6th Forum of Parliamentarians

Introduction to GOPAC (The Global Organisation of Parliamentarians Against Corruption) by John Hyde, Secretary, GOPAC; Chair, GOPAC Oceania

6th Forum of Parliamentarians at CoSP 6, St. Petersburg, Russia. November 5, 2015
Partnerships to Curtail Corruption in the Pacific - Building an Effective Parliamentary Ethics and Conduct Regime in Nauru

John Hyde
Chair, GOPAC Oceania
6th Forum of Parliamentarians at CoSP 6, St Petersburg, Russia. November 5, 2015
The background image will be tailored to each workshop

PaqueAM, 04/10/2011
Standards and Resources

GOPAC Handbook on Parliamentary Ethics and Conduct for Parliamentarians

GOPAC-UNDP Anti-Corruption Assessment Tool for Parliamentarians

Pacific Islands Forum Secretariat – “Forum principles of Good Leadership & Accountability”, with Pacific Country Reports
Community Engagement in Nauru

Parliamentary Select Committee on Leadership Code

<table>
<thead>
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<th>Questions</th>
<th>Response</th>
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<td>1. Would you like to include all of the following to be brought within the scope of definition of a Leader?</td>
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<td>i. Head of the State?</td>
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<td>ii. Speaker?</td>
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<td>iii. Chief Justice and Judges of Supreme Court?</td>
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<td>iv. Cabinet Ministers?</td>
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<td>v. Members of Parliament?</td>
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<td>vi. Heads of Government Departments?</td>
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<td>vii. Heads of Statutory Bodies?</td>
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<td>viii. Heads of Government Commercial Companies and Board of Directors?</td>
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<td>ix. Heads of Church Organizations?</td>
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<td>x. Others? (please specify)</td>
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<td>2. Whom would you like to exclude and why?</td>
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<td>3. I am generally satisfied with the conduct of Nauru’s Leaders. Agree or disagree?</td>
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<td>4. I agree there is a need for Nauru to have a law regulating the conduct of its Leaders. Yes or No?</td>
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<td>5. What aspects of Leaders’ conduct behaviour should be regulated by law?</td>
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6. All Leaders including MPs should be required by law to disclose their assets (and those of their immediate family members). Agree or disagree? Why?

7. Leaders should be required by law to disclose any gifts in cash and kind given to them including sponsored travel awarded. Agree or disagree?

8. MPs that breach the Leadership Code should be suspended from Parliament – do you agree or disagree? Why?

9. Depending on the seriousness of the offence, those that break the Leadership Code should be tried for imprisonment. Agree or disagree?

10. If an MP is found guilty of breaching the Leadership Code he/she should be disqualified for standing for Parliament in future. Agree or disagree?
“(1) Any person defined as a leader in Article 67 has a duty to conduct himself in such a way, both in his public and private life, so as not to —

(a) Place himself in a position in which he has or could have a conflict of interests or in which the fair exercise of his public or official duties might be compromised;

(b) demean his office or position;

(c) allow his integrity to be called into question; or

(d) endanger or diminish respect for and confidence in the integrity of the Government of the Republic of Vanuatu.”
Mr Willie Jimmy was formally convicted this morning at the Supreme Court bribery trial. Justice Mary Sey said she had not done so last week because he was not represented by legal counsel at that time. Justice Sey’s full conviction statement can be heard on Buzz FM 96 at the top of the hour.

Mr Jimmy is now excused from the trial.
Vanuatu Leadership Code
Review

Questions

1. Should the definition of 'leaders' be narrowed to include only political leaders and National Council leaders so as to give effect to the act, having those excluded under this definition (Public Servants), monitored and investigated by the Public Service Commission?

2. Should the definition include the categories of public servants and also private citizens who are on government boards/commissions?

3. Should the Leadership Code include in its section a clear definition on corruption to make it more understandable to the people and the leaders especially?

Conflict of Interest

The Leadership Code provides for the conditions where a leader can be said to have a conflict of interest:

"(1) A leader has a conflict of interest in a matter if the matter relates in any way to:
(a) Property the leader directly or indirectly owns or controls;
(b) Property owned or controlled, directly or indirectly, by a member of the leader's close family; or
(c) Property in which the leader has a beneficial interest of any kind, whether through a trust or otherwise.

(2) A leader has a conflict of interest in a matter if the leader or a member of the leader's close family, could benefit directly or indirectly from a decision on the matter, except as a member of a community or group"

4. Should the Ombudsman be monitoring reports of conflict of interest matters to ensure that Section 16 is in effect?

5. Should the Leader reveal his interest to the Ombudsman and not the body he is a member of?

6. Should the Ombudsman be the person responsible to have conflict of interests matters reported to?
Qualification of a Leader (Educational level)

Qualification of a leader has been an issue since independence when leaders were elected to their position in either public sector or government offices.17. The issue of qualification usually concerns the level of education. The Leadership Code Act does not provide for this matter as to its definition or any criteria as to how people will be selected as a leader. The definition of a Leader is someone who leads or commands a group, organization, or country, a member of the government officially responsible for initiating business in Parliament. A leader should be a person who is able to guide and inspire others. Education is very important for a leader, as it leads a country into a bright future as well as allow for the country to prosper.28.

8. Should leaders appointed into government offices be required to have at least a satisfactory level of education? Such as a tertiary education?

QUESTIONS
1. Should there be a Leadership Tribunal set up to determine allegations of abuse of office by leaders?

QUESTIONS
1. Should the breaches be categorized according to serious and less serious breaches?

2. What kinds of alleged breaches of the Leadership Code should be considered less serious?

3. What kinds of alleged breaches of the Leadership Code should be considered serious?
For More Information

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