

**TASKFORCE REPORT
ENHANCED CONSULATATIVE MECHANISM (ECM)
Honiara, Solomon Islands
20 February 2008**

The Leaders' decision in 2006: "to establish a Taskforce to expeditiously review RAMSI", also responded directly to one of the proposals of the then SIG's 6-Point Plan, tabled at the 2006 Leaders Summit, for "an independent review of the RAMSI operations."

The Taskforce was duly constituted and it carried out its work in two phases between late April and late June 2007. Its final report was submitted to the Secretary General in early July 2007. ***In October 2007, the Leaders endorsed its recommendations at their Summit held in Nuku'alofa, Tonga.***

To ensure the widest acceptability of its report, the Taskforce undertook various measures, namely:

- (i) It undertook wide consultations amongst all stakeholders in the Solomon Islands and in the Region.
- (ii) It first sought tentative approval of its approach to the report and the categorization of issues to be covered in the report by way of a Non-Paper, copies of which were sent to all Forum Member States after Phase 1 of the Taskforce's assignment.
- (iii) To facilitate securing such approval, the Taskforce also visited Canberra and Wellington to discuss the proposals of the Non-Paper. Other bilateral discussions were also carried out at the time.
- (iv) The Taskforce carried out debriefing sessions at the end of Phase 2 of the assignment, for the purpose of securing acquiescence of its proposals, with the major stakeholders in the Solomon Islands, including the former Prime Minister Sogavare, and his then Cabinet Ministers. The Taskforce considered these debriefing sessions as critical because it believed that if the opportunity were taken by all concerned to accept the package that the Taskforce was presenting, this would help arrest the negative trend that was emerging for some months previously and would get things back on a positive and cooperative track.
- (v) The Taskforce sent the final draft of its report to the major stakeholders of RAMSI for factual amendments before the Taskforce finalized its report.

- (vi) The Taskforce was attentive to commentaries of its report (all favourable I must admit) after the submission of its final draft and its final report as well, including commentaries that emanated from stakeholders in the Solomon Islands.

The Taskforce got going on its work after a short delay, necessitated by a number of issues, namely:

- (i) Time taken to put together the members of the Taskforce.
- (ii) The time taken to finalize the TOR was somewhat protracted due to the need to get the then SIG to approve the final draft.
- (iii) Controversy surrounding two of the selected members of the Taskforce. Such controversy led to their de-selection, despite pleas for reconsideration.

The controversy surrounding the composition of the Taskforce led directly to establishing the Taskforce with only two members. It became immediately evident that the assignment had to be carried out in two phases. It was not possible to complete the work in one visit only.

The TOR for the Taskforce are contained at Annex A of the report at pages 24-26. The TOR set out the Purpose of the assignment of the Taskforce, its Scope and its proposed Methodology.

The Scope of the TOR contained 12 items that represent the tasks for the Taskforce. Task 1 (Review of the Facilitation of International Assistance Act) and Task 4 (Examining RAMSI's focus, objectives and key guiding principles in the context of the SIG's Six Point Plan) were particularly important for the SIG before and during the work of the Taskforce. The Taskforce has given appropriate attention to these two tasks (as I will explain), as well as the other tasks itemized in the TOR.

The Taskforce addressed the 12 tasks contained in the TOR by discussing them under four headings, namely: (i) Regionalisation of RAMSI; (ii) SIG and RAMSI Partnership; (iii) Legislative Framework; and (iv) National Issues and Challenges and the 2005 EPG Report.

Each heading is broken down further into a number of sub-headings and followed by relevant Recommendations.

A summary of all the Recommendations is contained at pages 6-8 of the Taskforce's final Report.

Section One of the Report: Regionalisation of RAMSI, establishes the Forum Ministerial Standing Committee (FMSC) to provide oversight and governance to the RAMSI operation. The FMSC concept is not the Taskforce's own concept. The concept was already contained in the TOR. However, it had been originally conceived by the 6-Point Plan of the previous SIG – the Country Initiative Paper tabled by the SIG in the 2006 Summit in Nadi. The Taskforce is indeed grateful to the previous SIG for having conceived this concept.

Furthermore, the Taskforce is particularly happy on this occasion, for in two days time, we will witness the first ever meeting, here in Honiara, of the FMSC.

As it can be appreciated, this concept forms the principal pillar of the Taskforce's recommendations. It represents a major change in the governance and oversight mechanism of RAMSI that the Taskforce is recommending. This is in addition to the support role that is to be played by the Enhanced Consultative Mechanism and by the Triumvirate. The latter is a new mechanism comprising the Special Coordinator of RAMSI, the SIG Special Envoy to RAMSI and PIFS Representative to the Solomon Islands.

Specific discussions on the important role of the ECM – existing and future roles, and how it would relate to the FMSC in the context of the proposed governance structure of RAMSI, are contained in paragraphs 17 and 18 of the Taskforce's report.

The report, for example, noted: "The ECM has served an important purpose by rebuilding confidence between the SIG and RAMSI and addressing specific issues of concern in the relationship as they affect day to day operations."

The Taskforce proposed that the ECM "should remain in place and serve as the second level of the new governance structure overseeing the SIG/RAMSI partnership. It would be serviced by the Triumvirate and be available to address any issues that cannot be resolved at that level. When necessary, the ECM would refer issues to the FMSC for deliberation. It would also provide a six monthly report to the FMSC."

Section One of the Taskforce's Report also covered other items in the SIG 6-Point Plan, namely: (i) Restoration of the Regional Character of RAMSI; and (ii) Clear Demarcation between RAMSI and AusAID. The other items of the 6-Point Plan are covered in other Sections of the Report.

The Taskforce's Report covered the issue of Sovereignty of SIG in Section Two. The Taskforce underlines its fundamental stance on this matter by stating at paragraph 29 of the Report: "There is no question but that Solomon Islands is a sovereign State and that the RAMSI intervention is at the invitation of the SIG." The Taskforce was satisfied that there was no attempt by anyone or by RAMSI management to undermine such sovereignty.

The approach taken by the Taskforce as far as this matter is concerned is one of pragmatism. The Taskforce noted in paragraph 26 of the Report that the question of sovereignty was raised in situations where the SIG felt that it was not in control of developments under RAMSI operations. These situations have arisen due to breakdown in consultations, in cooperation amongst stakeholders, and when SIG-RAMSI partnership was weak or not working.

The Taskforce believes that the best way to address concerns of sovereignty was to improve and enhance the partnership between the SIG and RAMSI, and to avoid situations under which the SIG feels that it is being dictated to. The recommendations of Section Two are thus aimed at achieving this end.

Another concern for the then SIG as regards the review of the Facilitation of International Assistance Act 2003 (FIA Act) is the subject of Section Three of the Taskforce's Report. The Taskforce is very much aware of the provisions of the Act as regards its possible review. The Act, for instance, provides for Regulations to be made under Section 22 and for Review of International Assistance Notice under Section 23. It appreciated therefore that the competence on such review rests directly with the SIG and the Solomon Islands Parliament.

In its Recommendations under Section Three of the Report, the Taskforce "welcomes the SIG's decision to proceed to renew RAMSI's mandate for a further year from July 2007 as provided for in the FIA Act." The Report further adds: "On the question of legislative changes, (the Taskforce) welcomes the assurances given it by the SIG that any proposal to amend the FIA Act in order to enhance its effectiveness will be the subject of consultations with all contributing countries."

Now, we have a situation here where the recommendations of this report have been endorsed by the Forum Leaders. Whilst this may not necessarily evoke a legal obligation on the part of the SIG to comply with these recommendations, it does evoke, I believe, a moral obligation in the interest of regional solidarity and credibility. This is so particularly as this report underscores greater regionalization of the governance of RAMSI. This is a major bonus to RAMSI and to the region; and I submit that it is most expedient to protect and defend it at all costs.

It goes without saying, therefore, that should the SIG wish to amend the FIA Act that will bring substantive changes to RAMSI and how RAMSI will work in future, it should at least insist on its regional obligation to consult.

In conclusion, I quote from paragraph 58 of the Report: "The Taskforce is confident that, if approached in good faith by all stakeholders, the package outlined in this report will achieve its key goals. These include strengthening RAMSI's regional character, enhancing communication and engagement between RAMSI and the SIG, ensuring that RAMSI management is able to continue its work by the renewal of its existing mandate, putting in place a jointly agreed long term plan for RAMSI, assisting SIG to address the daunting national challenges now confronting it, and ensuring that Solomon Islands sovereignty is both respected and strengthened."