



## Minutes of the Reparations Working Group 15 March 2019

Ground Floor Meeting room Solomon Islands Prime Minister's Office

### Present:

PS Justus Denni -MNURP (chairman), Dir Reuben Lilo – MNURP, Tony Cameron - UNDP, Ray Moe – MDPAC, Freddy Me'esa – MJLA, Marx Tova – MPGIS, Emmanuel Iyabora – OPMC, Richard Adomana – MEHRD, Tony Kabosi - MFAET

The Meeting opened at 10.10 am.

### The Opening prayer

Given by Emmanuel OPMC.

### Welcome

PS Justus welcomed all participants and introduced the scope of the RWG meeting.

Draft reparations policy (agenda item 5) was main point of the meeting to be discussed. It was hoped that the draft policy would be ready for the new cabinet's approval. He highlighted it was Government Officials' function is to implement the will of the current government and implement what the government requires and instructs. Reparations has a big impact on security and other peace building issues. Technical support from UNDP and other UN Agencies was much appreciated by MNURP, especially Peace Building Fund technical assistance.

PS Justus asked to confirm the last minutes of the RWG from December 2018. Emmanuel OPMC moved to approve, Dir Reuben seconded, and the Dec 2018 minutes were passed.

### Draft Reparations Policy

Agenda item 5 was then discussed.

The floor was given to Dir Reuben to outline the scope of the Reparations Policy. The Policy had been circulated already. It was noted that this was the first time to draft such a policy on reparations, which was prepared by UNDP contractor P. Burgess. MNURP Lawyer and UNDP Consultant Francis Waleania provided further inputs into the policy through consultations through his provincial and ward level discussions.

The Reparations Framework Policy focuses on survivors and victims, rather than ex-combatants. However, the government must also deal with Disarmament, Demobilization and Reintegration (DDR) and there should be a separation of functions between this and reparations work done under the new Commission. Mr. John Tebolo UNDP Consultant and MNURP legal advisor was engaged to support the reparations work and take this forward. DDR should be separated from reparations. Prosecution of perpetrators should also be pursued despite the fact that some time has passed since the TRC Report was issued.

Emmanuel said the present Caretaker Govt would like to see preparation of Reparations Policy which is to be handed over to the elected government in the near future. The PM's Policy unit will run through the draft document and revert with any comments within 1-2 weeks.



Marx raised the question of whether victims who are also perpetrators, and how were they to be dealt with. MNURP responded by saying the new Reparations Commission will deal with such issues on a case by case basis. Families sometimes have a mix of perpetrators and victims.

Dir. Reuben said compiling a summary of the TRC Report was essential, and P. Burgess the reparations consultant will undertake this function. PS Justus said those with claims and ex-combatants would also fall under the reparations policy.

Marx asked how many policies would be drafted to cover the range of reparations issues to be addressed. PS Justus said only this current policy would be used. He continued that some recommendations are already being considered on policy reform e.g. land reform. Dir Reuben committed to circulating Recommendations to RWG members by email.

Marx requested a full organization structure to indicate where responsibilities of each reparation function lies. (See page 16 of Reparations Policy draft document). The Reparations Commission will be an independent body governed by its own Act. MNURP may not exist as a supervisory body for reparations after elections, so the Commission must be independent.

Ray - MDPAC raised a point about the reparations budget, and he seemed satisfied with estimated cost involved, especially when we consider who has already benefited from compensation payments. Dir Reuben said payments have already been "written off" by parliament. No further compensation payments would be considered by MNURP.

Max raised a question of how the grievances and concerns faced by some families are limited, making it difficult for them to voice their claims. There are a number of reasons for this. PS Justus said there will be drafting instructions on how to deal with claims from victims and how to deal justly with each of them. Dir Reuben said the challenge was to allow people who were still afraid and traumatized to voice their grievances in the face of a perceived continuing threat. A process of counselling and reconciliations is underway to rebuild confidence in government officers viz. Weather Coast.

Richard - MEHRD raised concern for students who were affected by the conflict and who should be considered for support under the Reparation Policy. He thought Churches should be fully involved in the process. Dir Reuben said Ecumenical training is continuing with peace building, conflict resolution training and the role of the Education Ministry is to further the healing process. This is important, especially putting peace building in the school curriculum.

Freddy – MJLA reiterated there were many outstanding issues especially in denial of education opportunities because of tensions. He questioned if there was an education policy to promote peacebuilding and reduce ethnic tensions. Many victims are still left behind in their educational opportunities.

PS Justus said reintroducing "Flag-Raising" ceremonies at schools helps to instill a sense of national unity in young people. In 2017 there was mention of returning peace education to the school curriculum. Youth exchange exercises are progressing between Guale and Malaitan schools in 2019.

Tony MFAT appreciated that the reparations process was moving forward through the development of this draft Reparations Policy. The mechanism which would drive the reparations needs careful consideration, and the messaging associated with reparations both domestic/internal and external/bi-lateral partners has to be judiciously chosen.





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Richard - MEHRD suggested sports engagements are useful tools to bring conflictual communities together. Ray said national unity is also a national priority. It is even listed as Objective 5 in the current Government Policy document.

Dir Reuben said traditional reconciliations on going with PNG/ABG and Solomons Government. Some counterparts in PNG/ABG have been replaced so there is a need to renewing the relationships with PNG government counterparts and ABG traditional leaders.

### In summary

PS Justus invited comments on the draft Reparations Policy and by next meeting these would be integrated into a final policy document ready for submission to parliament.

Tony - UNDP outlined the scope of work for the 2 Consultants and referred to their ToRs. Marx questioned how the interviews during the TRC were recorded, names etc. He recognised the need to limit the details of the report. Freddy questioned the word "review" in the ToRs for the TRC Report. Tony – UNDP said "review" meant only to re-read and there is no intention to change the approved TRC Report, as it is an official document. Ray commented that we must include "degree in law" as minimum qualification in national consultant's qualifications. The ToRs will be changed accordingly.

### Any other Business

Marx questioned the composition of the RWG and who approves decisions of the committee? PS Justus said this was a working group, not so much a committee. The RWG was established by a decision from cabinet in 2018. It is already budgeted, and performs a more technical role. Richard questioned the gender balance on the RWG. PS Justus said MoWYCFCA and SICA were part of the RWG membership. He said the draft reparations bill will need nation wide consultations. The ultimate goal is to have the commission fairly and adequately address all claims so no further claims are forthcoming.

Dir Reuben commented on the benefit of understanding principles of "Transitional Justice" and promoted look-and-learn training. He suggested the RWG attend expanded training in TJ and seek funding opportunities from within RWG members' respective Ministries and UNDP. Emmanuel suggested we maintain the composition membership of the RWG so we maintain continuity.

Freddy seconded that each Ministry should nominate a specific person for the RWG. Marx said smaller Ministries have a challenge to nominate a specific person. ToRs for RWG should be revised accordingly and PSs from all ministries should "appoint" a specific person to represent them.

Date of next RWG meeting to be advised.

The Meeting terminated with a closing prayer at 12.10 pm

Minutes approved

Permanent Secretary MTGPEA, Justus Denni



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### REPARATION WORKING GROUP Attendance Sheet, 15 MARCH 2019

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