



Nauru Bulletin

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Parliament passes laws including new crimes act

The Nauru Parliament convened a sitting this month (12 May) whereby nine bills including the Supplementary Appropriation bill #6 2015-16 was tabled and passed by parliament.

Several reports and ministerial statements were presented beginning with the report on the Leadership Code by Chairman of the Select Committee on Leadership Code, Russ Kun, MP.

The report presented many recommendations made during public consultation and submissions on what defines a leader, qualities of a leader, punishments for breaches of the code, the office of ombudsman, protection of whistle blowers, introduction of freedom of information laws, the disclosure of gifts (received or taken) and assets of leaders

In its concluding statements the “Committee is aware of the fact that a strong leadership code once enacted would go a long way in making the government and leadership of the country more transparent, accountable and responsive towards citizens’ needs.”

Other ministerial statements were also presented followed by the tabling of bills beginning with the Supplementary Appropriation Bill #6 2015-16 by Finance Minister David Adeang.

The Bill makes several adjustments to the budget estimates for this financial year resulting in an overall increase in expenditure of \$2.102 million. This figure is however fully reimbursable from the Australian Border Force department as it relates to the ongoing provision of security services at the three Regional Processing Centres (RPC).

The added expenditure will therefore not



Minister for Multicultural Affairs, Hon David Adeang sends compassionate message to Nauru's refugee and asylum seeker community

add to the government's budget projects of \$6.2-million deficit in the current financial year.

Several other bills were presented and they include the following:

Crimes Act 2016: By far the most comprehensive new law, the Crimes Act 2016 replaces the Criminal Code 1899 which was drawn from the Queensland Criminal Code. This Act would be adapted to the current times and Nauru's culture.

The Crimes Act addresses emerging trends of criminal behaviour as well as protects the more vulnerable groups – women and children.

“The Crimes Bill simplifies, modernises and strengthens the criminal offences in Nauru. A major inclusion in this legislation is greater protections in relation to sexual offences, particularly where children are victims. New offences have also been included in address the criminal misuse of modern technologies and emerging trends of criminal behaviour,” Minister Adeang said.

The Act also removes punishments inconsistent with international human

rights standards and “out of touch with our sense of justice.”

Courts (Amendment) Act 2016:

This bill would join other legislation amendments in being consistent in promoting a more effective and efficient process of the criminal justice system of Nauru.

“The Courts Act 1972 has to be amended to accommodate the changes reflected in the Criminal Procedure (Amendment) Bill 2016 and this would in turn streamline the transfer of cases from the District Court to the Supreme Court,” Minister Adeang said.

The Criminal Procedure (Amendment) Act 2016:

This amends the existing Criminal Procedure Act 1972 Act and formalises the office of the public legal defender who will be able to assist Nauruans who cannot afford the services of a pleader or lawyer.

Corporations (Amendment) Act 2016:

This Act will provide further legislative authority for the government to meet transparency requirements and is a further signal of Nauru's commitment to the principles of the Organisation for Economic Cooperation and Development (OECD) Global Forum in promoting international standards of transparency and exchange of information for tax purposes.

Partnership (Amendment) Act 2016:

This Act connects the amendments made to the Corporations Act specifically in regards to documentation required. The changes allow Nauru to fully comply with its membership requirements with the OECD and a requirement to retain records for five years. This is aligned with Nauru's current tax regime including the proposed Business Profit Tax.

Parliament amends its laws

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Electoral (Amendment) Act 2016: The two amendments relate to the automatic registration of voters who have been registered in the wrong district of their birth may transfer without having to pay the \$150 transfer fee. The second amendment is to move the draw from the candidate's position on the ballot paper from Sunday before Election Day to the Saturday before Election Day.

Nauru Education Assistance Trust Act 2016: This Act establishes the Nauru Education Assistance Scheme which is to be funded through the Nauru Educational Assistance Trust Fund. This is to be held in trust for school age children and entitlements paid out upon the earlier completion of Year 12 or the child attaining the age of 18 years. An anticipated outcome of the new law is that there will be an increase in school attendance.

Mentally Disordered Persons (Amendment) Act 2016: This amends the existing Mentally Disorders Persons Act 1963. Some of the new sections in this Act describe criteria for those not to be regarded as mentally disordered persons based on either expressing themselves or refusing to express themselves on issues such as politics, sexual orientation, culture and religion. The Act declares certain places as designated mental health facilities; appoints authorized officers and provides for involuntary assessments of people•

- News in brief -

Evergreen wins Constitution day athletics

Team Evergreen defended its title as winners of the Constitution day athletics this month (17 May) with 874 points followed by Blues, 816, Boe, 388, Aida, 178, and Ubenide, 120 points•

Vital parts for CT scan stolen

The Ministry of Health and Medical Services is calling for the public's assistance to report and locate the DLink for the CT scanner.

Over the last few weeks there have been two break-ins at the settlement clinic and the CT scan offices. The Dlink required for the CT scan and modem which looks like a laptop were stolen. These are critical pieces of equipment needed to compress CT Scans. Without it the hospital will not be able to communicate with Brisbane for scan reports and the hospital cannot do the in-depth CT scan for critically ill patients because of this selfish act.

Nauru Police is investigating but if you know anything about the theft, please report it as soon as possible.

Taiwan Medical Mission on 5-15 June 2016

The 1st Taiwan Mobile Medical Mission visit for 2016 from Taichung Veterans General Hospital (TVGH) will arrive in Nauru from 5 to 15 June. Members of this mission are as follows: 1. Mr. Ching-Yu Wang, Ophthalmologist; 2. Mr. Shuo-Hsiu Hsu, Otolaryngology, Head and Neck Physician; 3. Ms. Pei-Ju Ting, Pediatrician; 4. Ms. Wei-Ling Liao, Registered Nurse; Patients wishing to see any of the above specialists are welcome to make an appointment at RON Hospital and Naoero Public Health Center•

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Chairman presents report on leadership code

The Chairman of the Select Committee on Leadership Code Russ Kun, MP presented the report on the code at this month's (12 May) parliament sitting with recommendations generated from public consultations.

Mr Kun presented the 90-page report and in its recommendations outlines written submissions and public hearings from the community outlining who should be defined a leader under the Code. Such leaders include the president, cabinet ministers, members of parliament, heads of foreign missions, holders of offices established under the constitution of under any written law, board directors, chairmen of state owned enterprises and public servants.



Additionally the community specifically wanted all decision makers such as police officers, church leaders, community leaders, the chief justices and judges and youth leaders to be included in the definition of leaders.

The inclusion of the private sector in the Code was thoroughly deliberated over but was decided it would not be exclusively targeted in the Act for reasons that there is not a large scale presence of private sector on the island and cannot be segregated in terms of primary, secondary or tertiary sectors. This is coupled with the absence of agriculture or manufacturing industry which is governed by strict labour laws.

“Nevertheless, to have some control over individuals who are not Government Servants but are expected to display a reasonable conduct should also be covered in the Code.”

With the assistance of expert advise the committee also looked to leadership codes from regional neighbours such as Tuvalu, Vanuatu and Samoa for guidance and best practices.

A common observation made by the Committee in the region in making possible the creation and implementation of the Code, is the need for the existence of either an office on ombudsman or commission and to be an expatriate entreated from the Commonwealth Secretariat.

The Committee also recommends the inclusion of an ethics advisor who would provide advice in confidence to parliamentarians and leaders on the question of best practices and possible breaches of the Code.

It is also recommended that the selection panel for the ombudsman shall comprise the president, leader of the opposition, the chief justice or Supreme Court judge appointed by the chief justice and taking guidance from the best leadership codes the Committee

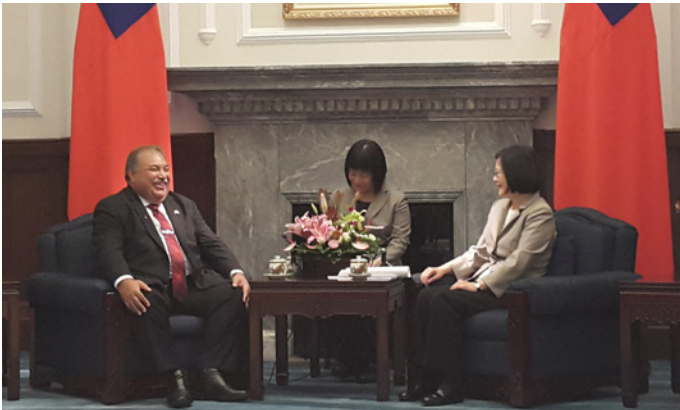
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President Waqa meets new Taiwan president and participates in UN conference in Turkey

At the invitation of the Government of the Republic of China (Taiwan), His Excellency President Baron Waqa visited Taiwan from 18-21 May to attend the 14th Presidential inauguration ceremony of President Tsai Ing-wen the first woman president of Taiwan.

A former law professor and trade negotiator President Tsai began her political experience in 1992 when she served as the chief legal consultant for the Bureau of Foreign Trade at the Ministry of Economic Affairs.

The inauguration ceremony was held on Friday 20 May and it was accorded in lavish pomp with precision military march by the joint armed forces of Taiwan, and fly-over by the Taiwanese Air Force. Also, there were cultural performances which highlighted Taiwan's history as a country and as a people represented by indigenous tribes and the ethnic Chinese.



H.E President Baron Waqa meets Taiwan's first woman president Tsai Ing-wen

President Waqa had an opportunity for a bilateral meeting with President Tsai who indicated to President Waqa that Taiwan is happy to work with Nauru on renewable energy assistance and will work to "include Nauru in Taiwan renewable energy programmes".

President Waqa in turn made a commitment of Nauru's continued assistance in advocating Taiwan to be included in regional and international engagements of which Taiwan can make a positive impact on the lives of people around the world, such as the World Health Organization.

President Waqa was accompanied by Madam Waqa Ministers Aaron Cook and Shadlog Bernicke, and MP Milton Dube, their spouses and senior government officials.

From Taiwan, President Waqa flew to Istanbul, Turkey, to participate in the UN conference on the World Humanitarian Summit, which was held from the 23-24 May. The Summit seeks to find ways of addressing and debating issues concerning the sufferings of humanity from the ravages of wars, forced migration, climate change and so on. The debates were intelligent and passionate, albeit the issues were wide and complex.

President Waqa was very active at the UN Summit by co-chairing a session of the Summit with other world leaders. President Waqa also called on the UN to create a special position - UN Special Representative on Climate Change and Security - a position that will take charge of relevant issues being advocated by all affected states•

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Leadership code - strong public support for quality leaders

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agrees to recommend at the discretion of the ombudsman to not investigate trivial, frivolous or vexatious complaints against leaders.

It is also recognised that genuine complainants' especially public servants also need protection and a guarantee that their complaints are treated confidentially. This leads to the recommendation that whistle-blowers protections also be part of the Code.

A simple procedure to move forward an investigation into a complaint of a minor nature is recommended.

For serious breaches involving criminal allegations, it is recommended that the ombudsman investigates and then forwards his recommendation to the director of public prosecutions.

Any appeals against the decisions of the ombudsman can be filed in the Supreme Court of Nauru.

The report also notes the public's strong views in regard to breaches of the Code. While the list of breaches of the Code is wide, the Committee will dwell only on those appropriate for such a code.

The general consensus is that leaders should have moral standards, display impartiality, engage in fair dealings devoid of bribery, should display transparency, right to information, eschew nepotism, and foster accountability. It is also agreed that examples of breaches should mirror the Acts of Tuvalu, Solomon Islands and Vanuatu which broadly includes aspects such as misuse of public moneys, acceptance of loans, conflict of interest, undue influence, misconduct in office, use of office for person gains, engaging in paid employment misuse of official information etc.

It is recommended that the inclusion of breaches from the legislations of the said jurisdictions suit local requirements and are not in conflict with the traditions and culture of Nauru.

The community also has strong views in relation to not giving pardons for breaches of the leadership code.

Consideration of additional punishments include loss of benefits, deprivations of proceed of crime, recovery or proceeds, restraining orders from dealing with the property obtained from breach of Code, vesting such property with the Government of Nauru.

The disclosure of gifts (received or taken) and assets of leaders is recommended. Gifts or benefits which are provided and available to all church members, sporting club members etc., shall not be treated as a gift or conflict of interest for a leader.

Expert advice is that it is a well-regarded convention that legislation and taxation when enacted are not implemented with retrospective effect, imposition of retrospective legislation in other jurisdictions has also led to widespread disharmony and social upheaval rather than reconciliation.

It is also made known at the sitting of the strong public demand for the enactment of legislation pertaining to freedom of information or right to information.

The committee notes "a leadership code is about holding people with power and authority accountable for their actions. It is about leadership that is dedicated to the service of the people and one that makes the people their first priority and not for leaders' own self-interest and material enrichment."•

Nauru conducts its first citizenship ceremony

This month (13 May) the Government of the Republic of Nauru conducted its first citizenship ceremony with 35 new citizens pledging their allegiance to Nauru.

Following the opening prayer His Excellency President Baron Waqa delivered his address welcoming the new citizens into the Nauruan family.

“Each of you today will have something special to share with your families that is uniquely yours to add to the meaning of being a Nauruan.

“We hope, in turn, that the freedom, the peace, the diversity and tolerance that we are privileged to enjoy in Nauru will be actively embraced and advanced by you.

“I hope you will all contribute in whatever way is right for you and your families to building Nauru’s future. As Nauruans, let us face our challenges together and build our nation to prosperity,” President Waqa said.



President Waqa, Madam Waqa and Speaker Scotty (R) with the proud new citizens

Secretary for Justice Graham Leung gave a briefing on the roles and responsibilities of being a Nauruan.

“Becoming a citizen of Nauru means that one assumes an allegiance to the country. It means that you must abide by and respect its laws, take pride in its history and narrative, and commit to constructively contributing to its wellbeing, political, economic and social, and in whatever way is possible.

“Nauru confers upon you a legal identity. The right to vote in elections... a right to participate in decision making in the country,” Mr Leung said.

Justice Mohammed Shafiullah Khan presided over the oath ceremony before President Waqa presented citizenship certificates, a copy of the Nauruan national anthem and gift bag to the 35 that were granted Nauruan citizenship from 2013 to May 2016.

New Nauruan citizen Richard Lewis gave a brief thank you speech on behalf of his fellow citizens.

Minister for Justice and Border Control Hon David Adeang delivered the closing speech in his native Nauruan congratulating the newest citizens adding that they have today been given something momentous and something difficult to achieve given that the Nauruan family is a very small one and inclusion into that small family is difficult.

Minister Adeang added that citizenship is something well-guarded and treasured by the current government, by former governments and by governments yet to come.

The minister explained that every aspect of the applicant including their background is vetted to ensure that each applicant seeking Nauruan citizenship is ready to look ahead and partner with Nauru going forward noting that building up a nation and taking it forward is no easy feat but said the government welcomed them to join in taking Nauru forward and prosper.

Several new citizens were not able to attend the ceremony but instead had representatives receive their certificates on their behalf.

The ceremony closed with the official release by President Waqa of a coffee book featuring Nauru’s landmarks and people.

Nauru citizens between 2013 to May 2016 are:

Warlito Jnr Bacted Lucas; Atitera Taleka; Japhi Elliam Cecil; Patricia Adun; Vaitusi Teabuge; Aaron Koroa; Mark McPhilbin; Sarah Jane Moses; Autasia Herman; Roslie Atabure Fritz; Jeimy Detaradage; Elizabeth Jacob; Saula Ikanivoka Ledua; Niki Teali; Victor Soriano; Vincent William Peters; Tesema Leiatu; Tebanimakei Capelle; Mateo Fakausituu Melekiola; Eric Gleeson; Elizabeth Yvorne Fonmoa Bill; Atenrebu Keitsito; Richard George Lewis; Deborah Sophie Togoran; Aileen Hiram; Tilion Tsitsi; Aneserita Dediya; Tania Timothy; Darwin Fernandez Bau; Taitusi Teleke; Crystal Jimwereiy; Esmina Dowedia; Maire Kabeia Ketner; Venessa J. Alokoa•

President hosts constitution day banquet

This month (13 May) His Excellency President Baron Waqa and Madam Louisa Waqa hosted a state banquet in celebration of Nauru’s 48th Constitution Day. The event was held in front of the government offices.

Following the opening prayer President Waqa offered his opening remarks reiterating the importance of commemorating constitution day as a nation and God’s law as the supreme law of all.

Shortly after His Excellency’s address the banquet was served.

Miss Nauru Lucina Detsiogo made a rare appearance by performing an elegant and semi-slow island dance in a long red and black dress.



Miss Nauru makes rare appearance at presidential banquet

President Waqa and Madam sponsored raffle prizes that included a range of home entertainment items and kitchenware.

The dinner was attended by members of cabinet, members of the diplomatic corps, senior citizens of Nauru and other special guests•

First solar energy farm unveiled

The unveiling for Nauru's first solar energy farm was conducted earlier this month (12 May) at the solar energy project site located near the old incinerator at topside.

The solar energy project was developed in partnership with the United Arab Emirates, project manager MASDAR and contractors Clay Engineering.

The acting Secretary of Commerce, Industry and Environment (CIE) Ms Chitra Jeremiah extended her welcome to His Excellency and guests to the very important event before the opening address by Minister for CIE Aaron Cook.

"This plant is expected to produce an average of 800 megawatts of energy per year. This is expected to save up to 200,000 litres of diesel fuel per annum and reduce Nauru's carbon emission 140 tonnes per annum," Minister Cook said.

President Waqa added his remarks on the benefits of the solar farm.

"The solar farm after all is an investment for the long term, benefit of the people and the environment. It will reduce the drain on government coffers and channel these funds to critical needed areas such as health and education," President Waqa said.

Director of Commercial & Government Relations of the United



President Waqa and UAE Director of Commercial & Government Relations Mr Al Mannaei at the launch of the solar farm

Arab Emirates (UAE) Ministry of State office Mr Khalid Al Mannaei delivered his speech outlining the successful cooperation between UAE and the Republic of Nauru.

"This project showcases the effective cooperation between the United Arab Emirates, MASDAR and the Republic of Nauru. It is also an important milestone in preparing the UAE Pacific Partnership fund," Mr Mannaei said.

Mr Mannaei also added that the partnership with UAE's partnership with the Nauru government is a shining light to other small island developing states.

The inauguration of the solar energy project concluded with the unveiling of the commemorative plaque by President Waqa and Mr Al Mannaei.

Heads of mission appointed

The Government has appointed three new heads of its foreign missions in Brisbane, Taiwan and Suva.

His Excellency President Baron Waqa met with the three in a lunch meeting this month (9 May) to discuss ways forward for each mission.

Mrs Chitra Jeremiah will be placed in the Embassy in Taipei Taiwan, Ms Kim Aroi in the High Commission office in Suva Fiji, and Mrs Rosie Harris at the Consul-General office in Brisbane Australia.

Mrs Jeremiah completed her placement as head of mission at the Consul-General office in Brisbane earlier this year and previously worked as director with the department of aid and planning on Nauru. She looks forward to her new role as Taiwan ambassador.

Ms Aroi was already acting in the position from her role as first secretary with the Fiji high commission under the leadership of former high commissioner Jarden Kephass.

Ms Aroi said Fiji is the hub of the Pacific and hopes that the Fiji



President Waqa with Nauru's new heads of its foreign missions (L-R) Kim Aroi, Rosie Harris and Chitra Jeremiah

office can be more involved in regional events for the Nauru government during her tenure.

Mrs Harris is a qualified teacher with over 10 years of teaching experience. She commenced duties this week as consul-general and sees it as a new challenge and honour to be serving her country.

Ambassador Marlene Moses remains the Permanent Representative and Plenipotentiary of the Republic of Nauru to the United Nations based in New York.

UNE graduates receive associate degrees

Fourteen female graduates of the University of New England received their associate degree in teaching Pacific focus at a ceremony this month (14 May).

The ceremony began with the procession of the UNE academic staff and His Excellency President Baron Waqa and Madam Louisa Waqa, who were welcomed with a traditional chant.

Several speeches were delivered by Associate Professor Pep Serow, Pro-Vice Chancellor of External Relations Trevor Goldstone, Secretary for Education Dr Maria Gaiyabu, and a pre-recorded message by UNE Vice-Chancellor Professor

Annabelle Duncan who was unable to attend the ceremony.

Ms Serow also gave background information about the teacher education program and the students that have completed the program.

The 14 graduates were then presented their certificates by Mr Goldstone.

Student speaker Bluenza Depaune spoke on behalf of the graduates thanking the UNE staff for their support throughout the two and half years in the training program.

The academic staff and students paraded out of the hall officially closing the graduation ceremony.

Amb Keke receives Taiwan medal for contributions to bilateral relations

Nauru's Ambassador to Taiwan Dr Ludwig Keke was recognised for his outstanding contributions to bilateral relations between Nauru and Taiwan with the presentation of Taiwan's Order of Brilliant Star with Grand Cordon by then Taiwan president Ma Ying-jeou on 8 April.

Ambassador Keke said he was very humbled by the recognition.

"It was a great honour for me and for Nauru. I was so humbled, but it was a happy and joyful occasion for Nauru and for us all," Dr Keke said.

According to the Taiwan government's official website Mr Ma thanked Nauru for its longstanding support for Taiwan's quest to participate in international organisations.



Nauru's Ambassador to Taiwan Dr Ludwig Keke meets with then Taiwan president Ma Ying-jeou

Mr Ma said that since being posted to the ROC in 2007, Ambassador Keke has spared no effort to promote bilateral ties and cooperation.

The ROC has assisted Nauru in various projects including the 360 project to help Nauru produce six types of agricultural products over a three-year period to foster self-sufficiency in these items and reduce their imports; clean energy with the supply of solar energy products; medical cooperation with a Memorandum of Understanding with Taichung Veterans General Hospital; university scholarships and vocational training.

In September of 2015, President Waqa spoke out in support of Taiwan during the Sustainable Development Summit at the 70th session of the UN General Assembly. In November 2015 at the 21st session of the Conference of the Parties (COP21) to the United Nations Framework Convention on Climate Change (UNFCCC) in Paris, President Waqa supported Taiwan's participation in the UNFCCC.

Nauru Australia sign direct funding arrangements

The governments of Nauru and Australia signed two direct funding arrangements (DFA) last month (7 April) totaling six million dollars in financial assistance for Nauru's health and education sectors.

Australia's High Commissioner to Nauru John Donnelly said the funding will provide support in the work of improving health outcomes and PACTAM advisors.



Finance Minister David Adeang and Australian High Commissioner John Donnelly following the signing of the direct funding agreements to support Nauru's health and education sectors

"Australia and Nauru have been proud partners in these two important sectors for a number of years. This direct funding arrangement provides for a further three million dollars into both the health and education sectors to cover this financial year," Mr Donnelly said.

Finance Minister Honourable David Adeang thanked Mr Donnelly for Australia's support and said Nauru is indebted to Australia for its continued assistance. Minister Adeang said that the arrangement is reflective of the strong relations between Nauru and Australia.

The signing of the direct funding arrangements took place at the minister's office.

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