it was the method of rotating federal seats allocated for each State to women representatives that faced mixed reactions from recent Conventions.

While many supported the idea, most questioned its practicality in the Solomon Islands context.

From the Provincial Conventions three provinces (Choiseul, Makira/Ulawa, Rennell Bellona) and Honiara

City maintained their support for the clause to be retained.

Isabel, Guadalcanal, Western, Central Islands and Malaita provinces have recommended for this clause to be removed from the Draft. Temotu is yet to make its decision pending its upcoming Convention.

As a subject of debate, there were arguments that the clause was totally "undemocratic". Most focused on its impacts and the justifications as to whether this should be included in the constitution.

Critics have stressed that it will be unfair on men intending to contest the elections, as out of 30 seats proposed in 2011 Draft, 10 are designed for women, while 20 are open seats, assuming that both men and women will contest for them.

Some believe women should settle for contesting in a much more democratic way through the regular election process because this clause gives them a "free walk into parliament".

However, some women delegates in the conventions debated that although this clause provides for reserved seats, they will still have to contest with other women candidates to get these seats, thus it is not a total "free walk into parliament" as viewed by some critics.

Some said it gives a fair opportunity for women to contest in a democratic election system in order to participate in national politics, in a country where most politicians are men.

Other supporters emphasized that women's involvement in politics should not be viewed with prejudice; however it should be seen as an opportunity that would bring the partnership of men and women in political decision-making on a national level, closer to reality. 

AUDIT AFTER DRAFT REVIEW

What has transpired during the Constitutional Reform process since 2004 to date has not only been progressively fed into the proposed Federal Constitution, but has also been put to some "brain-test".

Many have thought and talked about where the constitution could take Solomon Islands in following years if Federalism comes into effect; some seeing it rather, through the eyes of the currently practiced Westminster system and Independence Constitution.

In 2005, after the National Parliament unanimously endorsed the process to continue, the first ever Draft Federal Constitution 2004 was independently audited under Sogavare's regime.

The audit was done by a team of highly qualified and experienced experts from the Institute of Policy Studies in New Zealand.

The audit did set the pace for the design of a constitutional framework that would consist of Solomon Islands Political Communities in the context of State re-building.

Intensive deliberations and countless reviews of the proposed Federal Constitution has brought the process to a stage of basic completion and now as PM Gordon Darcy Lilo highlighted recently, the current draft will go through an international audit before professional drafting and a National Convention takes place.

Basically the audit is anticipated to do a final technical and thorough review of the proposed Federal Constitution.

Taking into consideration what is to take place and what has been done, the country can look forward to a credible Federal constitution that has been thoroughly and systematically reviewed both nationally and internationally.

MUP women defend reserved seats clause

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down their status in politics."

Another chief said in support to the resolution that this Clause is "undemocratic" and that women have to get into parliament through the same process as men do, not through seats specially designed for women.

There was widespread disagreements from women representatives in the Convention, with a number of them boldly opposing the resolution.

Ms. Everlyn Kahia, Wainoni women's representative, told the convention that for years women have been trying to get into parliament, with no effect because of the way men campaigned with well-known tactics of bribery and false verbal promises.

"It is timely that this clause should be agreed to, because women need to get in there to make decisions in the legislature on issues affecting women and the nation as a whole," said Ms. Kahia, "if we don't make the right decision now, I don't know what the future will be like."

It was argued that there are more women leaders emerging; however the abuse of the current system of politics is making it increasingly difficult for women to get into parliament.

The convention got a division of votes after there was no clear support for or against the resolution. Over 20 participants voted against the resolution to eliminate this clause, while 14 voted in support. Only 3 withheld their votes.

MUP Convention successfully ends review



A participant of MUP Convention making his comments.

Government prior to the two weeks, to arrange the event, resulting in a very well organized and orderly Convention.

The Convention commenced Monday 16 April 2012 at the Court House in Kirakira, where delegates were given copies of the 2011 Draft to thoroughly study and identify chapters and

clauses in the draft and put into resolutions for amendment after debates and conclusive discussions were reached on each resolution.

Resolutions included clauses on the Executive arm of Government; the ten reserved seats for women; composition and representation in Federal Parliament; State Government system; and a proposition to constitutionalize an Institution to handle the economic affairs of Solomon Islands. The Convention ended Friday 27 April 2012.

Makira/Ulawa Convention held its two-week deliberation on the 2011 Draft Federal Constitution with 45 participants representing the Provincial Government, village chiefs; women, church and business communities; and six (6) former Provincial Premiers.

MUP Constitutional Congress members Mr. Daniel Ho'ota (team leader), Mr. Jack Faga, Ms. Clera Rebitai and Sir Nathaniel Waena (EPAC member) worked together with MUP

Malaita Convention impressed with 2011 Draft

Malaita Provincial Convention was impressed with proposed amendments in the 2011 Draft Federal Constitution towards the end of the Convention, unanimously agreeing to changes that are viewed crucial for the future development of Solomon Islands as a nation.

Participants attending the Convention highlighted that this is the way forward for Solomon Islands, after seeing merits in the revenue and power sharing aspect of the Federal Constitution.

In his closing remarks, Premier Hon. Edwin Suibaea applauded the team of Constitutional Congress for the good effort put into contributing Malaita's views towards the 2011 Draft Federal Constitution.

Other well-known leaders participating in the Convention such as Mr. David Oeta and Mr. Alfred Maetia also echoed the same approval during their closing statements.

Some of the areas that took interesting discussions were power sharing, Revenue sharing and the Federal,

State and Community governments.

The Convention also endorsed the Right to Secede to be included once again in the 2011 Draft and it also passed a resolution for work to begin on urgent resettlement needs of the Malaita Outer Island (MOI) people to mainland Malaita.

However, in a big turn of event, the Convention struck out Clause 69 of the 2011 Draft (the Participation of women in Parliament), which was a big disappointment for Malaitan women attending the Convention.

On the whole, the Convention went through the 2011 Draft Federal Constitution, systematically endorsing each Chapter and Schedule with the technical assistance of Constitutional Reform Unit's (CRU) Consultant Lawyer Mr. Reginald Teutao.

The Convention, which began Monday 4th June 2012, successfully re-



A participant giving his views during discussions.

viewed the entire 2011 Draft by the second week and concluded its meeting on Wednesday 13th June with a total of about 90 people in attendance at Rarasu Restaurant in Auki, Malaita Province.

Members of Malaita Congress team Mr. Hudson Kwalea (team leader) and Fr. John Gereia, Eminent Persons Advisory Council (EPAC) members Mr. Collin Gauwane, Mr. Abraham Baeania and Mr. Abraham Kapei were in Auki for this undertaking.

Director/CRU Mr. Philip Houlia attended the latter part of the Convention on behalf of PS/CRU. 

CIP Convention starts discussions on State Constitution

Central Islands Provincial Convention started its preliminary discussions on its State Constitution after successfully completing the review of the 2011 Draft Federal Constitution for seven days in Tulagi, Central Islands Province.

With the endorsement of the Premier and Provincial Assembly, legal professionals spent a day with Constitutional Reform Unit's Consultant Lawyer Mr. Reginald Teutao and CIP Constitutional Congress team, preparing an arrangement of clauses as a working document for CIP State Constitution.

Participants were given the working

document to consider initial contents as the basis of CIP's State Constitution, which its government will spearhead in the initial work.

As for the 2011 Draft's review, the Convention began Monday 14 May 2012 with debates and resolutions made on three main issues of concern to CIP in the Draft. The issues included the option of the Grand Government design and the Political Party Government according to Chapter 9; the idea of reserved seats for women in Clause 69; and the Special Area known as Mborokua Island between CIP and Western Province according to Schedule 4. The convention passed all the Chap-

ters and Schedules of the Draft.

Around 50 participants attended, namely Provincial Assembly members (MPAs), chiefs and community leaders, legal professionals, women and youth representatives.

CIP Congress members Mrs. Catherine Pule (team leader), Mr. George Saemane, Ms. Hilda Nose'e, and Eminent Persons Advisory Council member Mr. James Vaukei were in Tulagi for this task, technically assisted by Consultant Lawyer Mr. Teutao with PS/CRU Mr. Ronald Unusi also in attendance. The Convention ended Friday 25 May 2012. 



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ABOUT CRU

The Constitutional Reform Unit (CRU) is the body responsible for the management and coordination of Constitutional Reform Project.

It is an established division within the Office of the Prime Minister and Cabinet, and it is the Secretariat for the Constitutional Congress.

CRU has staff that carry out administrative, media, legal and financial related undertakings for the Constitutional Reform Programme.

CRU is located at the East Wing (top floor end) of the Office of the Prime Minister and Cabinet, which is situated along Mendana Avenue, Honiara.

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REFORM NEWS
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Issue 9: Highlights the first three Provincial conventions held early this year, including a featured interview of one of the convention participants.

For more information:

If you would like to know more about these & other documents, contact CRU EPS Ms. Stella Pitiveke on spitiveke@pmc.gov.sb.

This Quarter's Calendar



Isabel & Makira/Ulawa provinces hold Conventions respectively at Buala and Kirakira.

Western Province begins one-week Convention in Gizo.

Guadalcanal Province commences on its two-week convention at Binu.

Central Islands begins its two-week convention in Tulagi

Malaita Province commences on its two-week convention in Auki.