

FRIDAY 10TH JULY 2009

The Speaker, Rt. Hon Sir Peter Kenilorea took the Chair at 09.57 am.

Prayers.

ATTENDANCE

At prayers, all were present with the exception of the Prime Minister; the Ministers for Foreign Affairs & External Trade; Commerce, Industry & Employment; National Unity, Reconciliation & Peace; Women, Youth and Children's Affairs; Fisheries and Marine Resources; Environmental, Conservation & Meteorology; Mines, Energy & Rural Electrification; Agriculture & Livestock Development; Infrastructure & Development; Forestry; Home Affairs; Public Service; Education & Human Resources Development; and the Members for South Choiseul, East Honiara, North West Choiseul, Temotu Pele, Central Honiara, South Vella La Vella, East Makira, Temotu Vattu, North Guadalcanal, West Honiara, North West Choiseul, Malaita Outer Island, West Makira.

STATEMENT OF GOVERNMENT BUSINESS

Mr Speaker: Hon. Members before we proceed with debate on the Counter-Terrorism Bill 2009, I wish to remind Members that the Acting Chairman of the House Committee has informed Parliament that since there was no private motion set down for today, Friday 10th July and on the request of the Acting Prime Minister, the House Committee had directed in accordance with Standing Order 15(c) that today be designated as a government sitting day, and that the debate on the second reading of the Counter-Terrorism Bill 2009 be set down for today's business.

Yesterday the Hon. Minister in charge of the Bill delivered his opening speech but adjourned debate to this date. Members may now speak on the general principles of this Bill. In so doing, I kindly remind Members to comply with the rules of debate set down in our Standing Orders. The floor is now open for debate and I acknowledge the desire and the wish of the Leader of Opposition to be the first speaker this morning.

Hon. SOGAVARE: Mr. Speaker, I rise to contribute to the debate on the motion on the second reading of the Counter Terrorism Bill 2009 moved by the Minister for Justice and Legal Affairs. Sir, I think it is proper at this point in time to acknowledge the amount of work put into this Bill by officials of the Ministry to be able to get this bill before Parliament and, of course, the direct involvement of the Minister himself in coordinating the process of getting this Bill to Parliament. I would like to acknowledge that on the floor of Parliament before I proceed to say what I would like to say about the Bill before the House. I guess we leave the detailed discussions on the various causes of the new Bill to the committee of the whole house when we will question the Minister and the government on the policy rationale behind some of the clauses we have questions on.

Sir, I would like to dwell on the principle of the bill and what this bill is endeavoring to address, and that is terrorism. Sir, I think of all the bills that ever come before this House so far during this 10th Meeting, this Bill should get more of Parliament's attention. The Bill effectively internationalizes Solomon Islands responsibility to fight against what the United Nations believe to be a global problem. And so I would therefore expect more participation by Parliament in the debate, especially the government side in the interest of transparency.

In saying that, Sir, and judging from the way bills have been processed through the house and observing the apparent lack of commitment, I am beginning to raise doubts as to the seriousness of the government in terms of its commitment to and understanding of the policy rationale behind bills that find their way to Parliament. I draw this conclusion based on the dismal performance and the apparent lack of ownership of government business by the government bench so far. I hope this is not an indication of a silent protest and disapproval. Our custom in Solomon Islands is different from the Europeans. Silence to the Whiteman means approval, but silence to us in Solomon Islands means we do not know what is in their minds, it could mean disapproval.

At this juncture as well I want to acknowledge the professional work that the officials of Parliament have put into bills that come before the House, particular this one. This is a very elaborate bill and it needs a lot of research and the officials of Parliament have done a great job on this, and I want to acknowledge their work. They came up with this report outlining the background and it gives Parliament a better understanding of the issue that we want to legislate in Parliament. I would like to acknowledge the work that the officials of parliament have put into this Bill.

With that concern in mind, I believe our people must be confident that the new Counter Terrorism law will not disadvantage them in any way, and we have the duty to tell them. This is especially true for a legislation, as I have said already, that has its origin from overseas, from outside, a legislation that is

structured and modeled on a problem that the architects of the strategy wanted the world to perceive as global. I do not think we have quarrel over that. Indeed, a problem that is defined in this new Act only seems to be targeting the very countries that are very vocal about terrorism and are also actively engaged in open confrontation with countries that are listed as sponsoring state terrorism and organizations as well.

That ought to ring all kinds of bells inside our minds. I guess the obvious first question that we might want to ask is, are we being dragged into this conflict? And it is this Parliament that will give the okay that “yes, we consented that Solomon Islands must now be an active partner in the battle against terrorism”. And the question goes on, why are these countries and their citizens being targeted around the world by the people who have been branded as terrorists? I do not think that is an unfair question to ask. As a matter of fact, I believe this Parliament ought to ask more serious questions to establish the seriousness of the developed countries that are being targeted by the so called terrorists because the way this matter is placed before us by the Minister, we have no choice but to approve this legislation on pain of being ostracized if we decide not to. So our hands and elbows have been twisted for this.

Sir, talking about legalized terrorism, probably this is a perfect example. That aside and with all due respect I want to believe that no one in their right mind would just go around engaging in what may be perceived as acts of terrorism without a justifiable cause. I may be wrong and therefore there is a perfectly justifiable reason for the world to come up with a counter terrorism strategy premised on the concept of preemptive strike.

The Bill before us, structured on international strategy seems to suggest that that is precisely what is happening. The popular thinking clearly leans toward accepting the assumption that certain religions, religious or political groupings in the world are already closely connected to terrorist groups and therefore their activities should be held under great suspicion. It is any wonder that the world has increasingly becoming globally a police state. Leading the way, of course, are powerful developed economies whose attitudes toward the whole issue is increasingly becoming questionable.

The Minister rightly expressed that terrorists are increasing their activities and also becoming very sophisticated in their approach. That is true as we have seen it on the TV and we heard it on the news, and so we do not need to argue over it because it is just straightforward. In fact they become very, very ruthless and extremely dangerous. And so the Minister concluded that we have a duty to protect our citizens and the world against those people. He is quite right. But do we stop and think that it is possible that the new approaches taken by the people that we brand as terrorists are rational responsive reactions to the way they

maybe treated? I would like to believe that we are dealing with rational human beings with feelings, and not robots.

Unfortunately the attitude of the western world is creating robots out of these people. In that regard, would it be fair to say that the world may need to take a different approach to addressing this global problem. Leaving that aside, leaving aside that argument for a while let us consider the current global strategy. Based on suspicion the global strategy is carried inside this Bill before us and even shifted the onus of the burden of proof to the persons alleged to have committed the terrorist act and therefore considered as a terrorist. For example, preemptive strike is a very important aspect of this strategy. This is not surprising as it is based on the concept of guilty and one must prove his or her innocence first, that thinking that is featured in the current attitude towards terrorism.

Sir, I do not want Parliament to get me wrong. I am not in anyway suggesting that Solomon Islands should condone acts that are defined as terrorist acts under this Bill nor am I suggesting that we should not be concerned about the activities of the people who may have reasons to do what they are doing causing destructions to lives and properties in the process of doing what they did. No, I believe that such actions like that, we have the duty to condemn them in the strongest possible terms.

My concern here to the contrary is that the world should be interested more in finding a lasting solution to the problem as opposed to addressing the effects of a serious development that may have its cause in the way people are treated. They are just human beings and so if you hit him on this side he will turn around and hit you on another side.

Coming back to this Bill, Mr Speaker, there are people who believe that this is a wonderful opportunity for Solomon Islands to fight terrorists in Solomon Islands. Who are they fighting? I think that is a question we must grapple with when we decide to localize an international strategy. We are suddenly faced with a situation where people who are already criminals under our laws may now be considered as terrorists based on the broad definition of a terrorist under this new law. The question, I guess, that comes out very forcefully is, who are they? Who are they to tell us to deal with people who are criminals in here under our laws? This country, I want to believe, must not tolerate people who want to disadvantage other people through criminal acts. Our laws are very clear and effective already in dealing with criminals without fear and favor.

I am raising this concern because by definition it looks as though the designers, perpetrators, and implementers of the ethnic crisis from 1998 to 2000 and the overthrow of a democratically elected government in 2000 could well be seen as terrorist acts. Now many of these people have yet to be brought to

justice. Are we now saying that these people are terrorists and if arrested will be dealt with under the new law?

I appreciate the argument to this proposition is that the new law does not apply retrospectively. I have my doubts on this. I remember when the restoration strategy carried under the Facilitation of International Assistance Act 2003 was formulated, the government ruling made it absolutely clear to the combatants that RAMSI was not going to deal with past crimes. That is what they told them. What eventually took place was exactly the opposite. Sir, the Bill as currently structured also lacks comprehensiveness despite of the bigger powers that it creates and of course this whole idea of preemptive concept that it is advancing. It is clear that a lot more needs to be done in other laws to complete this strategy. There are also overlaps with other acts of Parliament already. For example, the counter terrorism provision under the new civil aviation law has adequately covered things like hijacking and other similar things, and so we already have the same kind of provisions that are now taken up again in this Act. There are serious overlaps that we might need to look at. There is also no clear relationship with the existing criminal law of the country. This can subject the new law to the mercy of differing interpretations which can have disastrous consequences if not properly coordinated. I think the only way to properly address this matter is to continue to develop the regime. This is where the need for regular review of the law becomes absolutely necessary. Now, it is for a very good reason considering the seriousness of the issue that the new law is designed to address a lack of legal commitment to undertake this review by the new law is a matter of serious concern.

Sir, there are people who believe as well that because Solomon Islands as a country is ranked 109th in the world in terms of a country that is prone to corruption the country is vulnerable to acts of terrorism and so the argument is that terrorism and corruption are two things that go together. This is based on the reasoning that when people are not happy with a corrupt government, they will resort to acts of violence against the government and may be people they consider as corrupt. I do not know whether we are dragging this issue a bit too far. But as a matter of fact I want to believe that Solomon Islanders would be acting within their rights to either respond to a corrupt regime and leaders in that manner. Not that I am encouraging riots and uprising but with the kind of laws that we are intending to pass, the Political Parties Integrity Bill, to protect the government and the Prime Minister against votes of no confidence and floor crossing by Members of Parliament, we may encourage our local brand of terrorism when people find that the system passed cannot discipline a government, and people will probably take up issues with the government.

I think the lesson that comes out from that observation is that we could be encouraging acts of terrorism by enacting laws aimed at creating and punishing a new brand of criminals as in the case of the Bill before us. As a matter of fact, experiences of developed countries that have enacted this law have shown varying responses that range from encouraging more terrorist activities to changing culture of law enforcement which resembles militarism. In any case, corruption is already a criminal act under our laws. It is already a criminal act. The government is also setting up an anti-corruption task force and other strategies to address corruption and so logically the way to address criminal acts that may be caused by people's negative response to corruption, is to address corruption, and not legislate how to fight corrupt people. That would be too late. Remember only sloppy corrupt people are caught but smart ones escape and so it would be too late.

Mr Speaker, people also want to argue that the law is also important to arrest and may be charge non-citizens who are terrorists and find their way to Solomon Islands. This could create some problems here, especially the retrospective coming into force of this law that if this person commits criminal acts outside when this law is not yet passed, I do not know how we are going to deal with it. But we are required under this law to apprehend and arrest him and put him in custody. Whether to charge him under this new law is something that maybe the Ministry and the Minister may need to look at and may be at the committee of the whole house you will explain to us how that one would happen.

Still on that issue, Solomon Islands has an obligation to cooperate with the international community to apprehend and deal with people whom we think commit international crimes. That is where the extradition provision of this Bill may have some merits, but is there a better way of addressing that issue than to adopt a model legislation that is framed to deal with a culture of criminal activities that maybe foreign to Solomon Islands and therefore instead of countering terrorism, it creates a new culture of crime and criminals in Solomon Islands.

Sir, I believe there is a possible outcome when we localize what is really an international issue. I would like to think that our cooperation in this matter should only be confined to getting these people to their place of origin to face justice. That scenario in mind, I want to believe that our deportation and extradition laws should adequately cater for such a situation.

What I am driving at, Mr Speaker, is whilst Solomon Islands should have no problem cooperating with a global family in addressing a problem believed to be global, Parliament should be fully satisfied as to the effect of localizing the

global strategy on our institutions and our people. I would like to continue with that portion in this debate.

With that background, Mr Speaker, the enactment of this legislation could be seen in a number of ways. It can be seen as Solomon Islands contribution as a member of the global community in the fight against people who deliberately and with evil agendas committed crimes against innocent people and the state. That is the ideal and popular reason and in deed, the spirit of the United Nations Security Council Global Counter Terrorism Strategy under Resolution 1373, as alluded to by the Minister in his introductory speech.

The Minister made it absolutely clear that the ultimate objective is to make the world a better and safe place for all. No one in his right mind will argue with such an objective when it addresses the very fundamental needs of mankind, which is safety and security. I would agree with the Minister that violence and fear are enemies of development and growth and the world must fight against it.

As far as this general objective is concerned, Solomon Islands should have not quarreled whatsoever. We believe in a safe and peaceful world, and as long as we can see that the world is serious Solomon Islands will continue to be a willing supporter of the global strategy. But unfortunately that is not always the case and this is the problem with the so called world global strategy to fight against terrorism.

The concern about the global strategy is and must always be that there must be a genuine concern by the so called developed world in the fight against this new enemy called terrorism, a concern that is premised on the desire to address the root cause rather than a strategy to protect the narrow agendas. There must be genuine concern of all issues that threatened world peace. Global economic stability and the existence of mankind and not only what a handful powerful members of the United Nations believed to be the issues, and they would normally be issues that only suit their narrow agendas.

This is a concern that all small countries must have about the global strategy to fight terrorism. Likewise bigger countries must not be tunneled vision about the whole issue and must be willing to see things through the eyes of small countries. I have no problem with any global strategies to make the world a better place, but not with a strategy that will establish the global community into clusters of police states. That is what we do not want. That would be the last thing we want to happen in Solomon Islands. This is where I am gravely concerned about the fact that we have very little choice in dealing with this Bill.

Solomon Island is obliged to act on pain of isolation and legal economic sabotage resulting from the forced closure of our banks. That is what the Minister was saying that if we do not enact this law we will be penalized. This to

me is a sign of desperation. It also raises question on the real motives of those who want to see the legal framework adopted by all countries. I made the point elsewhere that the country already has an effective legal framework to address, for example, money laundering and the crimes listed as terrorist acts in the new law and therefore we do not need to convert Solomon Islands into a police state to address the problem of terrorism. I need to explain myself here. You do not need much to convert a country into a police state. All you need to do is come up with a broad definition of serious crime against humanity, and in this case terrorism, give the police and military unfettered powers to arrest, detain and in some cases without warrant, charge and prosecute suspected offenders with a standard of evidence that are not strictly required to comply with the normal rules of evidence and you have a police state. With all due respect that is precisely what we are in danger of getting ourselves into under this Bill if we are not careful.

As a matter of fact, the greatest enemy to the process, to the success of the global fight against terrorism is international politics that is driven by dishonesty and hypocrisy. As leaders that would be the last thing we would like the country to be a party to. But unfortunately, we do not have any choice. Again with all due respect, that is precisely what we are in danger of getting ourselves into under this legislation. If one carefully studies how this whole issue of terrorism and the fight against it comes about, it will be an interesting finding, believe me that if you do these studies, it would make very make interesting discussion and an eye opener. For example, the world is perfectly entitled to ask questions and be given the truth about the number of issues affecting the world now. We are debating a strategy that the world is adopting, and so this debate goes beyond this Parliament and it goes beyond this country. These issues, for example, the world, as I have said already, is perfectly entitled to ask these questions including these issues: The first one is, why was Iraq invaded when there was enough evidence to show that Saddam Hussein was not manufacturing weapons of mass destruction? I do not want to go into detail on this because I am just going to raise these questions for you to think about. What was the truth behind the so called 9/11 incident, which resulted in the loss of thousands of lives and the destruction of the Twin Towers, and the adjacent buildings in New York? What is the truth in the alleged involvement of Osama Bin Laden in the 9/11 incident? What is the truth behind the claim that 19 Arabs who were involved in the hijacking of the planes that hit the Twin Towers only to be found that 16 of these people are still alive and well? What was the true story behind the world financial crisis and what may have been the role, if any, of the powerful Bilderberg Group, the Trilateral Commission and the Commission on Foreign Relations, which clearly have very close connections

with the powerful multi billionaires, bankers in the Wall Street and Europe? What is the true story behind the alleged bombing of the NATO headquarters by Al Qaeda? What is the true story about the real identity of Al Qaeda? What is the relationship between the United States Government and the powerful bankers in the Wall Street? Why did the new United States Administration embarked on establishing a civilian force, which will be given the same training, equipment and logistics as the regular standing army? Why did the new United States Administration reverse its decision to close down the Guantanamo Bay terrorist prison camp? Why did North Korea defiantly continue its nuclear program despite several rounds of talks between North Korea and the United Nations negotiation team? Why did the Taliban continue to resist the presence of the Coalition Force in Afghanistan and continue to engage in guerilla warfare? Why after decades we are yet to see a lasting solution in the problems between the nation of Israel and Arabs?

Sir, this Parliament is fully justified, and has a matter of right to ask these and many more questions because we are forced to join the camp in the battle against terrorism at the risk of painfully facing sanctions if we are not. Sir, my greatest concern about this so called fight against terrorism is that it is really a fight against conflicting ideologies and beliefs and not necessary a group of criminals, a person or a state for that matter although, of course, organizations and even states are targeted as terrorists. These ideologies could be political, religious, ethnic and even culturally based. We need to have radical clauses as well. I thank the Minister for removing this from the Bill because if it is in the bill it will create more confusion.

What I am saying, Mr. Speaker, is that this whole battle, this whole fight is a battle that will be never won, it will never be won, and more seriously cannot be won by strategies that are driven by imperialistic and fascist agendas, it is very hard. Sir, we just have to observe the ongoing fight against terrorism to appreciate the truth in this.

Sir, I am raising these points because the danger in this kind of fight is that the world could be carried away with these agendas that we forget to address the issues that really matter to world peace, progress and prosperity, and this includes the many, but I am going to only mention two here, the problem of debt. The problem of debt is systematically taking the world down the path of economic hardship and threat of total collapse unless and until the developed world and especially the G8 generally appreciates the looming disaster that is facing the world on this issue of debt.

The problem of debt will continue to persist and continue to threaten the survival of mankind until the world comes to its senses and effects a reform of the monetary system. This is directly challenging the powerful bankers that

control the governments of the most powerful nations of the world. It is a test of true concern for the welfare of the entire citizens of Planet Earth.

Sir, I have two quotes here that I want to read later on. The 3rd and the 16th President of the United States have already predicted the effects of a wrongly designed monetary system. Indeed, the present global financial crisis is a direct consequence of a wrongly designed monetary system. It is interesting to note that the United States, the United Kingdom, France, Germany, and other global economic powers call for the reform of the financial system but very little attention is focused on the monetary system. Very little is focused on that. There is big difference between these two areas of reform.

Thomas Jefferson, the third President of the United States has the following to say on this matter, and I quote "the eyes of our citizens are not sufficiently open to the true cause of our distress. They ascribe them to everything but their true cause. The banking system, a system which if it could do good in any form is yet a source of them of leading to abuse as to be utterly incompatible with the public safety and prosperity". He continues on to say, "I sincerely believe that banking establishments are more dangerous than standing armies and that the principle of spending money to be paid by posterity under the name of funding is but swindling futility on the large scale". Thomas Jefferson, third President of the United States of America. This is taken from Jefferson Encyclopedia, a publication by Frank and Wilmots.

President Abraham Lincoln, the 16th President of the United States has the following to say. "The government should create, issue, and circulate all currency and credit needed to satisfy the spending power of government and the buying power of consumers. The privilege of creating and issuing money is not only the supreme prerogative of government but it is the government's creative opportunity. By the adoption of these principles, the long felt want for a uniformed medium will be satisfied. The taxpayers will be saved in many sums of interest. The financing of all public enterprises and the conduct of the Treasury will become matters of practical administration. Money will cease to be master and become the servant of humanity". Mr. Speaker, this is a very powerful statement by Abraham Lincoln, the 16th President of the United States of America. This statement is given to the Banking and Currency Special Select Committee and the focus was on the national economy and the banking system of the United States.

Sir, I guess what I am leading to is that there is never a time most appropriate for the United Nations to revisit this macroeconomic policy than now, given the fact that the current financial crisis was caused by the irresponsible banking practices of the most powerful financial institutions in the developed world, especially the United States Wall Street. The world is looking

at the United States of America to take the lead in this matter. But unfortunately this is asking the impossibility. When you consider the fact that the powerful bankers have direct influence in the running of that government. But the point remains that we are concerned here with world peace and stability, but we are not interested in addressing the issues that really matter to achieving that objective. This attitude casts doubt on the seriousness of the developed world to address the real causes of instability and economic distress that is now overshadowing the world.

The second issue that, I think, really needs the serious attention of the world is global warming. The effects of global warming in the natural environment is now threatening the planet with imminent destruction if nothing positive is done by the industrialized world to cut their green gas house emission to the atmosphere. This is a serious global issue. We can talk about different sources of green house gas emission but the one that Solomon Islands is directly involved in is deforestation.

Research shows that 2.7 billion people of the world in over 60 developing countries are home to tropical forests. These countries are caught between the need to generate enough revenue to support essential services and the need to participate in the effort to reduce the emission of green house gas into the atmosphere. It was estimated that about 20% of the increase in atmospheric concentration of green house gas comes from deforestation. This is comparable to the damage done by the world's largest polluter, the United States of America. But looking at this issue from the other angle, these countries are not being compensated for our environmental service in preserving biodiversity.

The idea of providing compensation to the 60 developing countries would not only be fair but also provide an incentive to the countries to maintain their forests. If we are looking at, say a compensation package of US\$30 a ton figure, we are effectively talking about a package of some US\$100million a year to the 60 developing countries that we help protect the bio-diversity of this world through our forests. That money can go a long way in addressing development in the countries concerned.

Sir, it therefore calls for responsible development of the forestry sector by the developing world. Global warming has the potential of wiping out the small and vulnerable nations of the world and therefore more serious than the ongoing effort to protect the popular ideologists in the fight against terrorism. It calls for nothing short of the complete cooperation of all the nations of the world and the honesty of the most powerful nations to address the problem of global warming. Failing that, we will be directly responsible for our own destruction.

Thirdly, we can also talk about the effective use of aid assistance to the developing world and the need to review aid policies as a strategy to ensure

sustainable development in large and small developing countries. Lack of developments has been seen as one of the main causes of social disorders in many countries of the world. Put the aggregate effect of lack of development in many developing countries together and you have a crisis of global proportion, more serious than terrorism.

Sir, it is estimated that all foreign assistance to developing countries is around US\$60 billion. This level of assistance can create miracles in the receiving countries in the Asia/Pacific Region, Africa and South America. But just look at the state of development in the recipient countries and you will agree that something needs to be done to address the proper utilization of aid money. This is a current issue that needs urgent attention. Aid should not be used as an instrument of control that would have disastrous consequences worse than terrorism. What I am trying to establish here is that there are more serious issues that need the immediate attention of the world. The last thing that we would want to encourage is for the world to brush these issues aside.

Coming back again to this Bill, the adoption of the counter terrorism strategy advanced in this Bill has the potential of creating an environment of fear and mistrust between the people and the law enforcement agencies. This is a statement that I want to make. I am saying this because the new law will create a new policing culture, one that is based on suspicion and the belief that people are already guilty before they are given the opportunity to defend themselves. The concept to preemptive strike as alluded to earlier is very much the rule of engagement under this law. Police and the law enforcement agencies are required to move in on any indication that the intending act is a terrorist act. Given the cultural setting in which some of these acts would have been committed, the preemptive action by the law enforcement agencies could become a legalized terrorist act against innocent people.

Sir, I believe much can be achieved in this battle against terrorism if the world cares to take a moment to seriously take an inward look and closely examine why they are drawn into this war. You will be surprised to learn a lesson or two about our real motives of engaging in those wars. It calls for international respect and appreciation of the existence and values of the different ideologies and political and religious convictions in the setting in which these ideologies and convictions are taken seriously.

I would like to believe that no one has any right to intrude into and disturb the way people want to worship their God or practice their religion or advance their political ideologies, unless of course the religious practices or ideological cause amounts to pure criminality. As far as Solomon Islands is concerned our laws adequately cover for that. Likewise, I would be surprised if anyone in Solomon Islands would be that fanatical to kill or commit a crime to convert another

person to follow his or her religious beliefs or political ideologies. These views are expressed because the definition of terrorist act is so vague and its broadness could subject it to different interpretations. I would also be surprised if that indeed is the international concern to redefine the normal criminal acts as acts of terror. It would be totally absurd for anyone to draw a conclusion that just because somebody is a member of a religious organization, any criminal acts committed by him or her are done for religious causes. That would be a gross abuse of the law of evidence. But the way the Act is structured, one could probably draw the conclusion. In fact, in other countries where this law has been in place, it influenced the people to be prejudiced against other religions, race and sex. Worse still, it strengthens the resolve of the new brand of lawbreakers created under the strategy to be more aggressive, not because they love to commit the acts that are now given definition but purely to protect the ideologies and political and religious convictions that are being challenged under the definition of terrorism. As stated earlier, wars that are fought for the supremacy of ideologies will never have winners, not at all, because as alluded to above, the world is not really fighting against a country, an individual or an organization but rather an ideal or ideals that the proponents are willing to die for. And so it is difficult for us to win this war.

Sir, what the United Nations has effectively done in getting this law to be adopted by all countries, is to effectively place the world in a state of perpetual war that is working in contrary to all the objectives of major global peace strategists. On one hand we are talking about peace while on the other hand we are actively encouraging and indeed facilitating an ongoing war that we know we will never win.

Talking about fighting against ideals and non-existence organizations, it would be interesting to note that Al Qaeda is not an organization but rather a term invented to designate a data base of the thousands of mujahadine fighters who were recruited and train for service in the Balkan war. It would be interesting to take a serious and closer look at the other so called enemies of world peace. You will make very thrilling discoveries.

Mr Speaker, the tragedy here is that thousands of innocent people would normally be the victims of this so called war on terror. What is shocking is that the world is so engrossed in these wars that on many occasions failed to consider the effects of our joint action on the lives and welfare of innocent people. In the case of Solomon Islands, as alluded to earlier, it would be doing more than is necessary to punish somebody who for political reasons involved in any and say for example, rights when such acts are already illegal in Solomon Islands. As a matter of fact, and as alluded to above, all criminal acts listed in the definition of terrorist act are already criminal acts under our penal code with very, very heavy

penalties for those who committed them. The only difference, of course, under this strategy before us now is that these criminal acts become acts of terror if they are committed to advance a course as defined in the Act that is placed before us. In fact the Act does that by improving on the test of intention as regards the purpose of committing ordinary penal code crimes by making it a terrorist act if such crimes are committed in the areas the Minister has been telling us earlier on.

Sir, the concern I am raising here is that what we have effectively done to our criminal law is adding a new offence in Solomon Islands called terrorist acts with a definition that is so broad that you can almost fit in anything. Is that not doing more than is necessary to punish an offender in Solomon Islands? That is, for example, locking up somebody who causes serious physical injury or serious damage to property for life because some fanatics decide to capitalize on the embracing definition of terrorist act to charge the offender under the new terrorism law.

Sir, the adoption of the strategy can also be seen as the cost of, and I think this is an area that we probably need to appreciate, cost of globalization that Solomon Islands has to bear as the price of membership of the global community. A number of questions naturally emerge from that scenario and the first one is this: What is an acceptable level of cost if we say if agree we will now be a party to this war, when this bill is passed here we are effectively legal participant to this. If that is the decision of Parliament then I think the first question we need to ask is, what is an acceptable level of cost that would fairly represent Solomon Islands obligation to the fight against this so called terrorism? That is the first question. The second questions is, how far should we go in cooperating with the global community in adopting and implementing a legal framework that is modeled on addressing problems that are more prevalent and bigger in more developed and complex economies of the world without unnecessarily placing ourselves under the surveillance of a law that has international application but at the same time suspicious of what we are doing in a domestic peaceful environment? That is the second question I think is appropriate to ask if we decide be a party to this war. We can also repeat the questions that I raised earlier about the important issues that affect the world.

I want to wind up this contribution. Talking about the level of cost that Solomon Islands and other developing countries should bear in the fight against terrorism, I would like to present a set of statistics on money laundering to conclude my contribution. The statistics are on the following: The ranking of countries in the order of the country's attractiveness to money laundering in 2004, and so it is not a long time ago, just a few years ago. There were 20 origins of laundered money in 2004, top 20 flaws of laundered in 2004 and top 20 destinations of laundered money⁶ in 2004. This is taken from a research done by

Joan Walker in 2004 and the publication put out was "Modeling Global Money Laundering Flows"; some finding, and there is the website address if people want to pursue this and to look at it. It ranks the world from 0 to 700, the highest here is 686, and I want to pick out some countries so as to put out where are we in this, and whether this is a problem in this country so that we come up with such a draconian law so that we control this issue which seen to be a problem by the United Nations.

The first on the list on attractiveness to money laundering that ranks the first is Luxemburg 686, second is the United States of America 634, Switzerland 617, Cayman Islands 600, Austria 497, the Netherlands 476, Vatican City 449, United Kingdom 439, Singapore 429, Honk Kong 397, Bermuda 313. I just want to get the numbers above 100 as I do not want to waste Parliament's time. Bahamas, Honduras, Brunei, Norway, Iceland, Canada ranked at 250- 299. Portugal, Denmark, Sweden Monaco, Japan, Finland, Germany, New Zealand, Australia and Belgium ranked at 200 to 249. Bahrain, Carter, Italy, the Republic of China, United Arab Emirates, Barbados, Malta, France, Cyprus are ranked at 150 to 199. And the last that ranked at 100 are Gibraltar, Canary Islands, Greenland, Belarus, Spain and Israel at 100 to 149. Where are we ranked, Mr Speaker? We are ranked as really the last; we are ranked from zero to 9. This country is not attractive to any money launderers. They do not want to launder money through the system that we have here. There is a whole list of countries that if I were to list them down we are going to be bored. But we are ranked within all the countries that are listed here at between zero to nine. So money laundering is not a real problem here. But I am not saying that we should not come up with any law, we should have laws to project our banks. But to incorporate the obligation of government in the way we structure this legislation to clearly define the obligations of Solomon Islands to money laundering is something that I am concerned about.

The other two statistics is about top origins of laundered money, just the top 20. Origins - United States of \$1.3billion, Italy is second, Russia is third, China, Germany, France, Romania, Canada, United Kingdom, Hong Kong, Spain, Thailand, South Korea, Mexico, Austria, Poland, Philippines, Netherlands, Japan and Brazil. These are on the top 20, on the list counting to 20. The top 20 flows of laundered money are as follows: The United States origin to United States destination is \$528 million. From the United States to the Cayman Islands is \$129.7million. These are in US dollars. From Russia to Russia is \$118.million. From Italy to Italy is \$94 million. From China to China is \$94million. From Romania to Romania is \$87million. These are just transactions within the country. From United States to Canada \$63million, United States to Bahamas \$61million, France to France \$57million, Italy to the Vatican City \$55million,

Germany to Germany \$47million, United States to Bermuda \$46million, Spain to Spain \$28.8million, Thailand to Thailand \$24million, Hong Kong to Hong Kong \$23million, Canada to Canada \$21million, United Kingdom to United Kingdom within their own country is \$20million, United States to Luxemburg \$19million, Germany to Luxemburg \$18million, Hong Kong to Taiwan \$18million, and so we must be a bit worried about these things.

The last statistics before I sit down is the top 20 destinations of laundered money. United States \$538million and is ranked as No.1. I have here the top destinations of laundered money. The second one is Cayman Islands, third Russia, fourth Italy, fifth China, Romania, Canada, Vatican City, Luxemburg, France, Bahamas, Germany, Switzerland, Bermuda, Netherlands, Austria, Hong Kong and the United Kingdom.

Talking about costs, do we have a problem here, Mr Speaker? My fear here is that this is a problem that belongs to them, and we are now required to join the camp to fight against these things when we do not have the problem here. So I will leave it to the floor of Parliament because it is up to you people to decide. But I think the objective of the Bill as put by the Minister is very clear, and that is he wants to prepare Solomon Islands to fight against terrorists if they are going to come here and we have laws to cover this. But my concern as I have said already is that developed countries must be genuine not playing hypocrisy. They must be genuine and all of us must be genuine on this particular issue.

Sir with that contribution, I really have no problem supporting this Bill as it has very good intentions. With all the measures the Minister is taking in trying to remove some serious definitions there, it makes the Bill a bit more acceptable. And probably in his round up he will assure us of what else he is going to do to make us comfortable in getting this Bill because it is something that is taken from outside and put it here in an environment that is totally different. It is a problem from outside brought in here as a strategy to address the problems of the outside.

Sir, I support this Bill and I take my seat.

Mr HUNIEHU: Mr Speaker, thank you for allowing me this opportunity to take the floor to briefly contribute to this very important Bill. I would like to thank the mover, the Minister for Justice for the timely introduction of this Bill to this Parliament, especially at a time in which the global community is undergoing lots of terrorist activities and therefore as a responsible member of the global village we must act appropriately and act responsibly.

The Commonwealth Heads of Government made a declaration in 2001 encouraging members of the Commonwealth to start the process of enacting appropriate legislation to combat or restrict terrorism and insurgents throughout the world. UN Resolutions 1373 and 1624 also reflect the need for countries of

this world to make and pass appropriate legislation to combat the effects of terrorism throughout the world. And so this is not a matter forced on us to act, but it is a matter that relates to acting appropriately and responsibly as a member of the global village because terrorism is a very complex issue, may I add.

The analogy I wish to give is as follows: What is terrorism and what is counter terrorism? By ideology, terrorism is associated with communism, eco terrorism and agro terrorism, nationalist, ethnic, religious. For example, Christians, Islamic and Jewish, and to achieve their goals terrorists use these types and tactics; agro terrorist, bio-terrorism, car bombing, environmental, air craft hijacking, nuclear, piracy, propaganda of the deeds, proxy bomb, suicide attacks etc. etc. That is just a small analysis of what terrorists are. There are many politicians around the world who can be described as terrorists too. That is public news for all of us. Counter terrorism to me refers to the practices, tactics, techniques and strategies that governments, militaries, police departments and corporations use and adopt in response to terrorist threats or acts both real and imputed.

The tactic of terrorism is available to insurgents and governments. Not all insurgents use terror as a tactic and some choose not to use it because other tactics are better for them in a particular context. Individuals such as Timothy McVeigh of the USA may also have engaged in terror acts such as the Oklahoma City bombing. If terrorism is part of a broader insurgent, counter terrorism may also form part of a counter insurgent doctrine, but political, economic and other measures may focus more on insurgency than the specific acts of terror.

Foreign internal defense (FID) is a term used by some countries to suppress insurgency or reduce its effectiveness. If this is what the act will do then I will support it. We are talking about suppressing terror here, suppressing terrorism, not eradicating terrorism and not winning the war against terrorism because that would be too ambitious.

Counter terrorism is closely associated with countries where there is political instability, economic chaos, religious divide like Islam versus Christians and land issues, as is the case between Palestine and Israel. More so, counter terrorism can be exercised with super powers like the USA, the USSR, China and North Korea where they may possess great danger by world security. Combating terrorism in a counter terrorism regime is a very technical issue and can be a very expensive exercise for smaller countries like Solomon Islands. And I agree with the Leader of the Opposition in his presentation on this point. But I do not see that as an excuse not to meet our obligation as a member of the world community.

In countries where counter terrorism is real they have to be equipped with necessary prerequisites and could become very expensive and this is why super

powers always dump huge funding into insurgency and counter terrorism. Are these super powers prepared to fund and field money in Solomon Islands? Or are they only interested in drafting this bill pursuant to the resolutions of the Commonwealth Heads of Government and the United Nations some years ago?

Mr Speaker, the difference we can articulate between anti terrorism and counter terrorism is that terrorism is a tactic and not an ideology. It may be a tactic used in a war between nations in a civil war or in an insurgency where counter terrorism refers to offensive strategies. How to identify and pinpoint the methods used in terrorist activities or insurgency, these operational methods include those that prevent, deter, preempt and respond to terrorism. This may lead to the use of air to air attack, missile prevention and other sophisticated high tech military equipments. You will no doubt use the analogy between Israel and Palestine, the Sri Lanka civil war, India and Pakistan, Iraq and Israel, and the Colombia civil war as examples of counter terrorism and subversive activities.

Mr Speaker, other requirements in counter terrorism are planning for detecting, neutralizing potential terrorist acts, mathematical modeling of interaction between terrorism and counter terrorism and its party implementation, preemptive strike or neutralization, new military preventive actions, planning to respond from terrorists, counter terrorism tactic units, local security, medical services and legal framework. We are debating now a bill on counter terrorism. Many countries in the world have already begun the process of enacting their own laws many years ago to suppress and prevent counter terrorism. And so Solomon Islands is not the only country that is doing this. If you allow me I will quote, for example, the United States of America, US legal issues surrounding this issue including ruling on the domestic employment of deadly force by law enforcement organizations. Search and seizure is governed by the Fourth Amendment to the United States Constitution. The US passed the USA Patriotic Act after the 9/11 attack as well as a range of other legislations and executive orders.

The Department of Homeland Security was established to consolidate domestic security agencies to coordinate anti terrorism as well as national response to major natural disasters and accidents. The Posse Comitata Act limits domestic employment of the United States Army requiring the President's approval prior to deploying the army. Pentagon policy also applies this limitation to the United States Marine Corp, United States Navy and the United States Air force. The Department of Defense can be employed domestically on presidential orders as was done during the Los Angeles Riots of 1992, Hurricane Katrina and Beltway sniper incidents.

Mr Speaker, Australia has also enacted a lot of legislation to suppress and combat terrorism. Australia has passed several anti-terrorism acts in 2004, three

anti-terrorism acts in 2004, and No. 2 & 3 were passed. The Attorney General, Philip Ruddock introduced the Anti-Terrorism Bill 2004 on March 31st describing it as a bill to strengthen Australia's counter terrorism laws in a number of respects, a task made more urgent following the recent tragic terrorist bombings in Spain. He said that Australia's counter terrorism laws requires review and where necessary updating it if we are to have a legal framework capable of safeguarding all Australians from the scourge of terrorism. The Australian Anti-Terrorism Act 2005 supplements the powers of the early acts. The legislation in Australia allows the police to detain suspects for up to two weeks without charge and to electronically track suspects for up to a year. The Australian Anti-terrorism Act of 2005 included a shoot to kill clause in a country with entrenched liberal democratic tradition. These measures have been controversial and have been criticized by civil liberators and Islamic groups. These are two countries that have enacted their own laws and there are many more countries that did but because of time limits I do not think I should bore Parliament on.

Mr Speaker, so are we acting alone for us to be skeptical about this Bill? We do not have to fear our shadows. I think what we are doing here only follows other and is totally compatible with what other nations of the world are doing and therefore as a Parliament we have to act very responsibly.

Mr Speaker, I am raising these points to make Parliament aware of likely costs issues but fully realizing that our counter terrorism act is enacted for convenience purposes only which I totally agree with. There will come a time in the future when this very act will be reviewed and its roles expanded. This is when we can no longer claim to be a happy isles and a nation without the potentials to develop insurgencies.

Insurgencies during the past have given us strong indications that terrorists are able to use Solomon Islands for their own insurgent activities. For example, our country's open policy on religion would mean that the Muslims (Islam) will be coming to set up its organizations and as you know Muslims as a religion is associated with subversive insurgency and terrorism like in Iran, Indonesia, Iraq and elsewhere in the world.

Elements of the social ethnic tension could be suspects of terrorism and in the absence of a terrorist act, we can do nothing and that is why the reports are still catching cob-webs in somebody's drawer.

The 18th April 2006 rioting where massive loss of businesses and money were lost. This particular event in our history had the making and marking of terrorist attack to persuade a legitimate government out of office. The 18th April Riot could be planned for a long time using corruption, nepotism and the underlying causes of the ethnic tension to justify the causes for the rioting and

the massive destruction of properties. Who knows this could be planned by politicians?

Because of our close proximity to Australia, terrorist groups may use our country to enter into Australia to carry out their insurgency if they could not do so from Indonesia or Papua New Guinea. Australia is a terrorist target because of its very close ties with the United States of America and their ongoing criticism against terrorist activities.

I think history had proven that during the period of the social ethnic tension some terrorists were packing their bags in planes to enter into Australia but they were caught. This is what I mean by what I have just said.

I have no difficulty supporting the contents and the context of the Bill now before us. Part 2 of the Bill emphasizes terrorist offences, Part 3 emphasizes terrorist organizations, Part 4 is on law enforcements, Part 5 emphasizes prosecution, Part 6 emphasizes forfeiture of properties and Part 7 is on extradition which effectively addresses the situation. I hope that the Minister will later clarify some key issues in the committee of supply. Having glanced through the Bill I think the sections I have referred to earlier on are fair enough. In my view, the most important issue at hand is to stop or prevent terrorists coming to our country now. Our policies on certain issues must now be reviewed as a measure of protection. We should restrict religions or other sects with strong connection to terrorism from our country. We must be mindful of who we choose to establish bilateral partnership with as these countries may have motivations to export terrorist activities in the pretext of foreign relations, foreign aid and trade. We must not allow our political situation to induce or welcome infiltration of insurgency or terrorism. Improve the intelligence of our Customs, Immigration and Military. I think the Bill itself discusses these issues at length. The failure of any Counter Terrorism Act comes along when these key issues are not adequately dealt with or are not financed to the level that is required. We must manage our relationship with neighbors such as PNG, Bougainville, Vanuatu to avoid the re-occurrence of the Bougainville like-crisis or developing another crisis within Vanuatu and Temotu Province over land and sea issues. There must be proper negotiation over seabed resources with neighboring countries to avoid dispute over rich sea bed mineral resources. There must be proper control and management of our aviation rights and territorial boundaries to restrict and prevent enemy air craft into our boundaries and our actions or statements in international forums must not provoke anger and dispute from other terrorist nations. As I have alluded to earlier, the fact that we are enacting this Act does not necessarily mean that terrorists will not visit Solomon Islands. I think if terrorists have reasons or connections they will

continue to visit our country but our duty as a sovereign nation is to guard our country with appropriate policies and measures.

Sir, I have looked at the Act and there are some missing links that has something to do with our policies and strategies on how to combat acts of terrorism or to service the Counter Terrorism Act appropriately and properly; strategy in the sense that we have a plan on how to respond to issues immediately. Policies which establishes the Act otherwise I would have agreed that in the absence of relevant policies fully in place may be this Act was written in the United States of America to make it look more Solomonized because we have no policies here, we have no strategies here.

Mr Speaker, I believe we may not even use this Act at all too. The Leader of Opposition has said that Solomon Islands is ranked zero in terms of money laundering but do not believe that zero. I always want to be more cautious and be prepared than not to be prepared for issues as they come along. It is wise to be more prepared than not prepared when dealing with terrorism as a global issue. Fighting terrorism is very difficult and nobody has said that the war on terrorism can be won. George Bush did not win; he only lost the election for trying to fight it. All we can do is try to suppress their activities. Their money power, their money laundering, their networking, is what we are trying to, not actually put a complete stop on it but suppress it or reduce those activities to some sensible level. Yes, we must try to avoid Solomon Islands involving in more highly political issues with other countries that may want to be good friends with us. We have to be very careful because that is one way of prevention. We have to prevent things happening first. Otherwise having an act is a very good starting point, and once you have a starting point there are only two things you can do, and that is you can either go forward or go backward but you cannot go sideways.

In conclusion, Mr Speaker, whilst I express my concern about the funding of this Act, I am raising this because acts of parliament that contribute towards an expansionary government expenditure, little do we realize that the more bills we pass here the more we are expanding the roles of Parliament and the least going into the pockets of the poor people in the village.

I want to end by saying that I support this Bill but I hope the USA, the United Nations and the Commonwealth are going to give us money to properly fund this Terrorism Act otherwise it would be just another Bill.

Sitting suspended for lunch break

Sitting resumes at 2.09 pm

Mr FOLOTALU: Thank you, Mr Speaker, for allowing me to contribute to this Counter-Terrorism Bill 2009. At the outset, I would like to thank the Minister for bringing this Bill to Parliament. I also thank staff of the Ministry especially, officers of the Attorney General's Chamber for their preparatory work in bringing this important Bill to this honorable House.

This Counter-Terrorism 2009 is local legislation that puts in place strong mechanisms that can be used to prevent and suppress acts of terrorism, identify and outlaw terrorist organizations and activities, to trace, freeze and confiscate the assets of terrorists and terrorist organizations. This legislation is part of a package that is necessary to fully comply with the relevant international obligations and enshrined in the United Nations Resolutions and the obligations imposed by the membership of the Asia Pacific group on money laundering.

Mr Speaker, this Bill is a legislative measure on anti terrorism. It is also, as far as I can see, a psychological measure; psychological in the sense that when terrorists know there are tough penalties in Solomon Islands for those who commit terrorist acts, they will be scared to commit any terrorist acts in here. Psychologically it will create fear in the minds of people that if they commit any terrorist acts in Solomon Islands they are going to face very tough penalties because laws are in place.

Terrorism has the most extreme form of politically motivated violence that tends to attract the attention of the world's media, the public and the governments. Every day we see and read about acts of terrorism in the press, the televisions and the media. Reports of bombings and suicide bombs, killings, human trafficking, money laundering, sabotage of buildings, vessels and aircrafts; seizure of hostages, armed attacks, extortion and robberies, violent protests, and one is happening right now in West China; missile attacks and terror plots around the world. This planet earth is no longer a safe and secure place to live because it is a global village where terrorist activities are happening all over the world in America, in the Middle East, in Europe and the Pacific. Terrorism activities are happening every where.

Sir, a new breed of terrorists are using online forums to recruit people who align themselves with the mission of their terrorist organizations creating global networks of would-be terrorists posing great threat. Many of those people never actually meet in person but conspired on line to launch both cyber terrorism and physical terrorist acts such as suicide bombings. They are terrorist recruiters who are using the internet. I saw in the television yesterday morning that some cyber terrorists have interfered with about 20 organizations in South Korea, and so it is happening everywhere.

Mr Speaker, this Counter Terrorism Bill will become one of the legislations or legislative counter measures intended to prosecute terrorists.

Terrorists do not fear getting killed but fear of being caught before they strike and sentence to prison for decades. To terrorists, death to them is heroism. We might call them terrorists but to them it is heroism and so they do not fear death. Their worse nightmare is to be caught before they execute their activities.

During the last 20 months or so the British Counter Terror organizations apply great surveillance and prosecution to keep more than 2,000 active terrorists off balance. In the meantime, many of these terror groups are raising money for terrorist organizations and recruit men for operations in other countries. I do not agree with some of the sentiments made by witnesses who testified to the Bills and Legislative Committee that terrorism has nothing to do with money laundering. This is not true.

On threat assessment, and that is why I do not believe in it is like this because on threat assessment resources and knowledge equals to capability. Resources include money, human resources, weapons, explosives etc. and without these resources and knowledge, the subject is incapable of engaging in activities that may cause harm and so the terrorist organizations have to use money.

I now touch on offences related to harmful material, transportation of harmful materials, terrorist bombings and plastic explosive offences. Mr Speaker, the tragedy of Panam Flight 103 of Lockerbie, Scotland in December 1985 and an explosion aboard UTA aircraft over Niger in September 1989 prompted preparation of the convention on the marking of plastic explosives for the purpose of detection. The convention requires signatories to prohibit and prevent unauthorized manufacture, export or import of unmarked plastic explosives and where stocks of unmarked explosives are held that destroy or render them permanently ineffective within a specific period of time.

Mr Speaker, the Resolution urges states to take up prompt action to become party to the convention and to implement the marking of plastic explosives manufactured in their jurisdiction. The aviation security related legal instrument is listed No. 6 under the Schedule of this Bill as a United Nations Convention. The legal instrument has entered into force a substantial contribution to the development of new principles of international law responding to the challenges of today. Mr Speaker, most of the terrorist activities involved explosives and weapons. Explosives in layman's language is called bombs whether it is a military explosive, a commercial explosive or a homemade explosive but it is simply a bomb, and that is what many terrorists are using today.

This morning I saw on the television many people being killed in Baghdad, Iraq by explosives. People are using bombs and these military explosives are just plentiful there at the Hells Point. If we do not put measures

or laws now in place people can just misuse it. Even commercial explosives and dynamites used by the gold mines can be easily stolen by people and homemade explosives are the most dangerous these days as people do not need to import these from overseas but can make their own bombs here. It can happen and it only depends on knowledge. When knowledge increases anything can happen because the Bible also says that in the last days many shall run to and fro and knowledge shall increase; knowledge about good things, knowledge about bad things and so knowledge shall increase. The most dangerous ones are homemade explosives or incendiary explosive devises (IEDs). These kinds of explosives are not marked as whether they are sheet explosives or plastic explosives or whatever. There is no mark and so anything can happen.

In the past we did not expect that kwaso is going to exploit the Solomon Islands' communities but it is happening now and we can no longer control it. That is why I said it could happen to people making explosives. In Malaita, we are using explosives to kill fish. The next round maybe we are going to use it to kill people, we are going to fish on the shore.

Sir, these laws are not only for outsiders but they are for us too. Anyone in this nation can arise and form a terrorist group. When some people are not happy with the leadership of our government, when they are not happy with another island, when they are not happy with another race, they can form their own groups whether we call them a terrorist group or whatever, but their actions will show whether it is a terrorist group or not. But anything can happen.

Sir, because of the lapse of security in Solomon Islands, people see Solomon Islands as a place where security is not that really tight and an easy place to transit drugs through. And so if they want to cause a terrorist act somewhere they will see Solomon Islands as an easy route to come through to go to that place. It is easy to transit through here to go on to Australia or to New Zealand or to elsewhere because it is an easy route for criminals. This law is the law for Solomon Islanders, a law for outsiders and this law is a good law.

Some of you colleagues might be saying that we have a lot of laws already in our country that almost duplicate each other, may be the punishments duplicate each other, there is a crime like this in the Penal Code or a crime like this is in the Civil Aviation Act and so forth. It is good for us to have many tools so that if we use one tool and it does not work we can use the other big tool. And so it is good. If we do not have any tool at all then it is not good but we have many tools and so it is good so that if this knife is blunt we can use another knife or if we use this one and it does not work we can use another one. If the punishment for this is light then we can apply another one. I think it is good for us to have these laws with their punishments. If the punishments in the Penal Code are not tough then we can apply the terrorist laws or the hijacking one.

Which one of them has the highest punishment or custodial sentence, we go for that one so that it frightens and cause terror to the terrorists.

Mr Speaker, some of these common military plastic explosives like the American C4 Plastics, the British Plastic explosives, the Italian TNT and the Slovakia's sheet explosives semetex are very dangerous explosives and it would be good if they are marked or labeled. But I come back to homemade explosive which is the most dangerous even used in other places today. When it is mixed with other commercial explosives, a bit of homemade, and mixed with a military one it can become very powerful explosives being used. And so it is good that these laws are put in place. The big threat we are facing now is homemade explosives.

Mr Speaker, regarding extradition and mutual assistance on criminal matters under the legal instruments, Solomon Islands, as far as I know had ratified and translated into local legislation the Civil Aviation Act 2008. Four of the United Nations Conventions and Protocols namely the 1963 Convention on Offences and certain other acts committed on board an aircraft, the 1970 Convention for the Suppression of Unlawful Seizure of aircraft or convention on hijacking is another one, the 1971 Convention for the Suppression of Unlawful Acts against the safety of civil aviation, the 1980 Protocol for the Suppression of Unlawful Acts against the safety of civil aviation, the 1991 convention on the marking of plastic explosives for the purposes of detection. The race of the other 11 conventions or protocols, which can be verified by the Office of the Attorney General is whether has a party to these to or has ratified them or not yet. They need to confirm this to us.

I see these legal instruments as regulatory measures that will form part of the combination of measures including human, material resources that will be used to counter terrorism. The field of counter terrorism is not only legislation itself but it is a combination of measures. It includes legislations, regulations and policies. It includes equipments and materials and it includes human beings. All these are combination of measures that must be put in place to fight against terrorism. This piece of legislation is one of the many measures that will be put in place to counter terrorism.

Mr. Speaker, one cornerstone of the strategy to counter terrorists and other criminal threats and the effective implementation of a gradual response system is the provision of reliable and timely intelligence. As terrorists have varied their methods of operation or modes operanda over the years and so they have also improved their techniques and skills. Before effective action can be taken planners must have some idea of what it is that needs to be prevented or protected, what type of attack and what types of person they are guarding

against. What measures are likely to be effective and ideally by whom and when an attack will be made.

Mr. Speaker, early warnings of threats of possible attacks are vital to ensure that all involve agencies are able to implement preparatory and preventive measures in a timely and cost effective manner. It is essential that available resources including personnel, equipments and systems are effectively deployed to non threat areas. Mr. Speaker, the importance of intelligence was highlighted in the report prepared by the US President's Commission on Aviation Security and Terrorism following the destruction of Panam Flight 103 over Lockerbie in December 1988, and I read "If security measures at airports are at the last line of defence against civil aviation terrorism, the first line of defense is the collection of accurate and timely intelligence concerning the intentions, capabilities and actions of terrorists before they reach the airport". Mr. Speaker, whether it is strategic intelligence or tactical intelligence, this may refer to the same operational intelligence and so there must be intelligence. This is a very important area in regards to anti-terrorism.

Sir, when regulations are established under Clause 44, the counter terrorism bill should include the police, the customs, the immigration, civil aviation, airline operators and foreign affairs. We should also have a national security program. When this law is passed and the regulations are put in place, there should be regulation for a national security program, a policy or a strategy program. This is very important because these are some of the measures. Currently, we are enacting the law but there will come a time when we are going to put in place other measures such as human resources and material resources because currently we do not have a national security program. There is none and therefore if any hijacking happens now we would not know how to handle it. If terrorists know Solomon Islands does not have a military nor a national security program, they will think of coming into our country because it would be easy for them to take a plane, land it at Henderson and then get away in some boats. How are we going to deal with such a situation when we do not have such a plan? Last time there was a telephone threat saying a bomb was onboard an aircraft and the authorities do not know what to do because there was no plan. At that time I went up to the bush of Mataniko and they have to come looking for me because of the claim there was a bomb in the aircraft and so I went and attended the scene but there was no bomb in the aircraft. But if those people are well trained they would be able to tell what type of bomb, what a bomb looks like but people do not know because there was no security program at the airport. These things are very important things and it is good that we have this legislative measure now but we also want the other measure too so that it is

complete. Now it is only one tenth and there are nine yet to come so that the ten is complete.

I am happy that this piece of legislation comes during my time. May be this is my last presentation on anti terrorism and I will go home and settle down and listen in because it can happen in here, something might arise in the future but we have this law in place. It is good to have these laws. It is not only for outsiders but it is also for us Solomon Islanders because these days are difficult days, they are perilous times and anything can happen even in our own families, in our homes and the communities we come from. The things that we have not seen in the past are now happening and so the next thing would be terrorism. Do not think that terrorism can only happen in Iraq, Afghanistan, Al Qaeda or whatever because it can also happen here because we are in a global village. Anything that happens in America can also happen here and may be only the scale of operation is low. But small terrorist activities are happening here almost every day. People are robbing people, showing knife to people, raping wives in the presence of their husbands and so on, are these not terrorist acts? I think they are because they cause terror. May be because it is not political that we think it is not political but it is criminal in nature as they cause terror and so anything can happen. With these few remarks as my contribution towards this Bill, I thank you very much and I do support this Bill.

Hon. GUKUNA: Mr. Speaker, this is a very short contribution because a lot of the points I want to cover have already been covered. As of next week, Mr. Speaker, people who are thinking about terrorist acts or planning terrorism will look to Solomon Islands and realize that we now have a bill, we now have a formal system to deal with terrorism. We all know terrorism and we all know what it means.

When I was listening to some of the points raised I was really confused on what this bill is about. This Bill has nothing to do with unfairness in the global systems. It is not meant to deal with unfair monetary systems around the world. It has nothing to do with general money laundering. When this Bill is talking about money laundering, I believe it talks about specific laundering of money for the purpose of financing terrorism. I think that is what laundering of money is talking about here.

Yes, money laundering is a crime on its own. But when this Bill talks about money laundering, I believe it talks about laundering money for the purpose of financing terrorist acts.

As we all know, Mr Speaker, terrorists are very smart people. They outsmart just about everybody. All the countries with more resources are trying to deal with them but it is very difficult. Solomon Islands, whilst it does not have

any bill to deal specifically with terrorism, this country has already demonstrated that there are people in this country who are capable of committing horrendous crimes. That is all that we need, we already have one ingredient for a terrorist to use. In this country there are people who are ready to go to the extremes to cause terror. Once people who plan for terrorist acts around the world decide to come here and use this place they can come and use it. This Bill is meant to counter people who might be thinking of using this country, transiting this country in order to promote and carry out their terrorist acts

It is very easy for us to talk about issues relating to terrorism from hindsight. It is always good because you are always in a position to say some good things, some good points with the benefit of hindsight but terrorism is not something to talk about from hindsight in most actions that are being taken by countries around the world to try to project the movement of terrorists.

To argue saying this Bill will turn this country into a police state is misinterpreting this Bill. This Bill is not going to turn this country into a police state. At the same time this Bill is consistent with the nature of terrorism. How else can you prevent it? Terrorism is not something to deal with after because as you know there is only one objective that a terrorist wants to do and that is to inflict the most damage as they can. This country cannot afford to wait for that time depending on its normal laws, aviation laws, and so this Bill is an attempt, a first attempt by this country to try and stop it. Yes, it is going to be hard and as I said countries with more resources are having difficulties to stop it. But at least this Bill allows us to be forward looking. It has nothing to do with addressing unfairness in the Middle East. It has nothing to do with addressing financial systems in Wall Streets in Washington. It has nothing to do with the occupation of Iraq. It has nothing to do with the failure of stopping terrorism. No, that is not the point of this Bill. This Bill is meant to equip us with some abilities for us to at least recognize and try to do something for us to recognize a track that is going to lead to terror and some tickets that are going to be used by terrorists. That is all this Bill is trying to do. I do not believe that when we pass this Bill we will help policemen everywhere checking on our lives and turning every individual and turning this country into the subject of police as has been raised. As I have said we have seen what terrorists can do; no warning, they aim to inflict maximum damage, are very hard to track and they will do anything to achieve their objectives.

Sir, living here and arguing that we must first of all solve the unfairness in the world, no one denies that some of the systems and some of these things are not really fair, but what can we do as a very undeveloped and poor country. To argue and say that we must solve those problems first is doing exactly what the

terrorists are saying. We are saying that we will cause you damage, we will harm you unless all these unfairness are resolved. We are dealing with people who no longer accept negotiation and we are dealing with people who are no longer interested in talking. We are dealing with people, who are not only smart but out resourced a lot of countries. They are experts and to argue otherwise is to downplay the importance of this Bill.

To say this Bill will lead to more crimes, I just do not understand it. I do not follow that reasoning on how passing this Bill will lead to having more crimes, unacceptable crimes. This is the same as arguing that if we cannot beat the kwaso producers, we might as well legalize it. It is the same kind of argument.

I agree with a lot of points raised by my colleague for Lau/Mbaelelea. In terms of cost, one death to terrorism of course every death to acts of terror is not acceptable. But if we can come up with the definition of terrorism and we have one death caused by an act of terrorism that is still very costly. If we can spend a lot of money, which I believe this Bill initially will not do, if we can spend a lot of money to prevent that one death caused terrorism, I believe that cost is acceptable. With these small comments, Mr Speaker, I totally support this Bill.

Hon. LILO: Mr Speaker, I am going to be very brief because you have invited me to speak and so let me do so.

Sir, let me also add my voice to others who have contributed in the debate of this Bill. Firstly, I would like to thank the Minister for the effort he has put in bringing this Bill and also other relevant government ministries and authorities that have worked so hard over the past period in bringing this Bill to this House. We need this Bill given what terrorism has done to this world.

As others have alluded to earlier, terrorism, and second only is climate change or they could be equal are the biggest evils this world is facing today. The pain, agony and even the hatred they have left behind, if you can actually trace the way that these things have happened are so enormous. It cuts through the feelings of all the world's citizens, given the way terror has happened in countries that have experienced it. As others have said, and I would like to mention again here that terrorism is a very complex operation in the way terrorists connect to the financial system, the banking system, even the industries, and they are connected to the way information technologies have been developed. And therefore, the operation of terrorism throughout the world is very complex, as what the Minister of Tourism has stated. They even out resourced some of the states, even our own state too, given the scale of operation that some of these terror organizations have organized themselves and are

operating up till now. We as a country, Solomon Islands, do not have the resources like what these terror organizations have with.

Coming back to this Bill, I think what this Bill is saying to us is, 'look Solomon Islands what you need to do is to have a mechanism in place to protect your citizens, to protect your homes and to protect others who are interested in visiting you'. We can be part of this global partnership of making this world a safe world for all of us. I think that is what we have shown in bringing this Bill to this House.

When we talk about terrorism, the question that one normally asks is, what is it or even better we could ask questions like why do people or why do ethnic groups, why do religious groups or to some extent why do certain nations or states in the world choose to support and engage themselves in terrorism activities or terror groups? Why? We can think of all sorts of things but again it points to things like may be there is still an ongoing battle of ideology.

The question of what is best democracy which is communism may be, Christianity versus Muslim or even the choice of market which is command economy. Or should we have a separate economic system versus a global economic system, for instance. All these are central in the debate of why is terrorism happening. Why?

Even the battle of the world powers, international politics can give rise to the kind of environment that breeds the kind of ideology that is now happening throughout the world. The battle for economic power, for instance, the competition that is going on right now between the G8 nations, the so called rich nations of the world versus the rising powers of the oil producing countries. Do those things contribute to giving rise to terrorism or the new ideas that is now breeding up? Of course, if you look at all the oil producing countries, what are they? Well, most of them are Muslim countries too. So again we are linking the debate to some kind of ideology in this whole thing. It could be right for us to think of terrorism's linkage to the concept of poverty, which is an issue that even right now we are still talking about how to eradicate or alleviate poverty because the best grounds for recruiting terror organizations are also in poverty stricken countries. In that sense, we cannot say that we can totally eradicate terrorism just like we are still struggling trying to eradicate poverty but we still have not eradicated poverty, it is still around. These are global phenomenon that will continue to shape and change the dimensions in the way that we talk about them, in the way that we will address them in international policies and international politics. But again it will come again to us and say what are we going to do to address them in a way that would impact on our country.

People who are engaged more in terrorist activities are mostly from poverty stricken countries. Is Solomon Islands a poor country? That is a

question for us to think about. But as the MP for Lay/Mbaelelea has said these are things that can happen to us and therefore we need to prepare ourselves and so this Bill is very much welcomed. The way that some of these developments are happening here have taken change, they have taken new shapes and therefore we must have this legislation, we must have it.

I said earlier on about what terrorism has done to the whole world. The reality the world has seen is that terrorism is targeting innocent and vulnerable people and what have been left behind can be traced to evidences of some very painful, broken up societies and so forth, and if it happens here in this country this country will be torn apart. Why? Because we are a nation of island states, nations that if anything like this happens inside the region it can be easily separated. The unity of this country will be really threatened in that way, and that is why we have to have legislation that will continue to build us together, help us to stop activities that will lead to us separating ourselves, for instance, through the agents of terror organizations. We need to have legislation that will help to stop that. That is why we need to welcome this Bill.

Mr Speaker, as others have said, I think this Bill is not about addressing the unfairness that is happening globally. But it is always right for us to understand the background as to how these things are happening too. We must understand it, and in that regard I think we need to welcome the way this House is filled with the kind of debate and submissions that lead to why we have acts of terrorism or why is terrorism happening throughout the world. We need to understand that, we need to understand those contexts as well.

This Bill, if you look at it, will not in any way at all contribute towards trying to correcting the unfairness, the kind of unevenness in the way the whole global development and economic system operates. I do not think so. All that we are trying to do in this Bill and that is why I am really pleased with this Bill is how we prepare our country and our citizens to be able to face the reality of this new evil that is now creeping into our nation, creeping into this region, and if it comes into our nation it has the potential of splitting up this country, honestly. Why? Because this nation is just a right place for this kind and so if it happens to us it will totally disunite this country. This is a nation of island state and so if something happens there, one island group will replicate that kind of organization and it will just split up this country that way.

Mr Speaker, I think we should all be encouraged that this Bill will work towards, in some ways, through the kind of negative effects of terrorism should be able to keep this country united again.

I would like to leave that message because I am sure others would also share what message they want to leave in reflecting on the importance of this Bill to this country, and that is what I believe is the important thing I have seen in

this Bill, given the way that this whole development of terrorism is now developing throughout this whole world, and is now also entering this region too, the South Pacific region.

With those remarks, I do not have any more to say about this Bill but I really support this Bill. Thank you, Mr Speaker.

Mr BOYERS: Mr Speaker, I too would like to join in congratulating the Minister for Justice for tabling this Bill and also acknowledge the importance of the role we are playing in supporting this Bill. I would like to thank the other speakers as well, especially the Leader of Opposition for his very broad and interesting contribution to the issue of conspiracy, which I believe has a certain amount of truth in them.

This Counter Terrorism Bill, I believe is a product of 9/11 when our world changed and terror became one of the top focal points globally. It reminds me of when I watch George Bush on the TV saying very clearly to the world that 'either you are with us or you are against us'. I think this Bill reflects those comments on this war against terrorism. I believe we voted with the US on that. But it still makes me wonder what he meant by this 'us'. I think he meant Dick Cheney and Donald Rumsfeld and who they were representing, I do not know but under the guise of this I believe that it is part of the process of trying to unite the world so that we do not destroy ourselves.

I see this Bill as a global bill. I think every country in the world will also endorse it. If we do not pass this Bill, I believe there might be some ramifications within our financial system for not passing it. The Minister of Tourism would appreciate that we do not want terrorists but we need more tourists. This would make our country look responsible and we would be acting in the interest of keeping, not only our world safe but our country safer.

I think this Bill is a fundamental process of trying to unite the world. One of the questions we should be asking ourselves is how do you unite the world? And the other question is how do you save the world? If you look at the times we are living in, one hundred plus years ago we were drawing buggies with horses and over the last 100 years, technology has advanced so fast that we are living in very dangerous times. With the advance in technology now comes an enormous amount of responsibility. With the sophistication of technology we are using we are now living in a nuclear world with nuclear fusion. I think the two main issues we are dealing with that have become the two greatest dangers to this earth are climate change, as mentioned by the Minister of Environment, and the other one is nuclear war. Our arsenal in the world, and this is between Russia and America, is enough atomic nuclear warheads to destroy the world 30 times over. And in this age of terrorism, if a terrorist manage to get hold of a

nuclear warhead it would basically spark off the process of World War III and the end of this world. In the process of saving the world, little Solomon Islands can play its part, I suppose in supporting counter terrorism. If you look at the Bill it talks about a lawful act against a nuclear facility. I suppose this is our processes supporting the international community, the nuclear powers in supporting their efforts in de-nuclearising the world with warheads.

I think it is very important that nations play a responsible part in making sure they do not become a threat and a liability to the safety of our world. As you know our environment is our future. I note with interest the G8 summit and the two main focal points during the summit was climate change and cutting back on nuclear warheads between Russia and the US, and they are cutting down a third already. The more responsible we become, the safer this world will be. That responsibility takes away a certain amount of personal freedoms that unfortunately would be necessary. In the cyber world with the international World Wide Web, within a millisecond information can be moved from one side of the earth to the other, and that means the other side of this world is closer to us now. As they said that terror knows no boundaries, we realize that to be true as we see the swine flu that after the declaration that there was a pandemic or an outbreak of swine flu, within two to three weeks the flu was already around the world. These are serious issues that we need to look at when talking about biological warfare that if it got into the hands of terrorists the fragility of the earth now with the sophistication that is open to not only the good but the bad as well, there has to be legislation in place to make sure that we are not only protecting ourselves but we are protecting the rest of the world.

This reminds me of a song by the late Michael Jackson entitled "we are the world". I believe this should be our focus that even though our country is under enormous outside pressure and that there is possibility that in the next 10, 20 to 30 years influences will change the way we act and think which could also have negative impacts. I personally believe that Solomon Islands is a very safe place and will always remain so. But in doing so we also have to make sure the rest of the world is safe as well.

With those few words, Mr. Speaker, I would like to also support my colleagues and the Minister in this very important Bill by showing that Solomon Islands is responsible for doing its little part in the global arena in keeping our region and our world safe through this Bill. With those few words I support the Bill.

Mr. OTI: Mr. Speaker, also at the outset let me congratulate the government through the Minister responsible for bringing this Bill. At the outset also, a lot has been said in regards to the purpose for the Bill, but I would like to mention

here that for some of us who are layman in terms of the subject for which the Bill is concerned with, I would like to take this opportunity at this instance to thank your staff for the report of the Bills and Legislation Committee which has helped some of us to understand what this is all about. Therefore, the focus of the Bill is well covered in the report that has been given to us as it says in the report and I quote, "this proposed legislation is part of a package that is necessary for Solomon Islands to fully comply with the relevant international obligations enshrined in the United Nations Resolutions and the obligations imposed by the membership of the Asia Pacific Group on money laundering. The Bill is thus intended to send a clear indication to the international community that the Solomon Islands Government is intent on protecting the integrity of its legal and financial institutions and fighting criminal and terrorist activities". That is the thrust of the Bill and is the purpose of the Bill as some of us are led to understand, and therefore my brief contribution will basically focus on the purpose of the Bill as the historical and background to this has been well covered in the other presentations both by the Minister and by the Leader of Opposition earlier on this morning.

Mr. Speaker, as stated, the purpose of the Bill is for us to meet part of our obligations under international law to address the issues of terrorism through a counter terrorism measure underpinned by a domestic legislation which gives force to the 16 Conventions mentioned in the Bill. If we look at those conventions, basically if you look at 11 of the 16 talks about suppression of or prevention of because you can never eliminate terrorism or terrorist acts because of the reasons mentioned earlier this morning by the Leader of Opposition. It is deeper that cannot be addressed through this Bill and therefore any efforts under these international conventions is basically to mitigate against, reduce the scope and the potential to impact on the international community and for this particular purpose our own population and as part of our obligation to share our experiences with other nation states who are members of the United Nations.

That being said, Mr. Speaker, I just want to bring out my own personal perception on the Bill, and that is the capacity to enforce and implement the legislation. Perhaps when the Minister replies and may be when we come to the committee of the whole House, it will be pointed out. I cannot see which authority are pinning the responsibility of national security on. Where in the Bill? That is my concern because a lot of laws have been passed through this House and our problem is not that the law is inadequate, but our problem is our own capacity, resources, human resources, financial resources to enforce the legislations. That is basically what I am concerned with. And for the moment I cannot see it, and therefore perhaps when the regulations are made under section 44 of the Bill when that will be brought out. For example, the police is one.

Police is an authority in terms of normal police work but in terms of prevention up front, the Immigration, Customs. Which body is to be responsible in coordinating all these?

When I look at this Bill and think of what happened to the twin towers in 9/11, the National Security Agency of the United States knew exactly what would happen, their intelligence had it, they knew that this was happening, but why was the National Intelligence Agency sitting down quietly and not passing information to the authorities to take the measures to prevent the blowing down of the twin towers and the Pentagon? That was what happened and so this is what I am beginning to see in this Bill. Where is the authority that will report and investigate, gather intelligence and pass out the necessary actions to the enforcement agencies? That needs to be cleared. Otherwise whilst we have met our obligations we will be sitting dark when it comes to actual events taking place within our jurisdiction and we cannot enforce for purposes of achieving the objectives of the Bill

Secondly on the bill itself, as mentioned also in the report, in terms of radicalization, and this is looking at it from the best domestic side, is to do with the potential of creating a medium whereby those with illicit motives such as those who want to promote terrorism and using Solomon Islands as a staging point, and I would like to thank the Committee again for bringing this out, for Solomon Islands in particular there are issues that have nothing to do with this but could be, if not addressed properly, breed the grounds for which organizations that have the intention, not to terrorize in Solomon Islands but to use Solomon Islands as a staging point if it is right in here. Corruption, in particular in these institutions, in complementing my earlier statement that if we have officials, and this is well brought out in the report, capacity also means that if there is corruption in these institutions, of course the corruption itself would also give rise to this being non implementing and enforcing the legislation because people are benefiting from these resources hence money laundering comes in and the money that is paid is paid to their agents who are themselves in the very institutions of government. This is critical and so corruption in these institutions is also critical. When I talk about capacity, the capacity, of course, I know is impossible but at least the mechanisms must show that as much as possible we must reduce the areas where inefficiencies can exist and whereby it can be taken advantage of and used against or used for the purposes of promoting terrorism. In this instance, Mr. Speaker, I would like to commend, in particular this part in terms of corruption.

Thirdly, Mr. Speaker, we have just passed in the second reading yesterday or the day before yesterday the amendment to the Investment Act. These are also channels and all channels have to be investigated here. Already we have a

lot of elements in Solomon Islands whom our people are wondering how they ever came into our country, which means that the immigration, our investment laws must also complement these efforts, otherwise we are waiting for the person coming with the gun but another one with the money is already in the country, and we do not know. Mr Speaker, these are the areas which, I think, need to be looked at again in ensuring there are no loopholes left.

In a lot of areas, particularly foreign investment, it could be sources for which they can come through because this law is already here, the anti-terrorism law is already in place and so how would they come in. Of course, the way this law is made we will say that the police, the immigration and the judiciary will be using this law to recognize whereas they can come through other channels, may be through other legislations like the Foreign Investment Act.

I hope when we come to the committee stage, the Minister will be able to explain this a bit more fully. But in my short intervention, those are the areas that I do not see and I hope my doubts will be addressed by the Minister, if not in his reply, at least in the committee of the whole house.

With those few comments, Mr Speaker, I support this Bill.

Hon. MANETOALI: Thank you, Mr Speaker, for this opportunity of contributing to this Bill. A lot of speakers have already spoken and I will be very brief on a few points.

First of all, I would like to acknowledge the Minister of Justice and Legal Affairs for this Bill which he managed to bring before the floor of this Parliament, which we are now debating. So congratulations Minister of Justice!

Mr Speaker, why do we need this Bill, is the question I am going to deal with here. First of all, the Bill is to provide measures to prevent and suppress the financing, preparation, facilitation and commission of acts of terrorism in Solomon Islands. It is also to protect the political, social and economic security of Solomon Islands and related matters. That is the objective of this Bill.

Sir, I would like to look at this word 'terrorist'. Who is a terrorist? We can see in this Bill that a terrorist means an individual who commits or attempts to commit a terrorist act and a terrorist act causes serious injuries to human beings, properties and may even cause death purposely to advance a political interest, a religious interest, an ethnic interest as well as intimidating government, provincial government, international organization or a foreign country. It is also to intimidate the public or a section of the public.

Mr Speaker, terrorism, as we can see from the Committee's report, has a long history that started way back in the 1790's during the French Revolution and still continues until today. For that reason, the United Nations has come up with conventions and protocols to counter those terrorist acts.

Sir, it is important that I need to mention the conventions and protocols that the United Nations came up with. The first one is the 1963 convention on offences and other acts committed on board aircrafts, the 1970 convention for the suppression of unlawful seizure of aircraft, the 1971 convention for the suppression of unlawful acts against the safety of civil aviation, the 1988 Protocol for the suppression of unlawful acts against the safety of civil aviation, the 1979 convention on the physical protection of nuclear material, the 1991 convention on the marking of plastic explosives for the purpose of detection, the 1997 International Convention for the suppression of terrorist bombings, the 2005 Convention for the suppression of acts of nuclear terrorism, the 2005 Amendment to the convention on the physical protection of nuclear material, the 1973 convention on the prevention and punishment of crimes against internationally protected persons, the international convention against the taking of hostages of 1979, the 1988 convention for the suppression of unlawful acts against the safety of maritime navigation, the protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf of 1988, the 2005 protocol to the convention for the suppression of unlawful acts against the safety of maritime navigation, the 2005 protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf and the international convention for the suppression of the financing of terrorism of 1999.

Sir, the United Nations itself came up with those 16 conventions and protocols in relation to combating terrorism, hence Solomon Islands being part of the United Nations, and to stay in tune with the United Nations it is important to enact laws to stay in tune with the United Nations. This Bill, in my view, is very important so that we could stay in tune with the United Nations Charter.

We have heard from other speakers, especially the Leader of Opposition today that the crimes and offences in this country are well dealt with by the Penal Code hence unnecessary to have this counter terrorism bill. In my submission, I would say that there is no harm having these two laws with us. If we have these two laws with us, prosecutors would have options or choices to use which law would best suit a situation. And so it is good to have those two laws. The Penal Code will deal with other offences and the Counter Terrorism Law will also deal with other offences, and so it is fair and alright.

Sir, it is also good that we have this law as we must be prepared as others have said, and this is a starting point. It is history for this country that we have this bill now before Parliament. It is a starting point and is a growing document. Later on or maybe in future we can improve on it when the need arises. Sir, with this short submission I support the bill.

Hon Chan: Mr Speaker, I would like to once again thank one and all for the valuable contributions you have made on the Counter Terrorism Bill 2009.

Sir, let me at the outset, explain what this Bill is about and what this Bill is not about. This Bill is about countering, predicting the methods and the targets of terrorist. It is how we can foil their evil plans. It is setting in motion a prescription on how to tackle or handle a potential terrorist attack. This Bill is not about dealing with the root causes and why an individual group or organization is willing to carry out a terrorist act, which is why some will argue that we are putting the cart before the horse.

The root causes are too many and there are no clear cut domestic and international solutions for terrorism. As responsible legislators, however, we and members of the international community who have passed similar bills before are simply trying to buy time to enable us to find appropriate solutions in dealing with this phenomenon.

I am aware of the recommendations of the Bills and Legislation Committee and I have no problem supporting a national counter terrorism strategy that can afford protection for the innocent who maybe caught up in the web. Therefore, my Ministry supports the number of recommendations by the Bills and Legislation Committee as follows:-

- (1) Setting up a taskforce that will comprise several societies to look at a national strategy for counter terrorism which will look at as well the coordination efforts as well as the problems of corruption and effective implementation.
- (2) An independent review of the Act and its impact after 12 months.
- (3) The presentation to the Foreign Relations Committee of the 16 counter terrorism protocols and conventions in the schedule for review and comments.
- (4) Adapting a public awareness campaign about the Act and terrorism in general.

Sir, I do understand that one man's terrorist is another man's freedom fighter. Through this Bill, the government has accepted the definition of the motivation of a terrorist to be political, ideological and religious as sufficient. This motivational factor is what differentiates a terrorist offence from other offences in the Penal Code.

One thing is clear from your contributions on the Bill that it evolves around your conviction I believe that nothing is sacrosanct in finding a way forward for the security of our people who deserve not to be insecure as they carry on with their normal lives. Basically, what we are doing now is meeting

our international moral obligations to suppress terrorist financing and bombing. We do want to comply because of our recognition that terrorism or international terrorism for that matter has no respect for sovereignty and territorial integrity. All we are saying in this House in short is enough is enough to this ruthless curse to humanity. There would be some people who argue that this Bill will not stop terrorist acts because terrorists have become more advanced and complicated in their methods of carrying out their activities. Whichever way you look at terrorism, in so far as it is a security issue, we always end up facing a security dilemma. But to say that terrorism produces an endless wave of security dilemma is a self defeating proposition. Today, Mr Speaker, we must be realistic with what we can and cannot do with our capacity and resources. What we are dealing with now is a culmination of efforts put together by five ministries.

Sir, international obligations aside or whether we are playing catch up games, we know we are ahead of many of our neighbors with the passage of this Bill. I will not hesitate to say that this is a tacit demonstration that the rules that govern our behavior with our international partners are greatly shaped by international security imperatives, one of which needless to say is terrorism.

Mr Speaker, the bit in the Bill about suppressing terrorist financial is akin to killing the snake on the head where it feeds from. The terrorists, the financier, the brainwasher, the logistics person, the driver and the suicide bombers are equal partners in the commission of a terrorist act and points to a dangerous network of terrorists who rely on their financial sources. This Bill is about cutting the source off. At the same time, you know that this is not just about passing the bill because of non compliance with financial action for the recommendations on money laundering and none recommendations on terrorist financing without serious ramifications on our financial, economic and banking sectors, but we also want our economy to be safe and prosperous. This takes us back to the previous point I made about facing the security dilemma. I have no illusion that tackling terrorism revolves around a grand strategy where a whole government approach is required in addressing the underlying causes of terrorism from perceived prejudices and marginalization to indoctrination.

Mr Speaker, the fight against the underlying causes must outweigh the fight against the symptoms of terrorism for this is the most difficult part or we face the brunt of the accusations about being complacent. Or if complacency is not the right word, the stateless nature of terrorism has the added bonus of extradition and mutual assistance by parties to the UN Counter Terrorism Convention, which brings me to the next thing I like about the Bill, and that is very much preventive in nature. The Bill criminalizes terrorists or would-be be terrorists in the planning and training stages when law enforcement agencies uncover a plot. The Bill is preventative because such a provision disallows

weapons of mass destruction falling into the hands of terrorists. We do not want the mushroom cloud to hand over our beautiful islands. The Bill goes far as allowing the Minister declare a terrorist organization and entity engaged in or contributing to the carrying out of a terrorists act subject to administrative and judicial oversight to minimize a possibility of abuse and mistake. The Bill is preventative and proactive underpinnings as it provides for the freezing and seizing of assets of persons or organizations involved in terrorist activities and at the same time provides law and investigating agencies extra powers to locate and seize evidence of terrorist crimes.

In the making of the Bill, the international convention on terrorist bombings came into effect six years before 9/11 when there were massive ethnic cleansings in Africa and elsewhere while the world simply watched. The omission of the word 'ethnic' in the definition of a terrorist act is meant to illustrate that we are back on track with our peace process and do not need that kind of definition while at the same time conscious of the possible intrusion into the freedoms of our people.

It is a hard ask trying to pass the Bill but your positive contributions to the Bill have given me these observations. While we all appreciate terrorism is an international crime, the passing of the Bill to me is an honest desire to see that we deal with the threat of terrorism both within and outside our borders. International cooperation in the investigation and extradition of terrorist crimes bring in this paradigm about collective security being an essential part of our national security. Mr Speaker, there can be no better way of dealing with terrorism in the way this Bill is seeking to prevent and tackle it both domestically and internationally.

Sir, with those remarks I beg to move.

The Bill is passed

ADJOURNMENT

Hon. Fono: Mr Speaker I move that Parliament do now adjourn.

The House adjourned at 3.39 p.m.