

Accountability ecosystems political economy analysis

Vanuatu country study

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Photo: Taken outside the Malvatu Mauri Office, depicting timber posts being prepared by local carvers to rebuild the Malvatu Mauri Nakamal (meeting house). It is a requirement that every province across Vanuatu donates trees to be used as the foundational pillars for this Chiefly meeting structure. It is representative of the commitment of all provinces to collectively uphold this traditional institution.



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Acronyms

ACA	Anti-Corruption Authority
CDF	Constituency Development Funds
MCC	Malvatumauri Council of Chiefs
MPs	Members of Parliament
NGOs	Non-Government Organisations
PAC	Public Accounts Committee
PFM	Public Financial Management
RTI	Right to Information
UNDP	United Nations Development Program
VANGO	Vanuatu Association of Non-Governmental Organisations
VCC	Vanuatu Christian Council
VT	Vatu

Executive Summary

Accountability in Vanuatu presents unique challenges due to the coexistence and interconnectedness of traditional governance systems, religious influences and modern institutions and the highly fragmented nature of the political system. The independent Vanuatu state was founded as recently as 1980 on three pillars of government, traditional customs and practices, known as *kastom*, and the role of the Church. These three entities play significant and at times intertwined, overlapping and competing roles in shaping accountability mechanisms within the country. Accountability practices in Vanuatu are shaped by a number of contextual features. The country's archipelago geography and linguistic diversity make national cohesion, service delivery and accountability both conceptually and logistically challenging. The arrival of Christianity and colonial government introduced new ideas that blended with existing customary values to create hybrid influences on how accountability is understood. And the experience of bifurcated colonialism – with simultaneously French and English colonisers – resulted in a complicated governance systems at independence.

This governance system has since evolved and there are a range of formal and informal rules that influence how accountability plays out. Government in Vanuatu has been beset by significant fragmentation, with a rotating door of coalition governments formed by small parties with fluctuating membership. These parties rarely complete a full term of government, creating challenges for credible political agendas and holding governments to account for their delivery.

A range of accountability institutions are in place, with an accompanying legal and policy framework, such as the Ombudsman's Office, Auditor General's Office, Public Accounts Committee, and Public Prosecutor's Office. These institutions are intended to serve as checks and balances on government and aim to ensure transparency, integrity, and responsiveness in public administration and finance. In reality, however, they are limited in their ability to operate due to financing challenges, high turnover of political leadership and the highly personalised nature of politics. Insufficient capacity and resources also hampers their effectiveness in monitoring and investigating corruption cases. Constituency Development Funds for individual Members of Parliament continue to be a source of unaccountable public finance with no reporting officially required. Indeed, these were increased in 2023.

Overlaying these formal rules and norms are informal norms tied to 'Big Man'¹ politics, *kastom* and the influence of Christianity, which influence how leaders and civil servants behave and shape perceptions about expected behaviour and accountability. Corruption, political interference, nepotism, and favouritism have been observed as affecting formal accountability processes and undermining the integrity of public institutions. The influence of powerful individuals ("big men") and their networks can impede the investigation and prosecution of corruption cases, hampering efforts to promote transparency and accountability. The power and influence that key individuals and networks have affects the effectiveness of formal accountability institutions to carry out their intended functions.

Customary practices of *kastom* often play a significant role in governance and decision-making and while customary practices have their strengths, they can also pose challenges to western notions of accountability. Political leaders at times exploit the *kastom* system for political gain and conversely are

¹ In Melanesian society, the term "Big Man" refers to an individual who holds a position of prestige and influence within their community. Big Man politics are often associated with issues of nepotism and corruption.

expected to prioritize relationships and kinship ties over formal accountability mechanisms, making it challenging to ensure consistent and transparent enforcement of rules and regulations. Similarly, religious influences can impress upon leaders the importance of honesty and responsibility, or it can lead to a focus on accountabilities to God, rather than to laws and other human standards.

Within this complex system, challenges remain in effectively integrating customary and religious accountability mechanisms with formal institutions and fostering cooperation between them. Formal accountability mechanisms thus often remain at a remove from the day-to-day life of most Vanuatu citizens and have limited enforcement capacity. New government processes – such as the decentralisation policy, the Right to Information Office and the newly established Anti-Corruption Authority – offer some opportunity for accountability but are yet to be realised. The decentralisation process has been unfolding slowly, although there is some momentum with plans now in place for allocating funding to Area Councils. The Right to Information Office, intended to assist with improving citizen access to information – key to holding leaders to account – is not yet fully established.

The political environment is thus challenging for progressing accountability. This is all the more so as political instability has again been underlined with three changes of leadership in 2023 at the time of writing. Nonetheless, the fluidity of the context also offers opportunities. Suggested ways forward could focus on:

- Improving awareness and understanding of accountability and available mechanisms throughout the country to help stoke demand;
- Supporting existing accountability institutions to perform and collaborate, with a particular focus on the new Anti-Corruption Authority (ACA) and its potential role and on positive outliers of accountable use of constituency development funds;
- Convening dialogues across the accountability ecosystem, bringing together government, customary and religious actors to discuss and trial practical complementary ways of working together to strengthen accountable governance and finance;
- Taking advantage of current opportunities such as the decentralisation policy and ongoing electoral reforms to progress accountability in practice in ways that are meaningful for citizens.

The decentralisation process emerged as a key initiative in which accountability processes could be progressed. As the Vanuatu government implements its revised decentralisation policy and increases its presence beyond Port Vila, there will be an increased need to renegotiate responsibilities and roles given the long-established role played by the Chiefs and Churches alongside provincial and area councils. Through decentralisation it is anticipated that there will be shift of increased resources, personnel and responsibility to provincial and local area councils (the 2023 national budget prioritised strengthening local areas councils, for instance). As such, there is an opportunity to build in accountability mechanisms that draw on formal, customary and religious influences as the local government structures are supported. Of course, without more fundamental changes at the national level, improvements in accountable governance and public finance in local government will be limited.

Overall, accountability in Vanuatu is complex and multifaceted, requiring an understanding of customary and religious systems, as well as formal institutions and the interplay between them. Effective accountability measures must consider this context and strive to bring together traditional and modern approaches to promote accountability, rather than focusing solely on formal institutions that have struggled to take root. Accountability is especially important at a time when aid volumes have been increasing in response to COVID-19 and natural disasters and some interviewees felt that accountability in Vanuatu 'is on the precipice of regressing'. It is thus an opportune time consider what locally relevant ways of ensuring responsible governance and use of public funds can be achieved.

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Introduction and methods

In Vanuatu, the challenges of accountable governance and public financial management (PFM) are becoming more serious. Feedback from stakeholders interviewed across government, customary and religious institutions and civil society highlight that following the Covid-19 pandemic and the recent natural disasters in Vanuatu, these challenges have increased substantively, with the influx of aid flowing into the country. There is growing awareness and questioning of the distribution of resources and aid by government and how decisions are made, as some have felt these have been influenced by political connections rather than by need and equity. These issues have highlighted varying understandings and practices of accountability and the historical and cultural legacies that have shaped these. Moreover, current government priorities around decentralisation, as well as changing societal and cultural influences, are reshaping people's notions of accountability and offer some opportunity for strengthening responsive governance and public finance.

This country report is part of a wider research project looking at Pacific understandings and practices of accountability across the North and South Pacific and how these are shaped by particular, contextual histories and current political-economy realities. The aim of the research is to start with how accountability is thought about and practiced locally, by Pacific Islanders, and to identify constraints and opportunities for strengthening accountability from this basis. This is in contrast to externally imposed ideas of accountability and how it should be progressed, which have gained little traction in many Pacific Islands states despite many years of often well-intended efforts.

The study uses a political economy analysis methodology to examine how structures, institutions (formal and informal rules) and the power, agency and interests of individuals combine to create both constraints and opportunities for change in accountability practices. Accountability is thought about as an inherently political concept – as privileging particular interests and excluding others. It is also thought about as an ecosystem. That is, there are a wide range of actors that play varying and interrelated accountability roles – both formal actors outsiders tend to think about first, such as ombudsmen and anti-corruption authority, but also others such as the Church, customary governance actors, civil society and the media. It is this entire network (or 'ecosystem') that shapes what accountability looks like in a given place and thinking more expansively about who is relevant to accountability opens up potentially new avenues for strengthening accountability (see Denney, Nimbik and Ford, 2023).

In Vanuatu, research was undertaken through a review of relevant academic and grey literature, alongside interviews with accountability ecosystem actors. Due to budget constraints, interviews were held with representatives of key institutions and groups cutting across government, chiefs, church, civil society, media, private sector and youth mainly around Port Vila, Efate. Consultations were not able to be undertaken in the provinces due to disruptions to flights at the time of the research, and the views captured in this research are therefore not representative of the diversity of Vanuatu. Despite this, effort was taken to ensure that those interviewed were representative of a cross section of people, society and their interests. Analysis involved distilling key themes that emerged across the interviews, including by using Quirkos to assist with organising interview data.

It is clear from stakeholder feedback that understandings and expectations of accountability are in a state of flux. It is therefore an opportune moment to consider the constraints and opportunities for

strengthening accountability for improved governance in Vanuatu. The remainder of the paper is structured as follows. Section 1 summarises understandings of accountability in Vanuatu. Section 2 details some of the contextual features that shape how accountability is thought about and practiced. Section 3 considers the formal and informal rules that inform how accountability functions (or does not). Section 4 maps the actors, power and interests of Vanuatu’s accountability ecosystem. Finally, section 5 synthesises these political economy elements to identify potential constraints and opportunities for change and sets out recommendations. Throughout, images are used to assist in conveying key points of analysis.

How accountability is understood and practiced in Vanuatu

A common theme emerging from stakeholder interviews was that accountability is viewed as a Western concept, derived mainly from the Constitution of Vanuatu. While the Constitution recognises three key pillars of the state – government, the chiefs and *kastom* and the principles of Christianity and a belief in God, the concept of accountability is viewed as sitting primarily in the domain of government. This is not to suggest that there are not practices of accountability and understandings of it outside of formal government, but that the language of accountability is generally understood to be associated with formal government. This formal perspective of accountability was shared by many stakeholders, in particular the former President of Vanuatu and former Ombudsman, Kalkot Mataskelekele, who pointed to the Constitution as the mechanism in which the current political system of accountability is formalised, based on democratic values (Interview, former Ombudsman, 20 June 2023). Accountability, then, was primarily associated with key formal laws and actors – such as the Constitution, Leadership Code and Right to Information Act, and actors such as the Ombudsman and Auditor General.

Yet this government-centric notion of accountability is perceived as being geographically specific. While ideas of accountability everywhere in Vanuatu are shaped by an interplay between formal and informal influences, people’s notions of accountability and the values and principles that underpin these are shaped by the degrees of influence that continue to play out at a geographical level. In Shefa province, particularly closer to Port Vila where the majority of government systems are centred, government institutions and functions help define and determine the norms and rules through which people interact as a society. However, as you move away from the centre and to the provinces the role of the government lessens, and the Church and chiefly systems play a stronger and more prominent role. Influences such as *kastom* and religion should not be thought of as purely ‘traditional,’ as they continue to shape modern governance but the balance between the three pillars shifts across Vanuatu’s geography. There are thus different understandings of accountability between the capital and more remote areas. These different understandings become especially important and potentially a source of tension as the Government of Vanuatu’s ongoing decentralisation process is rolled out, which aims to bring government closer to people in the provinces. This may bring diverse understandings of accountability to a head. All stakeholders highlighted that discussion on accountability and the core values that underpin it needs to recognise the three pillars of the state that are acknowledged within the Constitution, but the balance between them remains contested and a source of tension (Interview, CEO, Malvatumauri National Council of Chief, 21 June 2023).

Kastom governance is a holistic way of life that encompasses traditional ways of dealing with socio-economic development and political relations in the local communities of Vanuatu (Bolton 1999; Jolly 1992; Regenvanu 2009). Within *kastom* governance, accountability is understood relationally, between members of the same kinship group, as well as between communities as their leaders. A symbiotic relationship exists between local chiefs and their communities, while the chief attempts to ‘ensure that the spiritual, environmental and economic needs of the community are met’ the community in turn recognises and upholds the authority of the chief (Kernot and Sakita 2008: 2; Morgan 2013: 10). Accountability plays out as a socially embedded way of life and can be seen in traditional practices of subsistence farming, clanship, family, social reciprocity, leadership by consensus and inheritance, and communal rights.

The different emphasis on government or *kastom* systems across different parts of Vanuatu has also caused some tension between these two pillars of the state. The new government system was imposed, along with Vanuatu’s Constitution, during independence. One commentator notes that consecutive governments have not managed people’s understanding and acceptance of this new government system and any tensions that may exist for the people of Vanuatu during this transition since independence. They further note that, ‘previously chiefs were the first call for people in community to solve problems and issues.’ As such the new governance system of legal-rational government has been ‘a struggle for the leaders’ and has caused ‘tension’ with the values that were practiced at community and customary level as they are not quite the same as those adopted under new system (Interview, CEO, Malvatumauri National Council of Chief, 21 June 2023).

This context of legal-rational government being imposed on top of existing *kastom* governance demonstrates why, in part, formal accountability is difficult to practice. Leaders who are standing for election in their communities often have no knowledge of their formal role and responsibilities, what it is expected that they do and what they have to comply with when elected. So, it makes it difficult to hold them to account, as they are often acting without knowledge of responsibilities and are coming in with a different set of values, based largely on *kastom*.

In addition to these “two worlds” (*kastom* governance and the legal-rational state), Christianity provides another set of values that can at times clash with them, and also provokes a degree of resistance to outside influence on Vanuatu’s society. In speaking with the Vanuatu Christian Council (VCC), accountability is understood foremost to God as the creator and ideas of accountability and focuses on the role of stewardship. Church members see themselves and others as accountable to Church leaders on this earth, and to God in heaven (Interview, Secretary General, Vanuatu Christian Council of Churches, 20 June 2023). This can, on the one hand, create a strong ethic of Christian values of honesty and integrity that encourages responsible leadership and civic mindedness, but on the other hand can also mean that people do not value earthly accountability mechanisms because they see God as the ultimate judge.

Formal government, *kastom* and religious notions of accountability were all perceived by respondents to have an effect on Public Financial Management (PFM), influencing budget allocation and the decision making that accompanied its implementation including delivery of services to communities. Many noted a lack of transparency in terms of decision making processes about budget allocations, people’s knowledge of budget allocations and their ability to hold government to account to ensure equitable and efficient delivery of resources and services. Respondents also drew a link between issues of accountability and Constituency Development Funds (CDFs), managed by Members of Parliament. In 2023, annual CDF budgets were increased to VT 5 million (approximately USD 42,000) per MP (Islands Business, 2023). There are few formal requirements for MP’s to be transparent on the budgeting, spending and reporting of their allocated funds and as such they are perceived to be managed

corruptly for self-interested purposes. A related theme emerging from the interviews highlighted the influence that Big Man politics plays on the use of MP's CDF allocations. This reportedly relates to MPs acting as Big Men and utilising CDF funds to secure votes and political support for re-election, as well as Big Men from within (or outside of) communities directing MP's decisions, as the MPs are beholden to their financial and popular support.

Accountable governance is also seen to be hampered by a lack of awareness of existing mechanisms and by the spread of misinformation. Only a few small groups and entities have the knowledge of and access to formal mechanisms of accountability. For most people in Vanuatu, such accountability mechanisms are inaccessible.

Accountability in Vanuatu thus must be understood as drawing on customary, religious and legal-rational worldviews. There are many layers of social practices and social expectations, depending on which worldview one is operating within; and a significant cultural distance between the legal-rational values of the urban elites and rural-based communities for whom *kastom* governance is dominant, layered by the influence of strong Christian beliefs. These multiple influences shape how accountability is practiced day-to-day by MPs and government officials, influencing budget allocations and service delivery.

Contextual features shaping accountability

Three key contextual features are highlighted as shaping accountability in Vanuatu. The country's archipelago geography and associated linguistic diversity have made national cohesion challenging and reinforced more local systems of *kastom* governance. The role of external influence, from Christianity and colonialism, has introduced new ideas of governance and values but these have been contested as they have sought to supplant Indigenous values and practices. Finally, the experience of bifurcated colonial rule with two European masters meant Vanuatu inherited an especially complicated government bureaucracy to try and adapt to independent government.

GEOGRAPHY AND LINGUISTIC DIVERSITY

Vanuatu is culturally diverse reflected through 110 different languages spread across 80 islands, with cultures, *kastom* and socio-political structures that vary within and between each island (Crowley 2000). According to Vanuatu National Statistic Office, 74% of the population of 300,000 live in rural areas (VNSO 2020). The archipelago geography, combined with linguistic diversity, makes national cohesion and service delivery a challenge. Linguistic diversity makes it difficult to reconcile different terminologies and meaning into a single unified understanding of accountability. Crowley (2000) argues that this linguistic diversity hindered development in the pre-colonial era. As has been noted elsewhere:

[t]he most obvious unfinished element of the state building project in Vanuatu is the limited reach of the state outside the capital. Apart from the primary schools and first aid posts, most ni-Vanuatu has little contact with the state. The six provincial governments are under-resourced and largely unable to deliver services outside the provincial headquarters (Cox et al 2007: iii).

Because of lack of delivery of services and no presence of government in remote areas, it is challenging to promote demands for public accountability. It also means that *kastom* governance continues to play a central role in the daily lives of the majority of Vanuatu's citizens, as it is their most proximate form of governance with the formal state often being a both a conceptual and geographic remove. Fostering accountability at such a remove is a formidable challenge.

EXTERNAL INFLUENCE AND CONFLICT: CHRISTIANITY AND COLONIALISM

The introduction of Christianity to Vanuatu in the early 1800s brought another set of values and social institutions that clashed with traditional ideas and beliefs and provoked a degree of resistance to outside influence. The Church had dual visions to Christianise the local community and to change their way of life through the introduction of Western education and health services. The Church endeavoured to transform Vanuatu, and hence Church tradition came into conflict with traditional authority and socially-embedded practices of *kastom* governance, at times violently (Bonnemaison 1975; MacClancy 2002; VanTrease 1995).

In 1906, New Hebrides (Vanuatu) had imposed a Joint Colonial Agreement between France and Britain. This introduced new governance systems based on Euro-centric notions of the state and created an 'empty political space' in the local socio-political landscape. The goal of both the Church and European colonisers to stamp out local traditional values and practices and replace them with Christian values and new political values was not entirely successful and thus the three influences remain. This has impacted on notions of accountability and practices in society at all levels. It has also entrenched distrust between the systems given that the introduction of both Christianity and legal-rational government were imposed with the intention of replacing existing governance practices.

BIFURCATED COLONIAL RULE AND POST-COLONIAL DIVISIONS

Complicating matters further, during colonial rule Britain and France administered two different types of law, one based on the common law system and the other on continental law. Their divided political ambitions and aspirations were reflected in the establishment of the three separate administrative organisations, British administration, French administration, and in later years, 'the Condominium.'² This had ramifications for the ways in which they dealt with land disputes, local interests and internal conflicts between local communities and their residents. The French applied French laws and regulations; and likewise, the British used its own laws to deal with the affairs of its residents (Miles 1998; Woodward 2002). In this context, the indigenous population of Vanuatu remained stateless and were not clearly subject to either colonial master. The three systems of administration created a confusing environment of accountability. The ni-Vanuatu at that time had to make a choice of either to remain accountable to French authority and its laws, British authorities and its laws or joint colonial administration with its rules and system.

When Vanuatu gained independence in 1980, it inherited deep-seated division in its socio-economic and political structures that the two colonial masters, in collaboration with the established Churches, had institutionalised during the colonial era. These divisions have presented challenges for Vanuatu as an independent state in two ways. First, the challenge of creating a cohesive identity out of inherited diversities by conferring a sense of national unity on all citizens. Second, the challenge of building a

² The term "condominium" is used to refer to joint colonial administration of British and French in Vanuatu. It was signed in 1906 and operated until 1980 when Vanuatu achieved independence (Miles 1998).

state from the socio-cultural diversities and out of the divided political structures inherited from the two colonial powers.

Vanuatu inherited a difficult legacy of enduring division in politics and in education, dual services, no proper national civil service, a crippling lack of educated men and women (because there had been no secondary school in the country before the late-1960s), and an economic and fiscal base so inadequate and underdeveloped that the country could not survive, let alone develop, without major injections of international aid (Woodward 2002). Colonial government had been precisely unaccountable to the local population, focused on serving colonial centres in Europe. As a result, the concept of accountable government was entirely absent (Woodward 2002).

Establishing a unifying government and implanting new political ideals presented a major challenge for the newly independent state of Vanuatu. As Miles notes, 'nationalism in Vanuatu still entails overcoming those divisions which brewed during the condominium era and boiled over in the post-independence period' (1998: 45). Interviewees felt that the transition to independence was not skilfully planned or strategically developed to unify a multilingual and cross-cultural society into a nation with shared political values (Interview, Acting Director General, Ministry of Internal Affairs 22 June 2023). As a result, accountabilities continue to flow in many directions and developing a coherent narrative amongst contested governance systems remains an enduring challenge.

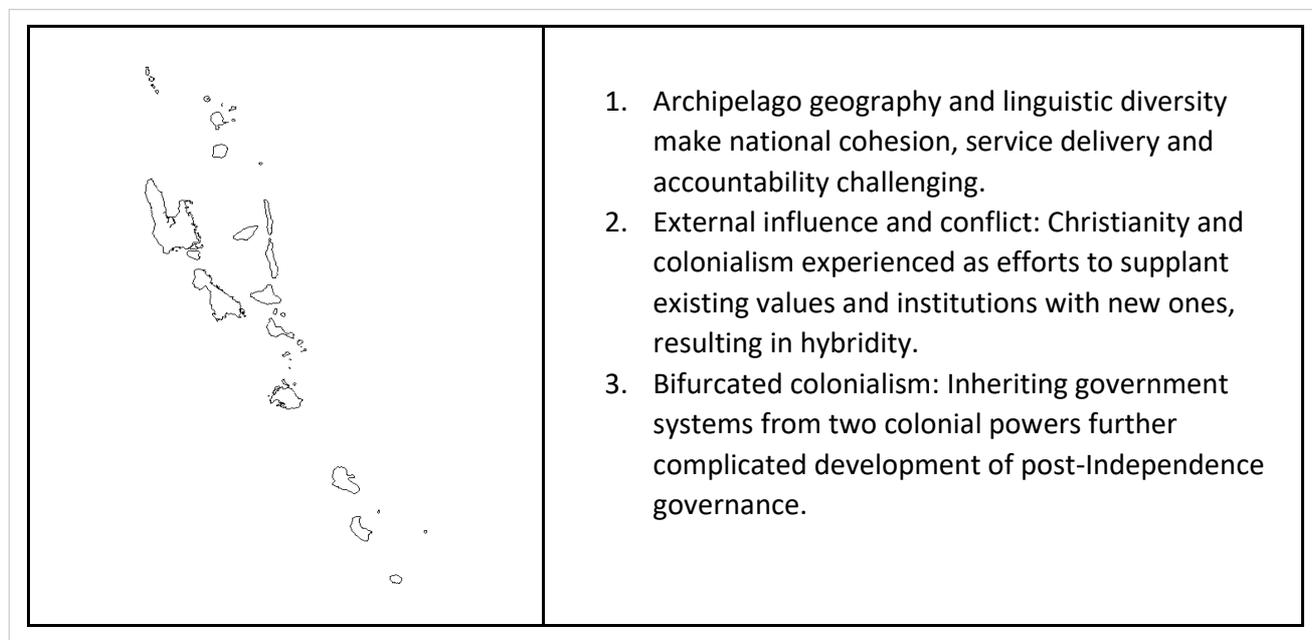


Figure 1 Contextual features shaping accountability in Vanuatu

Formal and informal rules and norms shaping accountability

FORMAL RULES AND NORMS SHAPING ACCOUNTABILITY

POLITICAL FRAGMENTATION AND INSTABILITY

The Vanuatu government operates according to the Westminster system. Its 52-member parliament is led by the head of state, nominated by both sides of the house and elected through the Electoral College, which comprises all members of Parliament, the Presidents of each of the six Provinces, and the President of the Malvatumauri National Council of Chiefs. From 1991 until today, Vanuatu has experienced political fragmentation with the formation of an increased number of small political parties with fluctuating membership, leading to political instability with coalition governments that rarely complete their full terms (Morgan 2005: 5; Morgan 2013: 13). This instability has negated the opportunity to develop an approach to governance that will forge greater unity and deliver responsive and accountable governance to the people. Since 1991, Vanuatu has had 26 changes of leadership in 32 years. At the time of writing, three Prime Ministers in the space of the past month following a series of no confidence votes. Despite this instability, various laws and policies have been put in place in relation to accountability – set out below – but the ability to deliver on them is hampered by near-constant churn in the political system.

LEGAL FRAMEWORK ON ACCOUNTABILITY AND ITS APPLICATION IN PRACTICE

As the highest law, the Constitution sets out a number of key provisions relating to accountability and provides for the overarching accountability architecture.³ One senior government interviewee defined accountability based on Constitutional provisions as “servanthood”. On this understanding, public servants are answerable to the people and are the servants, not the masters. Other relevant legislation includes the Public Service Act (1998), which sets out accountability, transparency and responsiveness of public servants to citizens, with government agency obliged to report annually to the Public Service Commission and to Parliament on budgets and delivery. The Public Finance and Economic Management Act (1998) governs accountability related to the use of public funds and appropriate

³ Article 25(4) provides for the establishment of the Auditor General’s Office, with a mandate to audit government expenditure and report to parliament annually; Article 59 provides for the establishment of an independent Public Service Commission, free from political interference and external influence; Article 61(1) establishes an Independent Office of the Ombudsman with specific duties to enquire into the conduct of any public officials; Article 66 makes provision for a Leadership Code. Article 67 defines the term “leader,” limiting it to the President of the Republic, the Prime Minister and other Ministers, Members of Parliament, and such public servants, officers of government agencies and other officers as may be prescribed by law. The Leadership Code requires leaders be transparent in their conduct and accountable to the law; Chapter 8 provides for an independent judiciary and how courts work with the Public Solicitor, Prosecutor, Ombudsman, and Police. Articles 51-52 provide for ascertainment of customary law and the structure of village and island courts within the justice system; Article 57(1) covers fundamental principles of the Public Service and starts with a clear line of accountability for public servants who ‘owe their allegiance to the Constitution and to the people of Vanuatu’.

uses. Finally, the Government Act of 1998 provides a code of conduct for the executive and holds individual ministers accountable to the Executive Council and to Parliament.

In practice, however, these Constitutional provisions and laws do not play out as intended. The senior government representative interviewed who spoke of accountability as servanthood continued to say that today, public servants behave as masters and that lines of accountability have been misconstrued and negatively impacted on the relationship between citizens, leaders and public servants (Interview, Acting Director General, Ministry of Internal Affairs 22 June 2023). An independent public service has proven to be difficult given political interference. Interviews revealed that some members of the Public Service Commission are political cronies, and every time the government changes, the party in power makes sure that the Chairman of the Commission is a devoted member of the party, rendering this accountability mechanism largely meaningless (Nimbtik, 2016).

The Auditor General acknowledged that for the last three decades, prior to his tenure, government expenditures have never been debated and discussed in Parliament, despite this being Constitutionally required. This is due mainly to capacity of the office and ineffectiveness of the Parliamentary committee to scrutinise auditor general's report. At present, he has worked to ensure that the Public Accounts Committee (PAC) is effective by developing the capacity of the Auditor General's Office to prepare public accounts and expenditure reports annually in a timely manner for the Committee to deliberate on, prior to submission to Parliament (Interview, Auditor General, 26 June 2023). While this is certainly progress, it is not clear how effectively the Public Accounts Committee or Parliament scrutinise the reports. The Ministry of Finance notes that the government budget is provided to Parliament two-weeks prior to Parliamentary debate to enable time for MPs to analyse the documents. However, in practice, many MPs do not engage with the detail of the budget and some do not understand the documentation provided (Correspondence with Ministry of Finance official, 9 October 2023). Indeed, Cox et al. (2007) noted that there is no induction for incoming MPs and so highly varied understandings of their roles. Moreover, as citizen engagement with budgetary processes is extremely low, MPs are not held to account for engaging in rigorous debate on the topic.

Finally, for all of the reports released by the Ombudsman, no prosecutions have been made to date (Cain and Jowitt 2004; Jowitt 2014; United Nations 2013). Interviews suggest that there is ongoing work to improve the effectiveness and efficiency of the Ombudsman's accountability functions, though this remains to be seen. As noted by Cox et al (2007), "The formal accountability institutions – parliament, the Auditor General, the Ombudsman – have proved to be largely ineffective, and there is debate as to whether accountability processes of the adversarial type favoured in Western democracies are workable in Vanuatu".

DECENTRALISATION POLICIES

While the Constitution provides for decentralisation, in practice this has been limited to date. The Acting Director General of the Ministry of Internal Affairs responsible for implementation of the government's decentralisation policy is optimistic, however, that with the new policy direction to extend the decentralisation structure to area council levels and allocate annual grants to it, there is a possibility to improve accountability down to area council levels (Interview, Acting Director General, Ministry of Internal Affairs 22 June 2023). He also noted that government has provided an annual budget of VT 5 million (approximately US \$42,000) to each of the 72 area councils and the funds are earmarked to community projects and priority development needs in respective area council. The chairman of the area council is a chief elected by the council of chiefs in that area. While there is a lack of accountability between central government and community because the delivery of services to rural areas is missing, local area councils may be able to use these funds to deliver projects for which some

accountability relationship can be built. Some thinking on accountability mechanisms has already been done, for instance area administrators will work with respective councils and the local population to plan on how to use the annual grants on community development projects, such as water and sanitation, schools, health dispensary, etc. The population will thus, in theory, be able to hold area councils and administrators accountable if they fail to deliver on budget and implement agreed projects.

It is anticipated that decentralisation of government functions will require significant personnel at the local level in Vanuatu, which raises challenges of limited qualified human resources, in part owing to colonial legacies of underinvestment in higher education and training (Woodward 2002). For the past four decades since independence, new institutions have been established to accommodate emerging development challenges such as climate change, the growing youth population, rural-urban migration, corruption, gender imbalance, and poor rural financial services, and all have come up against the challenge of limited human resources (Cox et al. 2007). This also highlights the need for civil society and informal actors/organisations to play a stronger accompaniment role alongside communities to help with understanding of this process and provide a 'voice' for any issues that may emerge.

RIGHTS TO INFORMATION (RTI) POLICIES

Vanuatu has established a Right to Information Unit under the Ministry of the Prime Minister. Its core objective is to help people at the grassroots level to access information from public offices. One of its mandates is to build the capacity of individuals and organisations to deliver rightful information to communities and train them in how they can access information. This is a means of promoting demand for public accountability through transparent provision of information, with the RTI law and policies giving citizens the tools to access government information that impacts their lives. For instance, the RTI Unit has worked closely with Transparency International to conduct educational awareness in communities throughout Vanuatu. This included discussion of the benefits and entitlements of Members of Parliament, including their constituency allowances. The CEO of Transparency International reported that this was an eye opener for residents of rural and remote communities and that the sessions provided them with a new understanding of how much their MPs, thus shaping their expectations of delivery (Interview, CEO, Vanuatu Transparency International, 27 June 2023).

CONSTITUENCY DEVELOPMENT FUNDS, LEADERSHIP CODE AND ELECTORAL REFORMS

Vanuatu, like a number of other Pacific Island nations, has used CDFs as a means of enabling MPs to carry out projects in their constituencies. Earlier in 2023, Parliament approved an additional VT 2 million (US \$16,800) on top of the VT 3 million (US \$25,200) already at their disposal, totalling annual CDF allocations of VT 5 million (US \$42,000) for each Member of Parliament (Islands Business, 2023). The increase in the allocation was attributed to constituency needs and hardship encountered by MPs. Currently there is virtually no accountability for how CDFs are spent: 'Other than in a very small minority of cases, we see no reports of how this money has been spent. Neither Parliament nor any other oversight body holds politicians accountable for how they have used the funds' (Newton-Cain 2017). Only the Graon mo Jastis Pati voluntarily publishes annual financial reports on the use of their CDF funds (Correspondence with Ministry of Finance official, 9 October 2023), with MP Ralph Regenvanu a key proponent of doing this via accessible means, including social media. However, this is the exception, rather than the norm (UNODC 2022: 37).

In a bid to improve accountability, the government intends to introduce a Bill, yet to be presented to Parliament, to amend the Leadership Code. This Bill will give the Ombudsman the right under the Leadership Code to ensure MPs report annually on their spending and certify that they have spent the

allocation fairly within their constituencies. Past experience shows that there are 14 MPs who lost their seats because of serious breaches of the Leadership Code (Vanuatu Daily Post 2015).

There are also ongoing efforts to strengthen the wider electoral process in Vanuatu, with a focus on instilling more accountable and responsive governance. This includes an ongoing reform project initiated by Vanuatu government at the Electoral Office to strengthen electoral administration, enhance the integrity of voter register, support voter education and information and support the development of the legal and operational framework regarding political party registration. One of the early signs of progress is the completed development of civic education handbook for students to be introduced at elementary, primary, and secondary schools. This is complemented by the work of non-government organisations, such as Transparency International, to promote greater awareness in all communities about civic education and help them aware of their individual and collective rights. This project is funded by the New Zealand Government and implemented by the UNDP.

INFORMAL RULES AND NORMS SHAPING ACCOUNTABILITY

In addition to formal laws, policies and processes, it is also important to take into account the informal, beneath-the-surface rules and norms. Without doing so, efforts to change accountability practices will be limited. Vanuatu’s Constitution acknowledges three institutions: the state, *kastom* and Christianity as pillars of nation-building but without integrating these into unified values. As a result, there are varied understandings of accountability, with roots in different influences/belief systems, creating confusion around notions of accountability which guides the practices of political leaders. Figure 2 depicts the formal and informal rules influencing accountability in Vanuatu. Commonly an iceberg or a floating coconut are used to demonstrate these ‘formal and informal’ rules. Here, the structure of the casava plant was felt to capture in the most contextually appropriate way the dynamics of a deep and complex sub-structure that is not easily uprooted, and the visible, smaller plant that is visible aboveground.

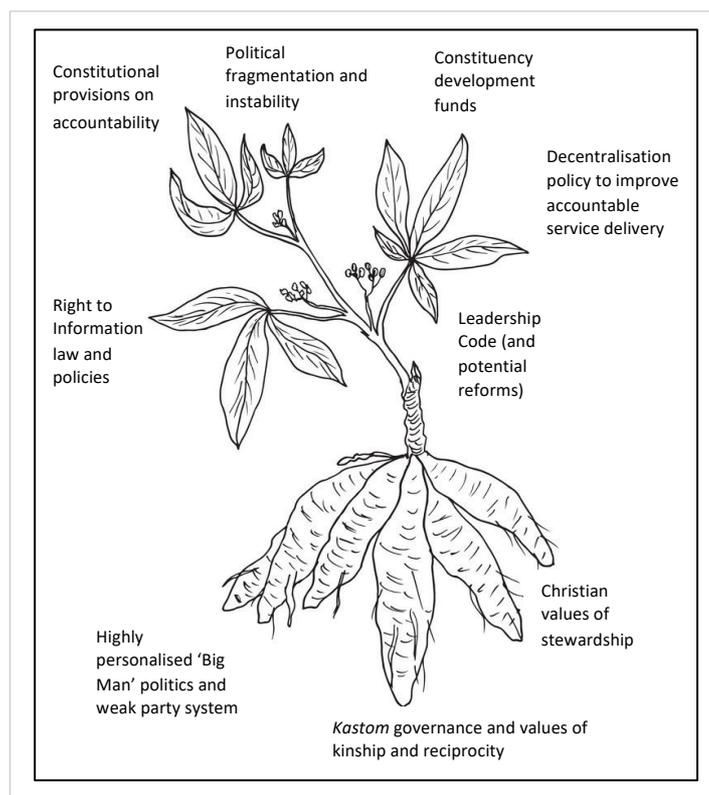


Figure 2 Vanuatu’s formal and informal ‘accountability casava plant’

KASTOM GOVERNANCE

Kastom is deeply ingrained in traditional Vanuatu society, encompassing every aspect of life (Tonkinson 1982). The Constitution acknowledges *kastom* governance extensively, referring to it 25 times as a living framework for regulating land and resource usage. This constitutional recognition elevates *kastom* to a vital pillar of the state. However, there is a notable absence in defining how *kastom* governance interacts with the state, which impacts lines of accountability. Within *kastom* governance, accountability is rooted in familial and kinship structures. It hinges on familial bloodlines and marriage ties, where communities and individuals feel a profound sense of duty towards family members. The CEO of the Malvatumauri National Council of Chiefs emphasized that these familial relationships are not enforced by written laws but awakened by love and compassion in relationships (Interview, CEO, Malvatumauri National Council of Chiefs, 21 June 2023).

This sense of obligation and compassion extends beyond families, as individuals respect village leaders and elders. In return, leaders are obliged to promote community harmony and benefits (Morgan 2013: 10; Kernot and Sakita 2008: 2). Families and clans unite for various purposes like weddings, birthdays, and supporting each other economically and educationally, demonstrating a socially integrated lifestyle rooted in traditional practices (subsistence farming, clanship, family, social reciprocity, consensus-based leadership, inheritance, and communal rights) more prevalent in remote parts of Vanuatu. *Kastom* is conveyed orally by elders to younger generations, and this passing down faces challenges as the younger population migrates to urban areas for education and employment. The influence of information technology and labour mobility schemes to Australia and New Zealand also introduces foreign ideas and values, gradually reshaping community norms and expectations regarding government and local chief services (Nimbtik 2016; Interview, CEO Malvatumauri National Council of Chiefs, 21 June 2023). *Kastom* itself is thus in a state of evolution and not fixed.

Notions of accountability derived from *kastom* at the local level are not effectively integrated into the state, posing an unresolved issue. Interviewees acknowledged the state's struggle to reconcile local and democratic accountability concepts (Interview, Former Ombudsman, 20 June 2023). *Kastom* accountability centers on social obligations, authority, and resource distribution in a localized context, requiring concerted effort to align with Western accountability principles.

HIGHLY PERSONALISED 'BIG MAN' POLITICS AND WEAK PARTY SYSTEM

Kastom relationships do not only play out at the local level, however, they have also come to influence Vanuatu politics more broadly. *Kastom*, therefore, should not be thought of as purely 'traditional,' as it continues to shape modern governance. Politics in Vanuatu is heavily influenced by kinship networks and *kastom* practices where a 'Big Man' distributes resources to his/her kinship and family links when elected to Parliament. One observation throughout the islands is that traditional political structures are inherently based on accumulation and distribution of wealth to members of community (Nimbtik 2016). Thus, some elected MPs similarly view government positions as a means to distribute resources to their electorates, many of which are kin or family members. This can also include distribution of state's resources to family members (Nimbtik 2016). For instance, a commission of inquiry was established early this year 2023 to investigate VT 1 billion (approximately US \$8,400,000) appropriated by Parliament to fund tar seal road in Ambae, however, it was diverted from its original intention to personal support of the Minister responsible for infrastructure at that time (Daily Post June 2023).

This distributive, 'Big Man' approach means that politics is highly personalised— with personal networks and kinship links playing a strong role in who gets appointed and elected (Cox et al., 2007). This has contributed to Vanuatu's weak political party system – with larger parties being fragmented into much smaller parties based on individuals and their alliances and animosities. Because smaller

parties are then so strongly linked to personalities, they do not offer strong policy foundations and there are weak political party agendas by which to organise budget and service delivery priorities. As a result, elections become akin to popularity contests, based on who has sufficient networks and ability to distribute resources. In such a context, it is difficult to hold political leaders to account for any policy commitments, because these are rarely part of political party campaigns.

CHRISTIAN IDEAS OF STEWARDSHIP

Christianity is the third pillar of the Vanuatu state and has a different understanding of accountability, based on the notion of 'stewardship'. The idea that God created the earth and all that is in it, including the first humans, generates a responsibility of the created to the creator. According to former Secretary of the Vanuatu Christian Council (VCC), the first accountability was introduced by God and humans have a responsibility to report back to God on how we look after his creation. In other words, we are God's stewards:

In the church there is a strong accountability system and members have demonstrated through their tithing and offering every Sunday. Christians recognise that God created all things and hence give their allegiance and loyalty to God and church authority (Interview, Secretary General, Vanuatu Christian Council, 20 June 2023).

The church sees as its own obligation to educate and instil in members the notion of stewardship. Some churches use the tithing and offering system, aimed at creating accountability of members to God, while at the same time contributing to expanding church networks and relationships. The notion of stewardship is rooted in the assumption and belief that one is working for God and similarly one's financial contribution to the church is towards God. Mcloughlin et al (2022) notes similar examples in Solomon Islands where "in spaces and settings where state authority is distant and weakly institutionalised, local governance is typically co-produced and customary institutions and kinship networks often provide a social safety net during periods of hardship, while in many communities church and customary leadership play vital roles in maintaining order and social welfare".

Because of the limited services that the state provides in rural areas, citizen accountability to church authority is often stronger than to state authorities. An estimated 83% of the population identifies as Christian (Association of Religion Data Archives, 2020). The Christian belief that all people have sin and have no right to judge each other, and that God will ultimately judge and punish sinners has arguably weakened the sense of holding leaders accountable for their actions. Moreover, how Christianity as a pillar of the state is meant to interact with formal government and *Kastom* governance institutions to deliver an accountable state remains unclear.

People, power, interests and relationships shaping accountability

The table below summarises a range of accountability actors in Vanuatu, with discussion to follow.

Table 1: Accountability actors in Vanuatu

	Actors	Roles	Power Relationships
Parliament and government bodies	Parliament	Parliament is established by the constitution and plays an important role to make laws and provide scrutiny in the operation of budget through the standing committee on Public Accounts and Expenditure (although function is weak in practice). It also provides checks and balances in the ways the executive administers affairs of the nation through questions and answers when Parliament meets.	Has strong influence, according to constitution and standing orders, to hold the executive accountable to its actions, with MPs having rights to question Ministers. But enforcement and performance of the parliament to perform to the expected standard is weak. Parliament meets only twice per year and rarely engages in robust debate of policy or budget.
	Executive (Cabinet)	The cabinet holds executive power to develop policies, raise revenues, and implement government policies and programs. Its roles are defined in the Government Act of 1998.	While it has potential to influence accountability, its power has been weakened by business interests and short-term political self-ambitions of its members. Often more focused on staying in power (as individuals, rather than a collective) rather than governing.
	MPs	The Members of Parliament play an important role to represent the voice of their communities to Parliament and likewise the voice of Parliament to their communities.	MPS have a moderate influence over their communities because of their level of accessibility to government institutions and resources.
	Ministry of Finance and Economic Management	The Ministry is empowered to ensure effective economic, fiscal, and financial management and responsibility by Government. It also provides oversight and ensures strong accountability enforcement around revenue collection and expenditures of government.	Has a strong influence and through its regulation and law it can hold government Ministries/Departments/Agencies accountable to their spending as appropriate by Parliament. However, at times there could be political manipulation of the investigation which reduces chances of prosecution.
	Opposition	The office of the opposition is established under the constitution and play a crucial role to ensure checks and balances on the conduct of the executive and cabinets.	Opposition wields considerable influence on public perception of government, however, its effectiveness and efficiency is weakened by its capacity and scarcity of resources and the weak party system in Vanuatu.
Government-Established Entities of Vanuatu	Ombudsman	Responsible for enquiring into any conduct on the part of any Government agency and into any defects in any law or administrative practice, its leaders and companies wholly or partially owned by the Vanuatu Government and upholding the Leadership Code.	In theory, ombudsman has a strong influence, however, following critical reports the government has lessened its roles to advocacy and awareness of the Leadership Code.

	Auditor General	Responsible for ensuring: <ol style="list-style-type: none"> 1. that public money, whether revenue or expenditure, is properly accounted for; 2. all finances are used lawfully and for the purposes set out in the Appropriation Act; and Government property or assets are properly looked after and accounted for. 	The Expenditure and Review Act No. 3 of 1998 empowers the Auditor General to have a strong influence on how government's ministries are accountable for their expenditure. However, its influence is weakened by the ineffectiveness of the Public Accounts Committee and Parliament and in practice the role has not had strong influence.
	Public Prosecutor	Prosecutes criminal cases that have been investigated by the police and other investigative organisations.	The Public Prosecutor is influential and independent in its investigation, however the position is government appointed and it lacks resources for investigations. It has prosecuted few numbers of sensitive case recently, including corruption charges laid against 14 MPs in 2015.
	Right to Information Office	Provides secretariat support to the Right to Information Steering Committee (RTISC). The RTISC provides direction on the implementation of RTI in Vanuatu as well as advice to the Government to ensure legislation is consistent with the intentions of the RTI Act.	The RTI Office has minimal influence and been slow to establish. What influence it has is centered on information dissemination to the public at large.
	Public Service Commission	Responsible for all aspects of public service human resource management, development and strategically working together with Government Agencies and the private sector.	The PSC has a strong influence according to the law to hold public service accountable for performance, including the option of dismissal. But in practice it is weakened by political interference and strong patronage networks.
Government - Committee	Anti-Corruption Authority (ACA)	Endorsed in 2022. Allocated the functions and powers between the Office of the Public Prosecutor and Ombudsman to raise awareness, ensure policy alignment and investigate and prosecute corruption cases. Currently the Authority sits between the OPP and Ombudsman with its own Steering Committee but its structure is still being developed.	Its influence remains uncertain as it is still in its formation stage and working out its role vis-à-vis existing accountability actors. The 2023 National budget has allocated approximately VT\$16.5 million for anti-corruption activities to the OPP rather than the Ombudsman's office.
	Public Accounts Committee	Responsible for examining the accounts of the receipts and expenditure of the Republic of Vanuatu, including the Financial Statement transmitted to the Auditor General.	The Public Accounts Committee has a strong influence as per the Public Expenditure and Review Act No. 3 of 1998 and standing orders of parliament. However, in practice its role is weakened by the limited capacity of the members and a lack of technical support to the committee. Has not been very active in recent years.

Kastom/ Chief	Malvatu Mauri Council	Has general competence to discuss all matters relating to custom and tradition and may make recommendations to Government for the preservation and promotion of ni-Vanuatu culture and languages. Can hold government accountable in regard to land disputes related to development, particularly, in the event of bribery, which leads to fraudulent practices of formalising land leases and titles.	Chiefs have considerable influence at all levels of society given respect and trust that citizens have in them. However, the degree of influence varies greatly in the two urban areas as compared to rural areas, and depending on who is playing the role of chief. The Malvatumauri Council of Chiefs has a strong influence but limited by formal laws.
Church	Vanuatu Christian Council	An NGO made up of seven member churches: Presbyterian, Catholic, Church of Christ, Apostolic, Anglican, Assemblies of God, and the Seventh Day Adventist, including para-churches, the Bible Society and Scripture Union. Churches play an important role in shaping community ideas of right and wrong and teach members to live and work 'in the light'.	The church has a strong influence on its members, including those who are political leaders. However, VCC as an organisation, has minimal influence due to incorporation of different belief systems.
Non – Government Organisations (NGOs)	Media Association of Vanuatu	Represents media membership and rights and also seeks to uphold freedom of expression. Provides information on political leaders that can stoke demand for accountability and can 'name and shame'.	Largely operates independently but has relatively small reach. Some influence on popular opinion but this is limited by political attitudes and perception that the media is an opponent. Social media has gained traction and is seen both as a positive and negative, with more information in circulation to a wider audience but also concerns about 'false information' being circulated.
	Vanuatu Association of Non-Governmental Organisations (VANGO)	The national umbrella organisation for all local NGOs focused on empowering members to make a difference in the development process and engage in poverty alleviation. NGOs are working to improve citizens' understanding of their duties and responsibilities through civic education and awareness raising.	Limited influence but has considerable opportunity to improve citizen's understanding on issues/challenges/opportunities.
	National Youth Council	Serves as a forum in which issues relating to the needs, problems and aspirations of young people are discussed; to encourage and promote active participation of young people in the development of their communities and country.	Some influence as a large political constituency but limited by customary norms of respect for elders and by geography and infrastructure that limits youth mobilising, particularly in the provinces.

GOVERNMENT ACCOUNTABILITY ACTORS

The Ombudsman's office was seen by interviewees as the entity with the ultimate responsibility for ensuring accountability within the government under the Vanuatu Leadership Code. In the past the Ombudsman's office has released critical reports but – partly in response to these – its powers have been curtailed to focus on the Leadership Code (Cox et al., 2007: 30). Under the current Constitution, they can only investigate the accountability of public institutions. Unfortunately, many of the people interviewed also commented on the lack of effectiveness of this office due to its lack of enforcement capability. One interviewee explained they have “the highest responsibility but they are all talk with no teeth”. The government budget allocated to the Ombudsman's office only covers recurrent staffing costs with no funds for fulfilling its role. The entity and its empowering legislation are in place under the Leadership Act, but in practice it is not able to hold leaders to account.

The Public Accounts Committee was described as a more robust mechanism with strong influence. As one interviewee explained ‘when you get called in front of that committee you have to respond’ (Interview, Auditor General, 26 June 2023). The Committee's influence is based on its legislative powers that give it teeth to summon anyone and obtain relevant documents pertaining to investigations. The failure of civil servants and citizens to respond to their calls can result either in imprisonment, job loss or a fine. In the past it was ineffective due to political instabilities and frequent changes of government, which impacted on the chairmanship of the Committee and its members. The current Auditor General noted that prior to his leadership (in 2017), government expenditure was not debated in Parliament, despite Constitutional requirements (Interview, Auditor General, 26 June 2023). The Auditor-General is widely seen to play a key function but interviewees note that they ‘have a lot of work and [are] understaffed’ (Interview, Ombudsman, 23 June 2023). Issues of efficiency and timeliness in investigating and publishing reports was also raised given that ‘you want this published ASAP ... and the focus of the report is lost when it is released many years later’ (Interview, Ombudsman, 23 June 2023).

While the Office of the Public Prosecutor plays a significant role under the law in prosecuting criminal cases that have been investigated by the police and Ombudsman's office in relation to breaches of law, in practice there have been no prosecutions on the basis of any Ombudsman's reports (Cain and Jowitt 2004; United Nations 2013; Jowitt 2014). The Public Prosecutor is a political appointee (Cox et al. 2007: 30) and has few resources to undertake complex investigations. Combined with amendments to the role of the Ombudsman, this limits the possibility of prosecution, as Ombudsman's reports cannot be directly produced as evidence in any prosecution and thus police need to validate findings to meet requirements of prosecution (Nimbtik 2016). This delays any criminal proceedings related to the Ombudsman's findings and makes prosecution more work for the Public Prosecutor.

A recent important change in the accountability ecosystem has been the Vanuatu Council of Ministers decision in 2022 to establish an Anti-Corruption Authority (ACA) in 2022, replacing the previous Anti-Corruption Committee, which was widely seen to be weak.⁴ The establishment will be a gradual process within the initial phase splitting the functions and powers between the Ombudsman and Office of the Public Prosecutor to work closely together to combat corruption, consulting each other when overlapping issues occur. Whilst the Ombudsman's office is responsible for policy awareness, the Office of Public Prosecutor is focused on investigation and prosecution (Interview, Public Prosecutor, 21 June 2023). At first, this division generated contested views. According to Public Prosecutor, this has now been settled and the two organisations are working together to progress implementation.

⁴ Note: to date these Bills have yet to be passed in parliament.

The Authority is seeking to enact two stand-alone bills, the Bribery Bill and the Whistle Blower Bill (Vanuatu Daily Post 2022). Some stakeholders felt the ACA could play a pivotal role in enforcement, prevention and investigation of corruption. An effective anti-corruption agency is seen as a huge strength in the fight against corruption – although it is important that in practice they are independent of government and empowered to investigate allegations (Interview, CEO, Transparency International, 27 June 2023). The ACA remains in its infancy.

The Right to Information (RTI) office within the Prime Minister’s Office has potentially a very big function but has not yet been fully established. According to the RTI Act, it should be an independent body with a commission which has not been established. Some interviewees felt that the RTI Committee was a ‘tick box’ exercise by the government and that it has not been resourced adequately to be effective. Others have noted concerns about the use of user fees to access information, weakening the RTI’s accountability function (Duri and Rahman 2020: 13).

Interviewees felt that the Public Service Commission should play a stronger accountability function, focused on improving civil service values (Interview with Jenny Tevi, Human Rights Officer, 22 June 2023). However, capacity within the Commission is considered to be weak so this role was not being fulfilled. More training was recommended for Director Generals so that they “know when they can sign off or not on something and when something should be escalated” (Interview, Human Rights Officer, Ministry of Justice 22 June 2023).

KASTOM GOVERNANCE ACCOUNTABILITY ACTORS

At the community level, it is chiefs that continue to play the most significant leadership and governance role. Chiefs are hierarchically structured through the Council of Chiefs (Malvatumauri), who have seats within Parliament to exercise some degree of oversight of formal government. With the current push for decentralisation, there is growing pressure to bring chiefs into formal government structures, as well as debate on whether chiefs should replace provincial councils. Another view presented was that ‘chiefs serve a valid function within communities and if you bring them into formal government structure, you erode the community governance structure’ (Interview, Acting Director General, Ministry of Internal Affairs 22 June 2023). One commentor noted that it is not easy to bring a cultural system into a modern governance system and that ‘chiefs have tried to fuse the two systems but there are challenges in fusing together effectively’ (Interview, CEO, Malvatumauri National Council of Chief, 21 June 2023). For their part, representatives of the Council of Chiefs expressed that chiefs were ‘highly supportive of accountability but have very little opportunity to comment or make intervention’ (Interview, CEO, Malvatumauri National Council of Chief, 21 June 2023). They felt that they are vested with power but when they operate within the national system, they are neglected and seen as not relevant to issues of leadership and governance.

However, interviewees indicated that at a personal level, there is mutual reliance between MPs and their provincial/community chiefs, especially if they are close relatives. This mutual benefit serves in maintaining MP votes from their communities, as long as the chief and community feels they are served through prioritisation of services and resources (Interview, CEO, Malvatumauri National Council of Chief, 21 June 2023). In this regard, the Chief holds influence and power to maintain a system of accountability according to their *kastom* governance values.

CHURCH ACCOUNTABILITY ACTORS

At the community level the church plays a significant role in speaking on traditional Melanesian values and thus setting some kind of standard of expected good behaviour from leaders, based on Christian principles. One interviewee noted that ‘from that point of view, the church and Christianity is a guiding

principle to the nation and its progress’ (Interview, Secretary General, Vanuatu Christian Council of Churches, 20 June 2023). Church representatives also pointed to their role supporting government in service delivery in health, education and disaster response. One church commentator noted that the ‘Church reaches the most isolated places whereas government only reaches the administrative centres across Vanuatu’ (Interview, Secretary General, Vanuatu Christian Council of Churches, 20 June 2023). All MPs belong to a Church and thus the churches can influence their behaviour and beliefs to some extent (Interview, Secretary General, Vanuatu Christian Council of Churches, 20 June 2023). Some interviewees felt that the church can demonstrate good practices of resource management in their service to God’s work (Interview, CEO, Vanuatu Transparency International, 27 June 2023). Others highlighted that given churches roles in service delivery, the government needs to work with churches around health centres and education within church-run schools and that church leaders need to ensure that people know they are accountable to their community, given that they speak on notions of stewardship and accountability.

NON-GOVERNMENT ACCOUNTABILITY ACTORS (MEDIA, CIVIL SOCIETY, PRIVATE SECTOR, YOUTH)

Vanuatu has a relatively small civil society sector, although it has recently been growing, many of which are focused on service delivery rather than issues of accountability. Civil society tends to lack power or influence and reach within the country to generate demand for better governance from leaders. There is also a sense amongst some people that civil society are oriented towards international donors – from where much of their funding comes from – raising accountability issues of their own.

Some local NGOs and groups work closely with MPs to deliver services and this can blur lines of accountability. There is no legislation on accountability arrangements between government and NGOs – although there are memoranda of understanding with key NGOs to deliver services. According to the Asian Development Bank (2017), despite cooperation, the relationship between the government and NGOs has been described as distrustful, ‘fractious,’ and ‘somewhat strained.’ Following the major role played by local and international NGOs following Cyclone Pam in 2015, the government criticized these groups for being preoccupied with visibility and for a failure to work through government systems. There have been reports that the government would like greater transparency from the churches and NGOs on their activities, with frustration expressed around a lack of information flow to government (ADB, 2017).

Youth in urban areas are more powerful and able to influence policy matters related to them in some cases. They work through their elected MPs to raise their voices against policy directions that are not favourable to them. For instance, urban youth successfully prevented the former government from abolishing the Ministry of Youth and Sports, diverting the decision to another ministry. Interviews with the Vanuatu Media Association highlighted challenges with supporting accountability, emphasizing stigmatization of journalists. They noted the difficulty of the Media Association role in reporting on government accountability but are still trying to shift perceptions towards implementing the Right to Information Act. It is also hampered by the fact that government media representatives are allowed to join the Media Association, which at times dilutes its effectiveness as an accountability actor.

ACCOUNTABILITY ACTORS’ POWER AND INTERESTS

Looking to how these actors are positioned in relation to each other in terms of their relative power or influence, on the one hand, and their degree of support for stronger accountability on the other, a puzzle emerges. The stakeholder map in figure 3 was developed by asking all interviewees to consider

the relative power of accountability actors and their supportiveness of accountability. The emerging map was tested in each subsequent interview and continued to evolve based on peoples’ reflections. The picture that emerges is of many powerful actors supportive of stronger accountability. Given ongoing challenges with weak accountability in Vanuatu, this seems an optimistic picture. If there are indeed so many powerful actors that support stronger accountability, then the question becomes why we do not see stronger accountability? In practice, it is likely that the map overestimates the *power* of actors involved to affect stronger accountability, and/or the *degree of commitment* of those actors to strengthened accountability. Indeed, interviewees generally reported all accountability actors as ‘important’ and thus tended to cluster them in the top right quadrant.

Four key issues emerge from this. First, people noted that the personal position of these actors is sometimes quite different from the formal role they play. As such, what is mapped in figure 3 is people’s perceptions of the formal entities, rather than the positions of the individuals who occupy them. As noted by one commentator, ‘formal institutions can be shaped by the individuals that become the head of that office and their interests and principles often change the dynamic of these key institution’s and this shapes the effectiveness and relevance of these institutions.’ These can be both positive and negative depending on the individual and the context of the institution. Walton (2020: 12) noted that in Melanesian contexts “key national elites – or ‘personae’ – have worked to keep key elements of the technical anti-corruption assemblage together” which speaks to individual personalities who can maintain (or undermine) key functions of accountability in spite of formal policy or laws. In Vanuatu, people were understandably less forthcoming in speaking about individual personalities and relationships than the formal roles of their represented organisation.

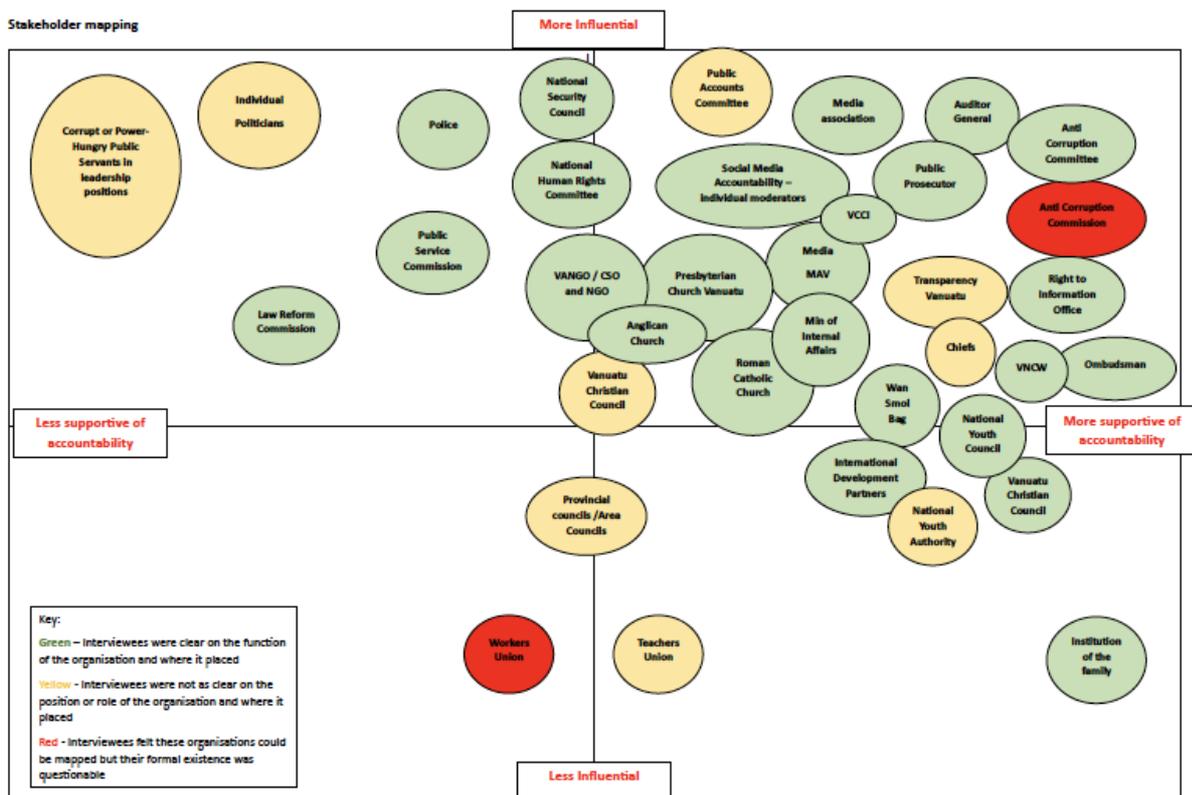


Figure 3 Vanuatu’s accountability ecosystem stakeholder map

Second, the extreme fluidity of the political environment in Vanuatu means that leadership and staffing of the formal government accountability organisations is often in a continual state of flux. While there are some individuals who have been in place for some time (the Auditor General has been in post since 2017, for instance), in other cases leadership has been highly transitory. The

Ombudsman, for instance, pointed out that since the office was established in 1996, there had been six Ombudsmen, with each only serving a five-year term, despite the law allowing for extensions of their tenure (Interview, Ombudsman, 23 June 2023). In other cases, leaders and staff are in roles for much shorter time periods. As a result, leaders of these accountability organisations do not get the time to develop plans and see them through.

Third, the challenge of limited financing of these accountability institutions was regularly cited in interviews. Some organisations have only their core staffing budget covered by government finances, with no operational budget to carry out activities. This severely limits what they are able to achieve, *even if* there is commitment on the part of staff of those institutions.

Finally, as this report has highlighted, the accountability ecosystem goes well beyond these formal government accountability actors to a much wider range of actors and influences, principally emerging from *kastom* and Christianity, that mean there are other important drivers of behaviour that need to be considered in understanding why accountability is thought about and operates in the ways that it does.

Synthesis: Opportunities and constraints for change

The analysis demonstrates that Vanuatu has much of the infrastructure of relevant laws and organisations in place to promote greater accountability. Indeed, the government is publicly committed to addressing challenges of accountability. This reflected through the establishment of the Right to Information Unit under the Ministry of Prime Minister and the establishment of the Anti-Corruption Authority. The ACAs role and ways of working are yet to be clearly defined and may offer an opportunity for improving coordination between the accountability ecosystem actors, as well as providing teeth that are seen to be lacking amongst some other accountability actors.

The decentralisation process offers another opportunity for enhancing accountability by connecting Port Vila-centric accountability actors with communities. This may provide an important bridge that has been lacking to date, although much depends on how it is rolled out. The Acting Director General of the Ministry of Internal Affairs, responsible for decentralisation, argues that:

Decentralisation is not about physical structures and having presence of all government agencies at the provincial levels but ... about transferring discretionary powers to provinces down to area councils. At present the discretionary power is with the central government. The Secretary General of the Province does not have control over what's happen at each department that has presence at the province and this is due to the fact that a line of accountability is with respective Ministries at the central government" (Interview with ADG Ministry of Internal Affairs, 22 June 2023).

With funding commitments to flow to the 72 area councils being established, there is opportunity to build in accountability mechanisms at the outset. These should be realistic about the funding and human resources available but offer scope to build connections and feedback loops between people and government.

Reform of Vanuatu's electoral system and laws also provides opportunities for supporting civic education and awareness of accountability, rights and responsibilities. It may also be a way to address issues of the role of political parties, campaign financing and related issues that get in the way of more accountable political representatives. This, however, is highly sensitive work and may not be the best entry point, given the constraints of the context noted below.

Vanuatu's deeply rooted *kastom* governance, acknowledged extensively in the country's Constitution, presents an opportunity to strengthen local and democratic accountability. By aligning *kastom's* social obligations, authority, and resource distribution with Western accountability principles, a bridge can be built between tradition and modern governance, promoting a more inclusive and effective system. Additionally, addressing the influence of 'Big Man' politics and promoting stronger party systems can lead to better policy foundations and increased accountability in elections.

Similarly, Christianity in Vanuatu presents a unique opportunity for fostering accountability through the concept of stewardship. With a strong church-based accountability system, Christians emphasize their responsibility to care for God's creation. Tithing and offerings demonstrate commitment to God and church authority, while also promoting network expansion. In rural areas where state services are limited, church authority often supersedes state authority, making it a potent avenue for accountability. However, the challenge lies in aligning Christianity with formal government and traditional governance to create a more robust accountability ecosystem in Vanuatu.

While noting these opportunities, the existing accountability infrastructure is constrained in its ability to deliver real change due to a number of features of the political economy. Thus, while there is opportunity to leverage the existing institutions and enhance their effectiveness and efficiency, Vanuatu will need to strategically address binding constraints which inhibit its accountable performance.

Vanuatu continues to grapple with the state building project and reconciling its foundations on the three pillars of state, *kastom* and Christianity. This matters for accountability because the varying interpretations of accountability and their influence on national ideas and practices of accountability create a lack of clarity. Moreover, the interaction of key accountability actors across these three pillars remains uncertain and there is concern about making sure that their roles and functions complement rather than contradict each other.

While *kastom* and church authorities are recognised in the Constitution, their interactions with the state are ad hoc and often occur at ceremonial levels, rather than at an operational level with clear roles that they can play to provide checks and balances in the management of state's resources. It is also important that these institutions themselves are accountable, given that both *kastom* authorities and church authorities received state funding. Both *kastom* and church authorities indicated that they feel the state only uses them when it is facing problems or conflict and needs to draw on their legitimacy, but otherwise they have been neglected. During the interview, the Chief Executive Officer of the Malvatumauri Council of Chiefs argues that:

the chiefs don't know how to interact with the government because there is not an established mechanism. We advocate that the government should established a tripartite council which will include government, church and *kastom*. This is in our view an important council where the three institutions can hold each other accountable about how they administer the affairs of the state. (Interview with CEO, Malvatumauri Council of Chiefs, 21 June 2023).

Bridging this gap between state, *kastom* and Christianity remains an outstanding challenge and greater clarity on how these fit together would enable stronger and clearer articulations of accountability, and the leveraging of each of these institutions for checks and balances of the other.

FLUID POLITICAL ENVIRONMENT AND LEADERSHIP

The highly fluid political context in Vanuatu, with fragmented political parties and highly personalised leadership makes developing rules-based accountability a challenge. The intertwining of *kastom* reciprocal relationships with electoral politics is an additional complication. These dynamics are as noted above could be an opportunity however in the current context are viewed as a constraint to improving accountability and interviewees felt change possibility was low. The challenge, then, is working to strengthen accountability within this political landscape. By recognising the opportunities and limits of the current system and building on the good institutions in place, provides an opportunity for forward-planning to build accountability mechanisms into decentralisation plans, for instance. This is probably more effective than attempting to overhaul political culture. In accountability institutions, looking for ways to insulate the ecosystem from the transitory leadership and staff turnover might also enable those institutions to further develop their work. The Political Party Integrity Bill, which has been listed for Parliamentary consideration prior to the leadership changes of October 2023, was seen by some interviewees as potentially helping to address challenges around political horse trading (Interview, Acting Director General, Ministry of Internal Affairs 22 June 2023).

LIMITED RESOURCES

Limited budget from government was routinely pointed to as one of the inhibiting factors impacting on the of accountability actors to carry out their duties. It was reported by one interviewee that roughly 95% of the funding provided covers salaries, while the remaining 5% goes for administration. This means that accountability actors lack budget to carry out their mandates and ensure government is performing in a transparent, accountable and responsive manner.

INFORMATION ASYMMETRY

Information sharing is a critical first step in accountability and can influence perceptions of citizens. Given the archipelago geography of Vanuatu and limited infrastructure, it is challenging to disseminate information and keep citizens informed. The Ombudsman estimated that 95% of the population are not aware of their responsibilities and rights enshrined in various laws and regulations. The chiefs, for instance, are not aware that they can hold an M P in their village accountable to their campaign promises, which is provided for in the Leadership Code Act. This information asymmetry impacts on the effectiveness of accountability between the state and citizens.

Recommendations

The following recommendations are suggestions to inform ways forward to address binding constraints that inhibits understanding and practices of accountability at all levels of society in Vanuatu. None of these is sufficient on its own.

AWARENESS RAISING

- **Supporting community education and stoking demand.** Working through key government institutions such as the RTI Unit, Office of the Ombudsman, Electoral Office and others, and in collaboration with civil society organisations, to carry out civic education and awareness raising campaign to educate citizens at large on their rights, responsibilities and functions of government and leaders, and create stronger demand for accountability of power and public funds.
- **Increase greater awareness of national budget.** The limited information of what is in the budget could be addressed by partnering with other stakeholders, such as RTI, Transparency International, and other NGOs to undertake awareness raising and to publish 'citizens budgets' that are more easily understood. This can assist in building understanding and generating demand for accountability around how budget is spent to improve delivery of services.
- **Work to improve the function of the RTI Unit in making information available.** To fulfil its role and contribute to accountability the RTI Unit must develop systems to deliver accessible, affordable, relevant and digestible information to citizens in ways that are meaningful. This will require agreement on information systems and formats with a range of government entities. It will also require more user-facing work to improve awareness of the RTI Unit and its role, processes for requesting information, and the content/format of information provided.

COLLABORATION BETWEEN GOVERNMENT, *KASTOM* AND CHURCH

- **Explore dialogue on accountability between state, chiefs and church.** Consider initiating a dialogue throughout Vanuatu around how these three pillars of the state can work together to enhance greater accountability performance at all levels. This should aim to provide a better understanding of how to reconcile different notions of accountability and to begin a process of setting out how Vanuatu could design an interactive and collaborative governance arrangement between the state, *kastom*, and church. Such an initiative might also trial practical ways in which the three institutions can work in complementary ways to support stronger accountability of governance and public funds.

STRENGTHEN EXISTING ACCOUNTABILITY INSTITUTIONS AND PROCEDURES

- **Increase funding for accountability actors to undertake operational work.** Consider how to increase the operational budget for accountability actors, including through partnerships with development partners with built in cost-sharing with government or plans to handover costs to government for sustainability. This should include outreach efforts to the provinces.
- **Consider training for MPs.** Given the repeated mention of a lack of awareness of roles and responsibilities on the part of some MPs, induction training for all MPs could be considered to support these representatives to play a stronger oversight and accountability role, particularly in regard to understanding the budget and budgetary debate process.
- **Support good CDF practice.** With CDFs recognised as a challenge for accountable public finance, NGOs, the media and international donors could play a stronger role in publicising and promoting the good practice of political actors like the *Graon mo Jastis Pati* that voluntarily report on CDF spending, to pressure others into similarly reporting. Alternatively, a coalition of willing MPs could be cultivated to self-report, with assistance provided by NGOs or international donors to do so in accessible formats that are then publicised to similarly create pressure on others and demonstrate to citizens what should be expected.

- **Engage with new Anti-Corruption Authority and explore how it could have more teeth.** Building on the past experiences, there is an opportunity to leverage government's commitment to address corruption and accountability. In particular ensuring funding supports both the Public Prosecutors Office and the Ombudsman, given the Commission has a foot in each, will be important to minimise competition. Building relationships with this new accountability actor will be important.
- **Establish a mechanism to improve coordination and collaboration.** While Vanuatu has many accountability organisations in place, coordination and cooperation between them is lacking. An internal forum where accountability actors can have dialogue, share experiences and develop a shared understanding of how to work together would strengthen the ecosystem as a whole.

TAKE ADVANTAGE OF OPPORTUNITIES FOR PROGRESS

- **Proactively build accountability mechanisms into decentralisation plans.** Under the decentralisation structures there is a possibility to insert feedback loops or other accountability mechanisms as a way to promote citizen engagement with the state. These should start small given the limited size of area council grants. Possibilities might include radio talkback shows about the status of agreed plans to spend the grants, complaint boxes and drop-in services, publication of citizen budgets for the grant spending. This may also be one issue on which government, *kastom* and church leaders could be brought together to discuss how best to work in complementary ways to strengthen accountability.
- **Continue to engage on electoral reforms.** Given the challenge that the electoral system poses for accountable governance, it is important to continue to push where possible on electoral reforms in areas that will impact on accountability culture within each constituency and amongst elected Member of Parliament. But it is also important to be realistic about what it is possible to achieve given the prevailing political economy and entrenched interests.

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Interviews

Names	Position	Organization	Dates of Interview/ correspondence
Howard Aru	General Manager	Vanuatu Chamber of Commerce	21 June 2023
Derek Brien	Consultant- Decentralization	Department of Provincial Affairs	20 June 2023
Ham Bulu	Ombudsman	Ombudsman Office	23 June 2023
Anne-Sofie Gerhard	Chief Technical Adviser & Project Manager	UNDP	22 June 2023
Nelson Johnson	Governance Manager	Wan Smol Bag	22 June 2023
Joe Kalo	National Coordinator	Youth Council	21 June 2023
Kalkot Mataskelekele	Former Ombudsman		20 June 2023
Nigel Taribete Malosu	Acting Director	Ministry of Finance and Economic Management	9 October 2023
Josiah Naigulevu	Public Prosecutor	Office of Public Prosecutor	21 June 2023
William Nasak	Chief Executive Officer	VANGO	20 June 2023
Kelep Sandy	Auditor General	Office of Auditor General	26 June 2023
Shem Tamar	Secretary General	Vanuatu Christian Council of churches	20 June 2023
Jenny Tevi	Human Rights Officer	Ministry of Justice and Community Services	22 June 2023
Willie Tokon	Chief Executive Officer	Transparency International	27 June 2023
Jean Pierre Tom	Chief Executive Officer	Malvatumauri National Council of Chief	21 June 2023
Leith Veremaito	Acting Director General	Ministry of Internal Affairs	22 June 2023
Lilyrose Welwel	President	Vanuatu Media Association	20 June 2023

ACKNOWLEDGEMENT OF COUNTRY

La Trobe University acknowledges that our campuses are located on the lands of many traditional custodians in Australia.

We recognise their ongoing connection to the land and value their unique contribution to the University and wider Australian society.

We are committed to providing opportunities for Indigenous Australians, both as individuals and communities through teaching and learning, research and community partnerships across all of our campuses.

La Trobe University pays our respect to Indigenous Elders, past, present and emerging and will continue to incorporate Indigenous knowledge systems and protocols as part of our ongoing strategic and operational business.

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