



CONFERENCE REPORT

A Summary of Considerations and Content Drawn
from the Conference Deliberations

*Prepared by the Australian Pacific Security College on behalf of
the Pacific Islands Chiefs of Police, Oceania Customs Organisation and
the Pacific Immigration Development Community*



An Australian Government Initiative



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Introduction

This report is prepared as a summary of collective views shared at PRLEC2022 and should not be taken to reflect the views of any particular parties present, or a commitment to take particular actions.

This report summarises the considerations and content drawn from deliberations across panelists and participants at the inaugural Pacific Regional Law Enforcement Conference, held at the Hilton Hotel in Nadi, Fiji, August 1-4 2022. The theme of the conference was “Partnering to Disrupt Transnational Crime in the Pacific” and was underpinned by the core principle of “enhancing the network to beat a network.”

The secretariats of a number of regional law enforcement agencies – the Pacific Islands Chiefs of Police (PICP), the Pacific Immigration Development Community (PIDC) and the Oceania Customs Organisation (OCO) - proposed the conference as an opportunity to strengthen existing relationships and strategies. Law enforcement is an area with much to gain from enhanced cooperation and relationships, building on the Declaration of Partnership (2018) and the practical work of the Pacific Transnational Crime Network. Regional coordination is needed more than ever as the opening of international borders post-COVID combined with other drivers such as climate change and strategic competition, make this the most complex transnational crime environment that the Pacific has ever faced.

The conference aimed to bridge the gap between practitioners, policymakers, and academia in order to shape future academic agendas and leverage research to improve practice.

In line with this objective, over half of the 120 participants were drawn from across the three organising secretariats ensuring the conference had immigration, customs and police personnel from most countries in the Pacific. The additional half of participants were drawn from the Pacific regional agencies, multi-lateral and bilateral partner agencies, academics with research interests matching the conference agenda and the conference support team from the APSC.

The conference program focused on building upon existing regional commitments and mechanisms including: the Pacific Islands Forum 2050 Strategy for the Blue Pacific Continent; the Boe Declaration on Regional Security; the PTCN Strategic Direction 2020-24; the TNC-relevant elements of the Joint Heads of Pacific Security agenda; and the 2018 Declaration of Partnership regional law enforcement bodies. Following presentations by a mix of invited keynote speakers and facilitated panels, interaction was encouraged with participants and stakeholders through extensive question and answer sessions.

This report presents a range of considerations grouped under thematic areas that have been drawn from conference presentations and discussions, whilst the Appendix provides a brief

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session-by-session summary. As Conference presentations and speeches have been distributed to all participants, this report only briefly summarises each session of the conference but aims to highlight points of consideration and lessons learned that may inform ongoing efforts to disrupt transnational crime in the Pacific region.

Strength through Diversity

Diversity is critical to national and regional security. Diversity of backgrounds and perspectives enables critical thinking about national and regional security pressures, opportunities, and new pathways forward. The representation, participation and engagement of diverse groups supports a stronger conversation on vulnerability and opportunities to address security challenges - including community and domestic violence, as well as issues of cybersecurity and transnational crime. A particular focus in PRLEC2022 was ensuring the representation of women’s voices, whose responsibilities for particular security domains and their different experiences of insecurity bring critical new insights to a domain that has traditionally been male dominated.

To ensure strength through diversity, the organising committee for PRLEC2022 encouraged:

- diverse participation as leaders, experts and audience; and
- inclusion of conference content which reflects diverse perspectives on TSOC and/or policing.

In terms of gender, the conversation was supported by the participation in **Table 1** below. The conference also featured a specific presentation on the strengths of the Customs-led Pacific Women’s Professional Development Program – presented by female Customs leaders from Fiji and Australia.

	Female %	Male %	Other %
Presenters (speakers and chairs)	40	60	0
Audience (in person)	35	65	0
Audience (online)	42	57	1

In terms of ability, the conference was strengthened by the representation of the peak body, Pacific Disability Forum. The Chief Executive Officer for Pacific Disability Forum, Mr Setareki Seru Macanawai, was an active contributor to the conversation and was a key voice in a podcast recorded at the conference on vulnerability and harm from TNOG. A small number of participants also identified as having mobility issues and provisions were made to support their full engagement – with the assistance of Hilton Denarau.

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Threats, Opportunities and Considerations

This section highlights the key thematic areas discussed across the conference and provides a brief snapshot of emerging threats identified in the Pacific Islands region. Drawing on the perspectives of conference participants, each theme is then supported by opportunities for regional collaboration and threat disruption.

Harmonising and fostering multi-agency engagement in Transnational Crime Units across countries of the Pacific Region

Multi-agency engagement and collaboration emerged as a major theme in many of the discussions at the conference. In 2004, the PTCN declared 'no single organisation can do it alone' and through the partnership with PIDC and OCO enabled TCUs to be staffed by officers from police, immigration and customs which increased domestic and cross-country sharing. There are currently 28 TCUs in 20 countries and 50% are multi-agency. While collaboration is already being pursued in many domains, there must be ongoing efforts to strengthen TCUs multi-agency structures with improved coordination to prevent, detect and disrupt TNC. Some of the ongoing challenges for TCUs and multi-agency collaboration include that staff working in TCUs are often redirected to assist with national issues such as elections and disasters.

To increase the strength of TCUs to disrupt TNC, participants were reminded that TCUs are only as good as national legislation. Furthermore, sovereignty over national laws and policies is paramount which means that TCUs are good for information sharing but cooperation can be more complex when it comes to investigation – particularly when an investigation extends across borders.

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"This conference sets the scene of the togetherness that is needed to achieve what is expected of us by our political leaders, our communities, and importantly our Blue Pacific region."

SAMOAN DEPUTY POLICE
COMMISSIONER PAPALII
MONALISA TIAI-KETI

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Financial crimes, money flows and the complexity of financial regulation in the context of transnational crimes and corruption

Conference participants and presenters noted the importance of illegal flows of money being facilitated in and through the Pacific region – but that Pacific countries were not currently well placed to ‘follow the money’. Key reasons fuelling an environment for financial crimes were the expanding number of casinos in the Pacific region, national Financial Intelligence Units (FIUs) being underfunded or even absent, and marked levels of corruption. The IACCC described the Pacific region as critical to international efforts to disrupt the illegal flow of money and highlighted increasing mention of PICs in global investigations. Researchers also noted the Pacific Region is underpinned by cash-based economies and in many communities, informal ‘wantok’ systems of reciprocity, that makes financial crime investigation all the more difficult. However, it was also noted that many Pacific populations are becoming both increasingly aware of and discontent with corruption. Moreover, it was noted that civil society organisations have and will continue to play a central role in driving reporting on corrupt behaviour of officials.

Participants were urged to fully fund FIUs and build stronger collaboration between FIUs and other forms of law enforcement. Countries were encouraged to not only pass anti-corruption legislation but to also enforce it. The role of lawyers and accountants was highlighted as an area for further investigation with the acknowledgement that Australia is becoming a haven for the flow of illegal money from the Pacific Region.

Criminal Deportations to the Pacific – Implications for TNC and Pacific Security

There is a regular stream of people with criminal records being deported from Australia, New Zealand, and the US back to their places of birth in Pacific Island countries despite having lived abroad for the majority of their lives. This means many of these people have limited or no family, community, or cultural associations with their birth country.

Participants at the conference discussed the implications of criminal deportees/returnees on criminality in the region. Specifically, disenfranchised and disconnected returnees were increasingly engaging in criminality at a local level but also vulnerable to becoming integrated into TNC networks. This speaks to the hybridisation of TNC operations and actors blending together from local Pacific syndicates, East Asian, South American, Australian and NZ groups.

Participants felt there was much more work that could be done to examine returnee policies and programs in both source and destination countries and emphasised that dialogue and attention was needed on this issue from relevant stakeholders across law enforcement, foreign affairs, and social service organisations.

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Increasing trafficking, production, and use of Illegal drugs

Participants heard of the increase in the trafficking, availability, and use of illegal drugs within and across PICs. While the Pacific region had a long history of being used to traffic cocaine and methamphetamine across its oceans and airways, the emerging evidence of methamphetamine production in the Pacific indicates that TNC organisations are facilitating the movement of precursor chemicals into the region as well as providing the technical knowledge to train Pacific Island nationals in the local manufacture of methamphetamines. Insights from specific countries indicate that the rise of methamphetamine use is creating significant challenges at community level for both security and the health of people who are using drugs. This comes in a context where drug policy and legislation as well as community perceptions and attitudes towards drugs are highly variable and complex.

Partners wishing to engage in this space were encouraged to place traditional Pacific Island leaders such as chiefs and churches at the centre of this discussion, as Pacific communities face vastly different cultural contexts to those of many donor countries. In contrast with donor countries' drug policies that often attempt to integrate drug supply reduction, drug demand reduction and harm reduction, conversations around harm reduction and rehabilitation are only just beginning to develop in the Pacific.

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“Drug harm reduction strategies should be contextually and culturally appropriate, and grounded in a human security approach that draws from law enforcement, government, civil society and traditional power structures. It needs to prioritise youth across the Pacific, as the frontline against drug addiction.”

MR JOSE SOUSA-SANTOS

Senior Fellow, Australia Pacific Security College

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Improving legislative frameworks across PICs to be able to disrupt TNOc

Transnational criminals are skilled at identifying loopholes in laws and finding a path of least resistance. Therefore, robust and adaptive legal frameworks are critical to disrupt TNC. Legal experts from national and regional entities described significant issues within legal systems and frameworks across the majority of countries in the Pacific. Furthermore, there is inconsistency across the region in terms of how different laws attempt to address similar TNC challenges.

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Fostering greater cooperation between national and regional legal experts will improve the ability of prosecutors to pursue transnational criminals. Participants were encouraged to work across police, immigration and customs networks to enhance understanding and cooperation on legal frameworks, as well as build supporting laws across different countries. While respecting national sovereignty in terms of jurisdiction will remain important, no Pacific state should work alone. As shown the 1992 Honiara Declaration and the 2002 Nasonini Declaration, Pacific leaders have long highlighted that regionalism and solidarity can greatly assist in responding to TNC in the Pacific region.

Increasing understanding, capability, and coordination across the complexity of the maritime domain

The maritime domain is crucial for Pacific goods transit, resource management, food security and cultural stewardship. As such, improved awareness of the maritime domain would be a significant improvement in the ability of Pacific law enforcement to identify and address TNOC risks. Participants noted the critical role of fisheries, due to both the broader implications of fisheries crime and the use of the fishing sector as a vector to commit other crimes like trafficking of humans, drugs, and weapons. Whilst maritime domain awareness has been acknowledged as central to disrupting TNOC, the trend of distant water fishing nations pressuring Pacific Island Countries to disengage from pursuing legal restitution for vessels impounded as a result of illicit fishing has made the issue far more complex. However, Pacific nations have been assisted greatly by the Forum Fisheries Agency, which has provided a strong regional framing for enhanced coordination, and has led to some emerging examples of national and bilateral operations. These examples, such as the Blue Boats Case Study, are highlighting how air and sea surveillance, as well as intelligence at all levels can provide real time support for national law enforcement agencies.

Participants were challenged to consider what 'Pacific ownership' of an improved maritime domain picture would mean. The primary picture currently sits with FFA, but it is strictly fisheries focused and as a result, there are challenges with sharing information across law enforcement. One promising topic of discussion in this regard was the potential for the Pacific Fusion Centre to play a role in improved information sharing and collaboration.

Matching the offers of technologies and resourcing with local capabilities, ownership, and coordination

The Pacific region is receiving increasing interest and a great variety of offers for resources from external donors. This interest includes offers of access to technology and systems that can enhance capability in all sectors of regional security. Whilst some Pacific law enforcement agencies are utilising these offers to develop new regionally recognised technology platforms such as 'the Pacific Small Craft App' and All Partner Access Network – APAN, use is uneven across countries and the systems aren't always well tuned for Pacific needs.

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The central concern for FICs now is how to ensure oversight of national and regional domains and ownership of the underpinning data. Participants mused on how to match the offers of technology and resources with improved and locally driven coordination, understanding of local contexts and capability enhancement. They found that the TCUs in collaboration with regional secretariats and CROP agencies are best placed to align existing requirements with emerging opportunities in the technology and resourcing space.

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"The strategic context for Pacific law enforcement has changed considerably, and the pace and scale of change is accelerating. We are entering a complex new phase where COVID-19, climate and competition bring new challenges, but also new opportunities."

MR EWEN MCDONALD

*Head, Office of the Pacific,
Department of Foreign Affairs
and Trade*

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Next Steps

The PRLEC2022 was the culmination of a decade of advocacy by a generation of leaders from police, customs, and immigration who were seeking improved collaboration. It was a strong beginning to a joint public conversation on the challenges that Pacific law enforcement faces in addressing the scourge of transnational crime in our region.

In his closing address, the Secretary General of the PIF, Mr Henry Puna, encouraged further collaboration into the future. There remain questions on the appropriate timing, scale and focus of future joint activities. The organising committee will also take away a range of lessons from the activity that will be used to inform increasingly impactful engagement into the future. The APSC will meet with the members of the Declaration of Partnership (PICP, PIDC and OCO) to reflect on the event and will work to support the next tranche of activity that drives collaboration between our core law enforcement services.

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Media and Communications Summary of Conference

Overview

PRLEC2022 media and communications helped deliver a key objective of the conference, to promote constructive, forward-looking regional discussion on the issues of transnational crime in the Pacific. APSC and OCO staff, assisted by media liaisons from the Fiji Police Force, managed engagement with local and regional media outlets, publication of conference material on social media, as well as production of various communication products during the conference.

Media Engagement

Local and regional outlets were invited to cover PRLEC2022. Eight journalists attended the opening and closing of the conference in person from The Fiji Times, Fiji Sun, Guardian Australia, APAC News, Fiji 1 News and FBC News. Journalists from the Pacific Advocate, 1News NZ, RNZ Pacific, ABC Pacific Beat, Stuff NZ and AFP also viewed the conference virtually. There have been 28 media mentions of the conference across print and online with two radio spots on ABC Australia and three TV spots on Fiji 1 News, 1News NZ, and FBC News. Media coverage was focused on the growing risks and harms of drug smuggling and human trafficking in the region. Keynote and panel discussions helped to inform media commentary on specific subject areas as well as showcase current efforts by organisations to combat TNOc. Attendees also engaged with the media through various interviews arranged by APSC communications staff.



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Social Media Reach

Attendees and partner organisations shared key insights, photos, and videos during the conference, utilising the #PRLEC2022 tag. Pre-event explainer videos on key issues surrounding TNOC, including drug trafficking, law enforcement networks and the harms of transnational crime encouraged a public discussion on how TNOC impacts the region and what a regional and community response could look like.

Key statistics at a glance:

- PRLEC2022 Introduction Video was viewed 60.2k times on Facebook and Twitter.
- Three Pre-event explainer videos were collectively viewed 47.2k times.
- PRLEC2022 Opening speeches were viewed by 291 people on Facebook Live and 75 people on Zoom. Additional TV coverage on Fiji 1 News and FBC News.
- The #PRLEC2022 used on social media posts reached 12,500+ people on Facebook and 28,000+ people on Twitter from August 1-3, 2022.

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APPENDIX: Full Conference Summary

This section is not to be considered a word-for-word account of the conference but to be used to remind participants of the main points of each session. This section is intended to support participants recollection of sessions, which can be further enhanced through viewing presentations and speeches made available through the participant conference portal.

Day One Summary, August 1st

Session 1: Opening Remarks and Setting the Scene

Speakers: Ross Ardern, APSC Board Member; The Hon. Jone Usamate, Acting Minister for Defence, National Security and Policing; Ewen Macdonald, Head, DFAT's Office of the Pacific; and Jay Caldwell, Director APSC.

"Your Pacific Island ancestors have laid down the tools to protect your islands and oceans – protect your homelands – it's in your DNA. You can't abdicate your responsibility. Yet you don't have to do it alone, in fact it has to be collectively" Mr Ross Ardern, APSC Board Member

The inaugural Pacific Law Enforcement Conference opening remarks implored participants to take advantage of the opportunity of coming together after being separated by COVID-19. Participants were encouraged to bring a strong sense of 'Pacific air and identity' and to foster a platform for genuine talanoa. In framing a sense of purpose for the law enforcement community of the Pacific, participants reflected on Pacific Islands people's a centuries old dedication to protecting and preserving their region.

Speakers emphasised that TNC threatens the very fabric of life in the Pacific, and must be tackled collectively. It was noted that leading regional partner agencies including PICP, OCO and PIDC have worked together with the APSC to bring the conference together. The central theme of the conference is to "strengthen networks, to defeat networks." Frameworks such as the [Boe Declaration on Regional Security](#) and the [2050 Strategy for the Blue Pacific Continent](#) have already laid the groundwork for building collaborative networks to defeat TNC. These frameworks themselves also build on a host of political declarations that reflect regional priorities. It was also noted that Pacific leaders have long been aware of the threat posed by TNC. In fact, the PIF has been highlighting the threat for over three decades, beginning with the 1992 [Honiara Declaration](#). Recognising that these threats are increasing, the PIF is now working with its partners to develop the PIF Transnational Crime Disruption Strategy. However, Minister Usamate emphasised that this must work in conjunction with strategies to combat domestic crimes as well.

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TNC has grown increasingly prominent since the 1980's, and as other regions such as SE Asia increase their disruption efforts, TNC organisations will target the Pacific's highly porous maritime borders. Their actions are motivated by the low risk and high profits on offer for their crimes. Unfortunately, the increasing prevalence of their actions undermines and exploits our local populations, especially younger people.

Leadership is critical and Mr McDonald noted that DFAT recognises the critical leadership of organisations that have brought the conference together but also that the leadership of host country Fiji and the PIF more generally, noting that a unified front in the Pacific has never been more important. DFAT's Office of the Pacific recognises the incredible complexity and pace of change in the region. The current global circumstances - including slowing economies and the conflict in Ukraine - will have flow on impacts for the Pacific. We are likely to see an environment where crime will increase, particularly cybercrime and illegal unregulated fishing. Participants were reminded that we need to be aware that TNC is well financed and undermines national security.

In response to these threats, the PRLEC2022 brings together practitioners, academics and organisational leadership from across the three key Secretariats. Together, conference participants have the opportunity to own the risk of TNC and deepen their thinking and innovation. While overall criminality indicators may appear low in the Pacific this does not account for specific key areas such as illegal fishing, human trafficking, and narcotics. We need to engage in this work as a network. We need to hunt as a network. To this end, we can draw on a core principle of first nations people about preparing for the hunt.

Session 2: Disrupting Transnational Crime in the Pacific – History and the Future

Speakers: Papalii Monalisa Tiai-Keti *PTCN Chair*; and Commissioner Brigadier General Sitiveni Qiliho, *PICP Chair*.

“At a PICP regional coordination level - and given ongoing emerging threats such as climate change - our challenge is to ensure assistance cascades across the region. We need to ensure our collaboration and networking and high connectivity with each other is complemented by access to high level information and technology platforms and tools.” PICP Chair, Commissioner Brigadier General Sitiveni Qiliho

The Pacific Region is at the centre of geopolitical issues, which catapults the region's profile onto the global stage. The heightened interest in the region must also bring heightened focus to ensure a Pacific centred, Pacific led, and Pacific based response. Combatting TNC is a specialty of law enforcement and in the Pacific, this is embodied by the Pacific Transnational Crime Network (PTCN) which has been operating for over 20 years. The PTCN's founding principle is collaboration, and it continue to pursue this in an increasingly crowded and complex security landscape.

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In 2020, PICP turned 50, making it the oldest law enforcement network in the region. It was established in Fiji in 1970 to improve police service delivery and bring agencies together to exchange information, experiences and enhance policing in the region. PICP became connected with the PIDC and OCO 1998. In 2004, the PTCN declared no single organisation can do it alone and through police partnership with PIDC and OCO, it enabled TCUs to be staffed by officers from police, immigration, and customs, which increased domestic and cross-country sharing. There are now 28 TCUs in 20 countries, and 50% are multi-agency. While it is preferable that all TCUs in the future are multi-agency in structure, collaboration can take time. Sometimes we may need to work slowly in order to lay the foundation for a broader platform of collaboration - but we are consistently seeking to enhance collaboration.

An emerging issue for the Pacific Region is the current and future presence of casinos which bring criminal elements. It is a relatively new issue for the region although we identified the casino businesses commencing the move into the Pacific in 2012. Money laundering follows casinos – and we need legislation to control the oversight of casino development in the region. It is clear that Financial Investigation Units (FIUs) are a key cornerstone of multi-agency approaches to TNC. They are variously engaged in the region but not uniformly, it is a work in progress but clearly a very important consideration moving forward. Ultimately, it is a domestic decision to progress the engagement of national FIUs. However, there are opportunities to collaborate across borders. The [Egmont Group](#) is one such organisation that provides a networked platform to securely connect FIUs globally to support timely information and intelligence sharing.

It was the observation by PICP Chair, Commissioner Brigadier General Sitiveni Qiliho, that not all Pacific Island Countries are members of INTERPOL. Membership gives countries the capacity to collaborate in real time information sharing. There was a suggestion that it would be good to see if all countries in the region could overcome the membership fee challenge to join INTERPOL and it was suggested that donors may want to consider supporting this step.

“We have from an intelligence perspective seen that with these casinos being established in Samoa, there are aspects of it with Chinese businesses being funnelled into these areas ... and looking at the studies money laundering always follows casinos. As law enforcement we have to be aware of that” PTCN Chair, Deputy Police Commissioner Papalii Monalisa.

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Section 3: Regional Architecture and Transnational crime

Panel Chair: Prof Sandra Tarte, *USP*

Speakers: Mr Ioane Alama, *Head of Secretariat, PIDC*; Mr Vincent Perez, *Chief of Guam Customs*; Mr Benoit Godart, *New Caledonia Customs Department*; and Mr Nic Brown, *Exec. Director, Pacific Islands Chiefs of Polic.*

This session explored the ways regional security architecture has traditionally been centred around the Pacific Islands Forum (PIF) and how it continues to change. The Boe Declaration (2018) is managed by a subcommittee at the PIF and represents a more complex security agenda. As such, coordination is required between the increasing number of players covered by Boe at all levels of the region. The possibilities of establishing connections between the OCO, PIDC, PICP are being explored. The Pacific Immigration Development Community (PIDC) consists of 21 Pacific Island agencies and provides a forum for immigration agencies in the region to, among other things, strengthen territorial borders, enhance entry system integrity, modernise national immigration legal frameworks and foster cooperation and assistance. The PICP is oldest regional police organisation and has grown to include 21 chiefs of police from the Pacific. As stated in the [PICP Strategic Plan 2020-2024](#), “The aim is to strengthen collaboration, national interagency coordination and reduce harm. It’s about our children and children’s children”.

Pacific territories such as Guam and New Caledonia face unique challenges within the regional architecture as they have to straddle multiple legal and governmental systems. Speakers from Guam emphasised that the Customs and Immigration of the territory is not covered under the Smoot-Hawley Tariff Act, (formally United States Tariff Act of 1930), and as such is not managed by the United States government, instead being managed by local officials. With no US funding or Customs budgets, it is faced with limited and scarce resources. This has been highlighted a number of cases involving transnational criminal activity, such as human trafficking in the [Guam Blue House Case](#) of 2012; the 2018 arrest of a foreign national attempting to use skimming devices on ATM machines; incursions of Chinese nationals by way of small craft; and Global Electronic Lottery Scams. In the face of these challenges the only way to combat transnational crime more effectively in Guam is via more effective communications, collaboration, networking, formal working arrangements and revamping domestic legislation.

The New Caledonia Customs Department meanwhile described challenges due a huge maritime area to cover. 99% of New Caledonia’s commodities are imported, which come through its single seaport and one international airport. This high volume of material makes border control challenging enough, even as new security threats such firearms and narcotics smuggling operations from South America are using the island as a stopover on the way to lucrative markets in Australia and NZ. Currently the department works with the French airforce, navy, and gendarmerie as well as French Polynesia and has MOUs with Australia and New Zealand. However, combat strategies including evaluation of threat assessment and strategic planning to inform action are needed.

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When describing challenges, panellists commented on the siloing of information, as only certain entities are aware of certain operations. Panellists described the need to overcome compartmentalisation and a lack of human and financial resources. In the context of information exchange and national sovereignty, panellists stated that the 2050 strategy needed to give proper time and space to consider what could be shared and how. P

“You can only share what you can share. Coordination is simple but information sharing is much harder. Data is a challenge. Some countries have advanced data systems while others don’t, which affects the quality of information shared.”
Head of Secretariat, PIDC, Mr Ioane Alama,

Session 4: Building Networks on our Synergies and Strengths

Panel Chair: Dr Sara Amin, USP

Speakers: Kuliniasi Ligaitamana, *Pacific Transnational Crime Network*; Leituala Kuiniselani Toelupe Tago Elisara, *Australian National University*; Ms Emily Dowling, *Australian Department of Home Affairs*; and Ms Stephanie Waqanivalagi, *Oceania Customs Organisation*.

The Pacific regional security landscape is changing as a result of the increasing rate at which drug smugglers are implementing new technologies such as micro-submarines, which is subsequently creating new challenges for law enforcement agencies. It is therefore imperative these challenges be met by evolving national security systems and by collaborating regionally.

The [OCO Women’s’ Development Program](#) through its establishment has created a diverse network of 60 women from 17 Pacific Island Countries, which has led to opportunities for capacity building projects and strengthened relationships. The Programme creates a safe space for women who generally do not have their voices heard in a lot of customs administrations due to under-representation within leadership positions.

“In the customs environment women think about things differently. One of our strengths as women is building networks, communication and building relationships with each other and quickly, and that can create trust”.
Oceania Customs Organisation, Ms Stephanie Waqanivalagi

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Day Two Summary, August 2nd

Session 1: Setting the Scene - Transnational Crime in the Oceania

Speaker: Mr Jose Sousa-Santos, APSC

In the context of illicit drugs, the Pacific is caught between crime syndicates and the Australian and NZ drug markets. There have been significant increases in the amounts of cocaine seized in Pacific Island regions including at least two individual seizures over 500kgs. The success of these operations speaks to the effectiveness of cooperation between international and Pacific law enforcement. But it also speaks to the fact that the Pacific Ocean is today the principal transit route for smugglers from Asia through to Australia and NZ. The Pacific “drug highway” is evolving rapidly as local Pacific syndicates blend with Chinese, Mexican, Australian and NZ groups. However, this should not mean that the Pacific should be seen as a buffer zone for Australia and NZ. In fact, there is growing evidence that transnational criminal organisations are now successfully flooding the region with the product and indeed the expertise to not only transport, but also produce in the Pacific. The increasing availability and use of illicit drugs is providing new challenges to communities as well as law enforcement.

Another driver of criminality in the region is the ongoing forced return of detainees from Australia, NZ and the US. This has exacerbated existing threats as criminals born in, but with little connection to the islands have driven a new wave of drug production.

The overarching framework to TNC must be channelled through the Boe Declaration to ensure it is Pacific led and Pacific owned. Partners are of course welcome, but must ensure that they have robust cultural training and understanding when working in the region. In the context of responding to security threats more generally, it is crucial to work with the traditional leaders and power structures of each Pacific country and community. These include institutions such as the Chiefly system, the church, NGOs and young people. Their voices are critical in determining the shape and success of any plan involving maritime surveillance, detainee returns or community support for people who have used illicit drugs.

“In the context of detainee return policy, every country has the right to deport people but every country also has a duty of care too and in the context of the Pacific we need to ensure that the local power structures are well and truly capacitated to support any returnee to ensure that the community integration works as well as it can for communities and individuals being returned.”

Mr Jose Sousa-Santos, APSC

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Section 2: Keynote: What's the Harm? The impacts of Transnational Crime.

Speaker: Distinguished Professor Steven Ratuva

“Socio-economic factors such as lack of education and opportunities have a subtle impact on the minds and behaviour of people. With no alternatives in sight, they become vulnerable and the difference between what’s legal and what’s not becomes blurred. Hence people turn to crime.” Distinguished Professor Steven Ratuva

Geopolitics is globalising criminal activity. Some of the examples of this include ideological theft under the guise of academic freedom and research; biopiracy, profiteering. The impacts of crime negatively impact society, states, institutions, as well as peoples’ lives. For example, women who have been victims of human trafficking often suffer a loss of faith in their own identity. The line between what is legal, and illegal has become blurred, because of how crime is defined in different jurisdictions. Conventional types of transnational crime and impact include the provision of illicit goods such trafficking of drugs, stolen property and weapons; illicit services such commercial sex, human trafficking; as well as the infiltration and corruption of business and government which leads to fraud, racketeering, and money laundering. To prevent these negative impacts of crime, it is vital to understand and address root causes; take a whole of society collaborative approach; support civic education and public consciousness as well as empower the vulnerable. At the operational level, some important responses include regional consensus; the revision of strategies based on new evidence; collaborative regional agreement; and the development of an impact assessment **“tool box”** for the region.

“What can we do in the Pacific in response? Address the drivers including education and poverty reduction, it has to be a whole of society approach , it can’t just be a law enforcement approach. You have to empower vulnerable groups”
Distinguished Professor Steven Ratuva

Session 3: Transnational Crime in the Maritime Domain - Awareness (MDA) systems

Chair: Dr Anna Powles

Speakers: Mr James Movick, *Director, Pacific Fusion Centre*; Dr Ian Ralby, *Institute for Security Governance, US Dept of Defence*; Jeff Bryant, *United States Coast Guard*; and Dr Eric Frecon, *Research Institute on Contemporary Southeast Asia*.

“You can have the best technology in the world, the best mapping systems in the world but if you are unable then to place it in the local context of local information, local adaptation or contextualisation with capability to project it and act upon that information locally when it matters, then your latest guiding systems in the world are not really relevant.” Mr James Movick

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The Pacific region is increasingly receiving interest and a great variety of offers for resources from external donors. However, a central concern for PICs is how to ensure oversight and security of national and collective regional domains. Of all domains, the maritime domain is most crucial.

Illegal, Unreported and Unregulated (IUU) Fishing degrades ocean sustainability while fisheries crimes are the use of the fishing sector to commit other crimes like trafficking of humans, drugs, weapons and more. Serious discussions need to be conducted on the establishment of a regional 'fusion centre' in light of the increasing and evolving challenges of maritime security. However, even whilst Pacific states are adapting to combat IUU fishing, they are increasingly facing diplomatic pressure from states outside the region to disengage pursuing legal restitution from vessels impounded as a result of illegal fishing.

"We are also seeing this through development leverages. If we build this road for you, you basically give us the opportunity to come fish in your waters"

Dr Ian Ralby



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Session 4: Case Studies: Transnational Crime Across the Boe Declaration (TBC)

Chair: Jose Sousa-Santos, APSC

Speakers: Environment Crime - Mr Patteson Lusi, *SIG*; Cyber security - Jen Anson, *Palau NSC* and Rieko Hayakawa, *Doshisha University*; Health Security - Virginia Comolli, *GiTOC* and Dr Nicholas Thomson, *APSC*.

Vietnamese 'Blue-Boats' are a notable example of how TNC is adapting to maritime surveillance, and how law enforcement needs to collaborate in turn. The "blue boats" get their name from the painted blue coat used to conceal their movement at sea which makes it difficult to spot by aerial or sea surveillance. The blue-boats are constructed from material, like wood, that make them difficult to detect by radar. In addition, the engines used to propel these boats are often extracted from old motors of heavy goods vehicles. The boats travel in groups as there is a need to be self-sufficient in their illicit fishing activities. Inadequate legislation is a concern for PIC in dealing with blue-boats. For example, the Solomon Islands lack legislation in imposing proportional penalties for seized vessels and their crews. In one case, each crew member was fined US\$100 and three captains were sentenced to four years imprisonment. Identifying these captains was another challenge as there was no interpreter and reluctance by crew members to point them out. A successful disruption was described that included bilateral support in the form of aerial surveillance intelligence alerting Solomon authorities.

The intersection between TNC and biological threats was examined by considering the current levels of knowledge, behaviour and practice of frontline law enforcement working across borders of SE Asia. The presentation emphasised that equipping law enforcement agencies with adequate biological threat awareness was a key challenge in supporting both the disruption of TNC and the biological threats that can often accompany it. Participants at the conference were urged to consider that the nexus of biological threat and TNC was also inherent in the Boe Declaration indicating that traditional law enforcement agencies have a key role in biological threat prevention. Opportunities to bring together the PIF and the SPC to discuss this further have been mooted as well as an upcoming effort to work with law enforcement agencies in Fiji to develop a biological threat training package for front line police, immigration, customs, and military personnel. It is anticipated that this training package will have applicability and relevance to law enforcement agencies across the Pacific Region.

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Day Three Summary, August 3rd

Session 1: Leadership in Pacific Law Enforcement

Chair: Major General (Retd) Ioane Naivalurua

Speakers: Dr Judy Swan, *International SOS*; Ms Amanda McCormick, *AIPM*; and Sionetama Pokau, *Head of Customs -Niue*.

"All of us here at the conference have gone through a range of leadership programs and that is why we are here. We are leaders. The vast knowledge among everyone here should translate to a vast capacity. We have the experience and knowledge to make changes to disrupt TNC."

Ms Amanda McCormick, *AIPM*

The law enforcement landscape has shifted, and leadership demands are shifting with it. The consensus amongst presenters was that law enforcement still needed 'to fight crime and win', but things have changed. Police are now not the only ones with the regulatory authority and capacity to investigate crime. Law enforcement teams are becoming more diverse – forensics, analysts and members of other organisations are all working in conjunction. Leaders must understand their own goals and the goals of others, or leaders will be left behind.

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"I ask all our Pacific Island leaders to talk about leadership as a core subject matter in their meetings. We are dependent on the ability of our leaders to listen to each other, wait for each other, and trust each other."

MAJOR GENERAL (RETD) IOANE
NAIVALURUA

Advisory Board Member, Australia
Pacific Security College



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Increasingly, more and more leadership courses are becoming available – from the US Navy, Coastguard, AFP, police departments, and fire departments. While the number of courses is overwhelming, they are very rarely co-designed and very few are based on a general needs

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analysis. They might be culturally aware but not culturally intelligent. So, what are leaders in this region looking for? The Pacific needs to co-design and co-create leadership programs, make sure they are timely to current issues, as well as country specific and tailored to local context. Leadership matters in a fast paced, complex environment – the Pacific needs to decide what its leadership needs are.

Presenters noted the need to broaden diversity in leadership. How do you bring youth voices on board to address the intergenerational gap? There cannot be leadership without equality. In the context on the regional bodies PIDC, PICP and OCO – the PIDC have the most women. Presenters noted that women leaders have influenced culture for the better. It has made law enforcement more resilient and responsive to the needs of all, rather than the few.

Session 2: Show me the money: Financial flows and TNOC in the Pacific

Chair: Jay Caldwell

Speakers: Shannon Rutherford, APG; Louise McGregor, IACCC; Michael Kabuni, UPNG, ANU; and Dr Grant Walton ANU.

“The Pacific Islands are critical to us, we are seeing increasing mentioned of PICs coming up as part of our investigations. That is why we need you. We at the IACCC want you to know who we are keen to work with you and for you to be a partner with us.” Louise McGregor, IACCC

20-40 billion is taken every year globally through forms of corruption. Australia is frequently becoming the final location for much of the illicit money flows in the region. Cairns has become a [hotspot](#) for illicit money laundering, with real estate being a well-known way for corrupt officials to move their money out of the Pacific countries.

IACCC noted that one of the easiest investigations to do is a theft. But imagine if you needed six countries support to assist in that investigation – it makes it much more difficult. That is where institutions such as the IACCC are needed as partners to broker information in order to fight corruption, take on bribery and counter use of offices offences.

Pacific nations are increasingly giving greater acknowledgement to corruption, as shown by 2020’s commitment to [the Teieniwa Vision](#), a collective pledge to end corruption. There are two ways to think about combatting corruption – the traditional approach and the networked approach. In the traditional approach to corruption, we look at national integrity systems, which argues a country’s capacity to combat corruption is only as strong as its national institutions. Ultimately however, we frequently see that the authority leaders have promised to these institutions is far greater than what they are willing to provide. The networked view looks

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at relationships, both between individuals and between systems and institutions. This approach potentially provides greater insight.

Mr Kabuni challenged participants to reflect carefully on signing off on anti-corruption policies or legislation. Impact varies on different stakeholders, and can often have unintended consequences or not work in expected ways across different contexts. The ‘unbanked’ - citizens without bank accounts – are a major factor for the Pacific in this regard. In PNG 8 million people are not integrating into the formal financial systems. A third of Vanuatu and Solomon Islands citizens are not in the financial system.

Many Pacific people do not have the identification requirements to access financial systems. The requirements established to fight money laundering, such as formal ID, can become a barrier to access banking. Currently, the micro-finance banks utilised by many in the region don’t require formal IDs. However, if the FATF (Financial Agency Taskforce) begins requiring formal ID’s, it will rule out all these people who are using micro-finance. As we try to fight anti-money laundering regimes remember that anti-money laundering efforts have not been universally successful. We need to ask: Is there a Pacific based solution for this Pacific problem?

Session 3: Reflections on Legal Frameworks to Respond to TNOC

Chair: Paki Ormsby, *Director of Policy, PIFS.*

Speakers: Dr Lalotoa Mulitalo Teleiai, *Exec Director, Samoa Law Reform Commission; Su’a Hellen Wallwork, Samoan Attorney General; Ms Nola Fassau, International Legal Advisor, PIFS.*

“With regards to TNC, we in the Pacific have an expanded definition of security including tackling TNOC which was singled out in the Boe and the 2050 Strategy. Laws and responses need to be drafted with inputs from experts so it can do its job properly. Some legislation in the Pacific needs addressing so it can more effectively support responses to TNOC. This requires the Governments to resource efforts that drive law reform and inform how to prosecute TNC.”

Ms Nola Fassau, International Legal Advisor, PIFS

In fighting TNC, one of the biggest obstacles is the absence of updated and fit for purpose laws and legislation that are harmonised across the region. In 2017, the Samoan Legal Reform Commission engaged an analysis of existing legislation and recommended the removal of dozens of laws that were no longer relevant. This in many ways is a best-case scenario, as in Samoa, the commission is mandated to update laws annually (for more information see [Pacific Islands Legal Information Institute](#)). However, in many Pacific Island Countries there are dozens and dozens of laws and acts that require removal or updating, but unlike in Samoa the responsibility for doing so is often split across a range of agencies and departments. Across the Pacific we really need to know how the overlaps between different laws - that often cover the

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same issue – interact in different jurisdictions. In this regard, it is critical to have expert input of practitioners such as police, customs and immigration. We also need to explore how Pacific customary and familial systems can become powerful forces working against TNC, rather than a silent supporter of TNC. To this end, we need to consider the context that laws exist in, and ensure that both the state legal system and the village systems are being accommodated.

The [Pacific Island Law Officers Network](#) (PILON) brings together law professionals from across the region, as well as serving as a point of collaboration in multi-jurisdictional cases. PILON has identified key areas of work such as corruption, cybercrime and gender-based violence that now each have their own working group supporting multi-jurisdictional case experience. However, whilst PILON advises on country level law reform, it can't operate at a national level. As such, PILON is seeking partnerships with regional law enforcement agencies and is keen to work together on reviews which can assist direction of interventions. PILON work in law reform also gives it the capacity to engage in international and regional treaties. Treaty making, however, is not a straightforward exercise, so PILON recommends political declarations which although not legally binding, allow states to signal intent. They also provide landmarks to guide future responses, policies, and programs.

Session 4: Harvesting Lessons Learned and Opportunities for Action

Chair: Jay Caldwell, APSC

This session was about what needed to be prioritised by law enforcement participants in their action planning on Day 4 of the conference (a separate outcomes paper has been produced). For non-LE personnel this session was an opportunity to identify key insights for law enforcement to take away and consider. Agencies were asked to articulate two questions that they wanted to ask of non-law enforcement partners.

Summary of group discussions

Questions from Law Enforcement (LE) to the broader group

- In the context of TNC and illegal drugs: how do we best tackle the flow of TNC/drugs? Who are the people doing studies on TNC and drugs? In regard to precursor chemicals, we are keen to know more. Can we adapt research from other areas such as SE Asia?
- In the context of crypto currency: how do we put a governance framework around managing crypto currency – it is well developed in well-resourced countries but how do we do it here? What can we do in the Pacific to inform and support LE in laws relating to crypto?
- What are the possibilities of a regional architecture to target the proceeds of crime?
- What do academics and CSOs think that we in LE can do better?

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- How do we move past sovereignty and into a space where we can set up platforms for region wide enforcement regardless of which national maritime space the TNC suspected operation is taking place in?
- What are the future prospects of border agreements to support real time opportunities to disrupt TNC?
- Is there a way we can address international expectations in a way that serves the Pacific context?
- Can we properly diagnose and address the capacity issues in areas such as human resources, and technology faced by law enforcement.
- How can partners more effectively understand and prioritise the training and development needs of the Pacific?
- At a strategic level, how can our LE partners facilitate the exchange of information that can be used as both intelligence as well as evidence that stacks up in court?
- Who has got any ideas of how we will network after we go home over the weekend?
- Feedback – we need to know that what we are putting into the system that leads to getting feedback and reciprocity – the whole intelligence cycle – how do we do this?
- Do we need a separate legal framework to tackle TNC, and if so, can we achieve this by enhancing and standardising an existing model?

Questions/statements from the broader group of participants (not LE)

- How do we address overlooked issues such as the nexus of crime and health or other emerging threats such as the proliferation of casinos?
- How do we break down the silos of information at both the national and regional levels?
- How do we go after the threats within LE to improve LE?
- How do we ensure a consistent quality of output from LE - so the region doesn't attract TNC and there is more deterrence?
- We are calling for broader engagement and opening up across partners to develop a shared research agenda.
- How can LE more effectively engage with media in order to help assist with socialising what TNC is as well as helping media inform on what is happening regarding TNC/corruption?

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Summation by PIF Secretary General

In endorsing the 2050 strategy, Forum Leaders recognised the importance of regional cooperation through open and honest relationships, and inclusive and enduring relationships; supporting inclusivity, equity, and equality; and ensuring peaceful, safe and stable communities as important platforms for achieving the greatest benefits for our people. Geopolitical competition, the COVID-19 pandemic and the ongoing unrest in Ukraine continue to exacerbate the region's economic and development concerns. Our geography, situated between manufacturers and markets, makes the region vulnerable to transnational organised crime. Additionally, accelerated globalisation has increased the region's exposure and created an enabling environment for the proliferation of transnational crimes.

Recognising the significant impact of Transnational Crime in the region, PIF - as a priority under the implementation of the Boe Declaration for 2022 - agreed to prioritise the development of a Regional Transnational Organised Crime Disruption Framework to guide our collective response. While PICs, in the past, have largely been linked to transnational organised crime activities as transit points for movement of illicit substances to big markets such as New Zealand and Australia, the emergence of a niche domestic market, particularly for illicit drugs, is of significant concern for Members.

The Secretary-General looked forward to receiving the report of PRLEC2022 to understand the TNOC challenges for the Pacific region and to inform the development of the Regional TNOC Disruption Strategy. He encouraged all participants to work together to develop the Strategy and ensure it continues to be a member-driven and led process. The Secretary-General noted that PRLEC2022 was the inaugural joint meeting of law enforcement officials and hoped it would become a regular event for the Pacific Islands region - given the added value the platform provided to existing Pacific security architecture.

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“It is not about developing new regional arrangements, it is about reviewing existing frameworks, identifying loopholes, and establishing shared priorities that we as a region can work together to strengthen our resilience and contribute to the achievement of our ambitions under the 2050 Strategy for the Blue Pacific.”

SG HENRY PUNA

Secretary-General, Pacific Islands Forum



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