

BACKGROUND

In June 2003, the Forum Regional Security Committee (FRSC) endorsed the development of a regional model leadership code for the consideration of Leaders. Some ground work had been undertaken by the Pacific Islands Forum Secretariat in collating codes of conduct in Forum Island Countries (FICs), followed by a regional workshop which discussed their effectiveness in terms of accountability and good governance. The Key Centre for Ethics, Law, Justice and Governance of the University of Griffiths in Australia, was then commissioned to develop the model leadership code and undertook consultations in several FICs to draw on their experiences. Several assumptions and expectation about leadership helped to define its development. These include behaviour and conduct, ethics, traditional and cultural values, formal codes of conduct, and the use and exercise of power. Other regional values such as the guiding principles of good governance, freedom and liberty, and democratic processes contained in the 2000 Biketawa Declaration, the Forum Economic Action Plan Eight Principles of Good Governance and the 1997 Aitutaki Declaration, also helped to shape the model regional leadership code, which was later endorsed by Leaders as the Forum Principles of Good Leadership. Leaders encouraged FICs to explore the process it outlined. A core purpose for this model was to develop a shared understanding between leaders and the people on their roles and responsibilities.

However, work on developing leadership codes in the region has been slow and limited. Except for Tuvalu in 2007, Kiribati's attempt to enact a proposed leadership code failed to gain the mandatory two-thirds majority support of Parliament. Tuvalu's leadership code remains to be enforced.

“Given the collective regional consensus for strengthening good governance and the utility and importance of this robust set of model regional leadership code in supporting governance, Leaders recommitted their support to work around it. Initiative 12.2 of the Pacific Plan specifically supports the Forum Principles of Good Leadership and Accountability. Aside from ongoing effort to promote the model regional leadership code, the programs implemented by the AusAID Pacific Leadership Program, this research into actual leadership practice against the Forum Principles of Good Leadership and the biennial stock-take of the accountability principles, are the main activities implemented under Initiative 12.2. Research on actual leadership practice on the Forum Principles of Good Leadership is funded by the Pacific Leadership Program. Further activity





identified under Initiative 12.2 is to develop an equitable leadership program. Actual leadership practices should highlight pertinent areas that might inform on a relevant leadership program. It could also form an assessment, (none since its endorsement in 2003) on the degree to which aspects of the model leadership principles exist in FICs. Furthermore, and in some respects, the exercise may be viewed as a partial analysis of Initiative 12.2 as identified in the Pacific Plan to be completed after 2008. Research on actual leadership practice against the Forum Principles of Good Leadership seeks to ascertain the existence of these leadership principles through legislation or otherwise in FICs.

The findings are useful to the Secretariat in many ways. One is to help the Secretariat to identify areas of weaknesses in leadership practice and to develop appropriate programs as part of its ongoing regional mission to strengthen governance through improving leadership practice in the region. This may include developing appropriate leadership programs as identified by the Pacific Plan. The findings also provide the Secretariat with an insight into current leadership challenges faced by FICs and the effectiveness of appropriate legislation, where these exist, in relation to the specific challenges. An ongoing periodic regional leadership monitoring program on actual leadership practice is essential in this respect. Where shortcomings are identified, appropriate corrective action should be taken to rectify the gaps. Actions that remedy weaknesses increase the utility of the Forum Principles of Good Leadership. Ongoing periodic monitoring of actual leadership practice cannot avoid sensitivity and potential for controversy. While these matters are undesired for well-meaning initiatives aimed at improving leadership practice, there is nothing to prevent them from happening.

The third benefit of these findings is that they help the Secretariat refresh interest amongst FICs on the importance of leadership codes in strengthening leadership practice, heightening responsibility and accountability. Actual leadership practice in this research might help to awaken the need to do something about the decisions, actions and conduct of leaders that bring into disrepute the office of leaders, damage the integrity of the State and its institutions and often result in the abuse of public resources. Accountability of elected leadership should not only be in times of elections, but must be ever-present through leaders' term of office. Whether codes of conduct are developed is another matter, but what is apparent is the real need for strong, independent and constitutionally empowered leadership watch bodies, to ensure leaders are accountable and responsible. Where these exist in FICs, they need to be properly resourced and empowered to effectively and decisively execute their functions. Perhaps the goal is to move away from the traditional antagonistic relationship, to one of dialogue and engagement by the oversight body with leaders, to help leaders to perform their duties.

Work on this project commenced on 30 May 2008 when an expression of interest (EOI) on the research was issued. The EOI attracted twelve (12) proposals which were evaluated on 10 June 2008 using the Secretariat's consultancy guide. Evaluations were completed at the end of July 2008 after the conclusion of interviews with team leaders of the short-listed bids. Synexe Consulting Limited was awarded the assignment and required to submit the completed research



reports by 18 May 2009, later extended to the end of 2009. A total of 16 researchers were sub-contracted by Synexe to undertake country reports (see 'Contributors'). A guideline was also prepared by the Secretariat to help researchers complete their reports. In parallel with the research, the Secretariat developed a database of over 2,000 e-news articles in 2008 from the region. The e-news reports are from the Pacific Islands Report compiled by the East West Centre. This database contributed to actual leadership practice cases in the country reports. The year 2008 was decided on to look at current developments on leadership practice. It is not fixed, however. Each case on leadership practice with a past before 2008 is traced back to its origins to ensure completeness in coverage. Similarly, relevant legislation is traced to 2003 or earlier, to track its developments over time. In all, a total of 14 country reports were completed for the Cook Islands, the Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

The outline of the country reports are aligned to the Forum Principles of Good Leadership (see Schedule 1). There are no summaries or conclusions for the country reports. This is intended to allow readers and users to form their conclusions and to avoid judgmental pronouncements, opinions and generalisations. Leadership issues evolve over time, triggered by a host of factors. These reports are reported accordingly under the appropriate model leadership principles and where available, related in respect to appropriate laws. In many cases, the particular law is cited verbatim followed by actual leadership practice.

There is no ranking and comparing of FICs against each other. Instead, FICs relate individually against the model leadership principles, i.e., what was reported, happened or transpired in 2008 that could be recorded against a particular model principles. In other words, actual leadership practice (through the decisions, actions or conduct of leaders on major issues or institutions) that was reported in 2008 for each FIC is discussed under the appropriate sections of the Forum Principles. To rank and to compare FICs on actual leadership practice fails to appreciate the context that gives rise to the decision, action, conduct and behaviour of leaders. Some of these may be cultural and political. Some may be due to practical constraints in legal, human or institutional settings. To rank FICs ignores fundamental and enormous variations across the FICs. These also include population size, geography and land mass, and variations of the three main cultural groupings of Melanesia, Polynesia and Micronesia. Melanesian leadership features in the context of a heterogeneous populace imbued with abundant natural resources that collectively make up for the largest number of languages in the world. On the other hand, the Micronesian and Polynesian islands are generally small in land mass, comprised of a homogenous group of people in highly stratified social systems, speaking a single-language. Infused upon these different socio-demographic bases are different political and administrative systems inherited from the past, which influence and make up their current governance structures and legal frameworks. Some acquired a presidential style of government while others adopted the Westminster systems with differing sizes of public administration and government machinery. These factors impact





on leadership practice, endogenously, for actual leadership practice to see it as it within its socio-political context and against a model set of leadership principles.

In examining actual leadership practice of leaders against the prescribed legal frameworks, it maps out practice with relevant laws where these exist, largely to emphasize the point that leaders' decisions, actions and conduct are bound and governed by laws, but without devaluing other leadership values, ethics and norms. The focus has been rather limited to the legal aspects and formal institutions governing leadership practice, as it is with current trends in governance strengthening initiatives that work on the gaps and weaknesses in formal legal framework and institutions. Understanding the context of leaders' decisions, actions and conduct as well as their roles and responsibilities in this context is not to be confused with leadership in FICs lacking knowledge of their laws or the implications of their decisions, actions and conduct. It is about accountability and responsibility. In some FICs, specific laws have been put in place to govern the conduct of leaders with varying degree of success.

Leadership codes have been introduced in Papua New Guinea (*Organic Law on the Duties and Responsibilities of Leadership, the Organic Law on Certain Constitutional Office-holders and the Organic Law on the Integrity of Political Parties and Candidates*)⁴ and the Solomon Islands (*Leadership Code (Further Provisions) Act (Cap 86)*), the Federated States of Micronesia's *Public Officials Code of Conduct*, the *Ethics in Government Act 1993* in the Republic of the Marshall Islands, the *Code of Ethics Act of 1997* of Palau, the *Leadership Code Act [Cap 240]* and the Code of Conduct for public servants set out in the *Public Service Act [Cap 246]* in Vanuatu and the Tuvalu *Leadership Code Act 2007*. Tuvalu is the only FIC to have adopted the Forum model leadership principles into law, but the oversight or policing function is yet to be put into place.

Holding leaders responsible and accountable for their decisions, actions and conduct is somewhat mixed in FICs. The need for new law is necessary but not essential, because many FICs have existing arrangements. Existing oversight, accountability and integrity institutions and mechanisms also need to be empowered with resources, independence and powers to take appropriate action against leadership, when and where they have been negligent in the exercise of their duties and responsibilities. But, leaders also need to be assisted in exercising their role and responsibilities. This can be possible through a strong, understanding and enduring partnership between leadership oversight bodies, the people and leaders. It points to moving away from the confrontational and threatening perception often associated with enforcement agencies, to one of constructive engagement with leadership. In using the Forum Principles of Good Leadership as a model for reviewing actual leadership practice in FICs, it is anticipated that it acts as a potential driver for improving leadership practice. Moreover, that it adds further to building the bridges between oversight and integrity, institutions and leaders, and the people.

⁴In July 2010, the Supreme Court in Papua New Guinea ruled that *the Organic Law on the Integrity of Political Parties and Candidates* was unconstitutional and infringed on the rights and liberties of individuals.

