



# TALANOA

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## GREETINGS TO ALL PILON MEMBERS

It is now the sixth month of 2023 and we wish all our valued PILON Members, our partners, our many colleagues, families and friends a warm welcome and greetings for this year.

Our borders are now opened, and most of the restrictions and lockdowns imposed during covid have been lifted. The compulsory use of masks, covid tests and health reports when travelling, are now a thing of the past.

However, the new normal has some getting used to. We're still conscious of what happened, and the after effects of our lockdowns have had a

negative impact on the physical and mental health of many young people and especially our most vulnerable.

And on that note, this newsletter reminds us that life continues and we are all in this together.

Happy reading.

## COMMONWEALTH SECRETARIAT CYBERCRIME CONFERENCE

**LAE, PNG, FEBRUARY 2023**



*Linda Folaumoetu'i, AG Tonga and Su'a Hellene Wallwork AG Samoa with all the Judges and Justices of the Pacific Region in PNG*

Ms Su'a Hellene Wallwork, PILON Chair, and Attorney General of Samoa, alongside Mrs Linda Folaumoetu'i, PILON Cybercrime Working Group Chair and Attorney General of the Kingdom of Tonga, were invited to attend and speak at a conference on 'Addressing Cybercrime in the Pacific', which was held in Lae, Papua New Guinea, from 7-9 February 2023.

This event, was open to judges and senior magistrates (judicial officers) from Commonwealth Pacific member countries to facilitate discussions on the types, trends, scale and impact of cybercrime in the Pacific region and globally. It identified solutions to cybercrime and cybersecurity challenges commonly encountered by judicial officers in the discharge of their functions and in resolving cybercrime cases and those involving electronic evidence.



AG Su'a Wallwork giving the opening statement at the PNG Cybercrime Conference for Judges.

The conference enhanced judicial officers' ability to effectively adjudicate over cybercrime cases and those involving electronic evidence. There was high level engagement around the role of, challenges and opportunities for judicial officers' involvement, in the development and implementation of international cybercrime treaties, norms and practices; such as the UN Treaty on Cybercrime (also known as the International Convention on Countering the Use of Information and Communication Technologies for Criminal Purposes).



Conference Meeting

The conference had three broad objectives. It was designed to enable the participants to:

- (a) exchange views, increase their awareness and build their capacity to influence the building of effective domestic, regional and international cybercrime and electronic evidence frameworks;
- (b) enhance their capacity to adjudicate over cybercrime cases, those involving electronic evidence, and that require reliance on international mutual legal assistance frameworks and processes; and
- (c) strengthen key intra-Commonwealth networks of judges and other stakeholders to promote capacity and skills development and the building of effective anti-cybercrime frameworks.

## SEXUAL AND GENDER-BASED VIOLENCE (SGBV) ADVISORY PANEL MEETING

APIA, SAMOA MARCH 2023

### Regional Guidelines for Prosecutors and Witness Support Officers



SGBV Advisory Panel Meeting members at Tanoa Hotel, Samoa

Members of the SGBV Advisory Panel gathered in Apia, Samoa, from 16-17 March 2023, for a Workshop to finalise a set of regional guidelines for prosecutors and witness support officers, to support vulnerable witnesses throughout the prosecution of sexual offences (the 'Regional Guidelines').

This has been a long-running project of PILON's SGBV Working Group, which is chaired by the

Ms Su'a Hellen Wallwork, Attorney General of Samoa.



The 2-day Workshop provided an opportunity to consider feedback received from regional partners and stakeholders in PILON member countries. The Workshop featured a presentation of the finalised Regional Guidelines to the SGBV Working Group and Chair of PILON.



The Advisory Panel comprises representatives from Australia, Cook Islands, Federated States of Micronesia, Nauru, Papua New Guinea, Republic of Marshall Islands, Solomon Islands, Vanuatu and Samoa (where the PILON Secretariat is located).

### **Severe impact of sexual offending**

Sexual offending can have a severe impact on complainants and other witnesses – who are all at risk of being further traumatised by the court process.

These guidelines outline some best practice approaches that prosecutors and witness support

officers should take to reduce trauma to witnesses throughout the prosecution process and ensure the court hears the best evidence. In doing so, the Guidelines aim to reduce delays in these cases and improve public confidence in the justice system.



## **UNODC CRYPTOCURRENCIES & DARKNET INVESTIGATION TRAINING COURSE**

**NADI, FIJI, 20-24 MARCH 2023**

Two PILON representatives, Mrs Rachel Olutimayin, Director of the Public Prosecutions Office, the Solomon Islands, and Aunoa Uele, a prosecutor from Samoa, attended a regional multi-agency 'Cryptocurrencies and Darknet Investigations Training' in Nadi, Fiji. The training was organised by UN Office on Drugs and Crime (UNODC) to strengthen the national and international counternarcotic capacity of Member States.

The training focused on the rise of new technologies in the facilitation of trafficking of opioids and synthetic drugs over the internet.

One objective of this training was to build capacity for criminal justice authorities to effectively investigate and prosecute cases of online trafficking of opioids and synthetic drugs via Darknet or Clearnet marketplaces.

The five-day training, led by UNODC specialists, included a series of theoretical content and practical simulations of real-life scenarios to help

participants understand the clearnet, darknet and cryptocurrencies in greater depth, as well as improve their expertise in detecting criminal activity on the darknet and conducting investigations using cryptocurrency tracing tools.

Participants improved their ability to identify evidence and seize assets and drug proceeds stored in cryptocurrency wallets, as well as their understanding of enforcement and prosecution methods for smoother cross-border cooperation.



*Photo: Aunoa Uele and Rachel Olutimayin in Nadi, Fiji.*

## PACIFIC ISLAND FORUM SUB-COMMITTEE REGIONAL SECURITY

**SUVA, FIJI, 18 – 19 APRIL 2023**

The FOC Sub-Committee on Regional Security met on 17-18 November 2022. The PILON Secretariat regularly attends in-person meetings, consultations and senior officials' workshops to inform on PILON's work towards the activities of the Boe Declaration and the implementation plan for the 2050 Strategy for the Blue Pacific Continent.



*Back Row (L-R) – Tevita Tupou, FFA, Jay Caldwell, APSC, Nick Brown, PICP and Patrick Haines, SPC.  
Front Row (L-R) – Anna Naupa, PFC, Dr Henry Ivarature, APSC, Sasae Walter, PILON and Dr James Movick, PFC.*

During this meeting, PILON presented an update on all three recent WG activities to members relating to the main strategic focus of the Boe Declaration.

Pacific leaders have recognised the threats national security plays on regional security and the need to have a coordinated response. The Boe Declaration Action Plan on Regional Security sets out six strategic focuses: climate security, human security and humanitarian assistance, environmental and resource security, transnational crime, cyber-enabled crime and cybersecurity and creating an enabling environment for implementation including an appropriate coordination mechanism.



*Photo: courtesy of the Pacific Islands Forum Facebook page.*

The rest of the week featured a Senior Officials' Workshop on Partner Engagements, Development Coordination Mechanisms and the Review of the Regional Architecture.

The 2050 Blue Pacific Strategy was also in discussion, and members provided updates on their national activities as they progressed this strategy further. The Strategy serves as the Pacific guide for the decades to come, setting out long-term vision, key values to guide us and key thematic areas and strategic pathways that will pave our shared trajectory as a region.

According to the Strategy, the Blue Pacific is about Pacific peoples, their faiths, cultural values and traditional knowledge. The 36-page document outlines 10 commitments across seven interconnected thematic areas most crucial for the sustainable long-term development of the region.

The focus areas include political leadership and regionalism, peace and security, people-centred development, technology and connectivity resource and economic development, climate change and disasters and ocean and environment.



Sasae Walter PILON, H.E. HC Nauru in Fiji Michael Aroi, Chair and Terio Koronawa PIFS

## THE BASEL INSTITUTE ON GOVERNANCE



The Secretariat, Mrs Meg Rudder, Australia’s representative on the Corruption Working Group, and Mr Andrew Dornbierer, Senior Asset Recovery Officer, Basel Institute on Governance (BIOG), held a virtual meeting to introduce each other’s work and how our agencies could work together given our support and contributions to global efforts to prevent and combat corruption and strengthen governance.



Courtesy: Basel Institute website

The BIOG are an independent not-for-profit competence centre, working around the world to strengthen governance and counter corruption and an NGO dedicated to countering corruption and other financial crimes and to improving standards of governance. They view anti-corruption and good governance as critical components to achieve sustainable and equitable development around the world.

One of the focuses of BIOG is on asset recovery. When asked why asset recovery is important in preventing and combating corruption, BIOG responded that it is its deterrent effect. People are more likely to engage in corrupt behaviour if they are confident that – even if they are caught and convicted – they and their families will still be able to enjoy their illegally obtained wealth. Recovering illicit assets helps deter corruption by turning it into a higher-risk, lower-reward activity.

In addition, by convicting corrupt officials and recovering stolen assets, countries can also generate funds for development and strengthen their criminal justice systems. The end results are stronger rule of law, integrity and trust in government.

## PACIFIC FUSION CENTRE



Mrs Linda Folaumoetu’i, PILON Cybercrime Working Group Chair and Attorney General of the Kingdom of Tonga, spoke as the leading and key discussant at the Pacific Fusion Centre’s analytic discussion on ‘How has the Budapest Convention supported Pacific cybercrime responses?’

Other discussants were representatives from Pacific Islands Forum Secretariat (PIFS) and Pacific Cyber Security Operational Network (PaCSO).

Mrs Folaumoetu'i shared Tonga's experience on their preparations and all the work involved throughout the accession process and that Tonga had acceded to the Budapest Convention on Cybercrime to become the 55th State Party.



Linda Folaumoetu'i, Chair of the PILON Cybercrime WG and Attorney General of the Kingdom of Tonga

She stated that:

*Tonga's accession to the Budapest Convention is further evidence of the global reach of this treaty. The efforts by*

*Tonga to bring domestic legislation in line with the Convention and to strengthen criminal justice capacities is an example for the Pacific region.*

Mrs Folaumoetu'i underlined that:

*the arrival of high-speed internet via broadband connection in 2013 brought many opportunities in terms of e-commerce, e-government and access to information, for example. Cybercriminals exploit the very same opportunities. This was why joining the Budapest Convention; accompanied by technical assistance, was so important for Tonga and Pacific Island States.*

The accession by Tonga is the result of cooperation with the Council of Europe since 2010. In 2014, when Tonga requested accession to the Budapest Convention, it became a priority country under the Global Action on Cybercrime (GLACY), a capacity building project of the Council of Europe and the European Union.

## AUSTRALASIAN PCC/CALC ASIA-PACIFIC CONFERENCE

**SYDNEY, AUSTRALIA 2 -4 AUGUST 2023**

The PILON Legislative Drafters Committee (PLDC) received an invitation to attend the Commonwealth Association of Legislative Counsel (CALC) Drafting Conference. In collaboration with

the Australasian Parliamentary Counsel's Committee (PCC), CALC is organising an Asia-Pacific Regional Drafting Conference from 2-4 August 2023. The conference will be in Sydney, Australia, hosted by the New South Wales Parliamentary Counsel's Office.



One of the main attractions of this conference is that the conference program

includes many items of relevance and benefit to the Pacific Islands. Drafters and other people from the Pacific who are available and interested to attend, are encouraged to register and participate.

The Conference organisers welcome any particular topics for discussion/presentations that PLDC members would like to have on the program, and are opening the invitation to any Pacific drafters (or other professionals from the world of law, government, academia, etc.) who may be interested in being a guest presenter.

## SAVE THE DATES!

### CORRUPTION WORKING GROUP

**WEBINAR:** Gift giving versus Corruption – where do we draw the line?

**Thursday 22 June 2023**

**WEBINAR:** Money laundering in the Pacific

**Thursday 14 September 2023**

### CYBERCRIME WORKING GROUP

Online courses in digital forensics 2023.

### SGBV WORKING GROUP

#### *Special Measures Reports*

The WG is putting the finishing touches on two reports on the use of special measures in law and practice across the Pacific.