

# The Case for a Pacific Islands Community

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## *Abstract*

*The Prime Minister, Scott Morrison, has recently announced a 'step up' in Australia's relations with our neighbours in the Pacific Islands Forum, to counter increasing Chinese influence in the region. We review the case for deepening integration in the Pacific to form a Pacific Islands Community, as the next step beyond the Pacific Islands Forum. New institutions of governance should include a Council of Ministers, a Parliamentary Assembly, and a Pacific Court. On the security side, we discuss ideas for a Pacific Islands Maritime Patrol, and a Pacific Islands Regiment.*

## *Introduction*

In recent times there has been widespread concern in Australia over the increase of Chinese influence in the Pacific region, brought to a head by the possibility that China might even try to set up a military base in Vanuatu. The Chinese government has been suspected of using 'debt-trap' diplomacy, offering large loans to countries in the region under their 'Belt and Road' initiative, which the recipients may have trouble repaying, thus being forced to offer concessions or facilities to the Chinese in return for forgiveness of the loans.

There is a perceived need for Australia and New Zealand to counter this influence by forging closer relations with our neighbouring Pacific island states in the Pacific Island Forum. The Australian Prime Minister, Scott Morrison, has announced a 'step up' in our relations with the Forum, and paid several recent visits to other members of our Pacific 'family'. This year will see our largest ever development assistance to the region of \$1.4 billion, despite the decline in our overall aid budget. We will also be spending \$500 million to ameliorate the effects of climate change in the region [Hawke 2019].

In these circumstances, the time seems ripe to revisit ideas for closer integration in the region, and more specifically, proposals for developing the Pacific Islands Forum into a *Pacific Islands Community*. Objectives of the Community would include:

- Improved collective security for the Pacific region, to counter any perceived security threat from China or other external powers;
- Greater cooperation in commercial enterprises, such as protection of the fishing industries of the Pacific island states;
- Greater cooperation in the distribution of aid and development funds to the island states;

- Closer participation by the island states in the formulation of regional policy in general.

### *Background*

Integration in the Pacific has been proceeding by fits and starts ever since the former British colonies in the region attained their independence. It is obvious that the smaller island states cannot provide all the facilities of modern living for themselves, but must rely on co-operation with their neighbours if they are to have any hope of moving beyond a subsistence lifestyle. The South Pacific Forum was established in 1971 to foster co-operation between them, as an alternative to the old South Pacific Commission of colonial days, and in 1999 its name was changed to the Pacific Islands Forum to reflect a wider geographic reach.

The heads of government of the Pacific Islands Forum currently hold an annual meeting to discuss matters of common interest in the region. There are sixteen members, consisting of Australia, New Zealand, Papua New Guinea, Western Samoa, Fiji, Tonga, Solomon Islands, Marshall Islands, Cook Islands, Micronesia, Nauru, Kiribati, Tuvalu, Vanuatu, Palau, and Niue. There is enormous variation in size and resources between them, ranging from Australia with 24 million inhabitants to tiny Niue with 1600.

The main focus of the Forum hitherto has been on trade and economic issues, such as regional air and shipping services, and the fisheries in the surrounding seas. The day-to-day activities are carried out by the Forum Secretariat [PIF Secretariat] based in Suva, Fiji, with around 70 staff members. The Secretary-General currently is Dame Meg Taylor from Papua New Guinea. The current annual budget is around A\$30 million, of which Australia and New Zealand contribute about 60%. The main aims of the Secretariat are to provide economic and policy advice to the members of the Forum.

A number of crises have occurred in the region over recent years, including uprisings on Bougainville, Fiji and the Solomon Islands. The Regional Assistance Mission Solomon Islands (RAMSI) arrived in Honiara in 2003 to help restore order there, with the consent of both the Solomon Islands parliament and the Pacific Islands Forum. It included personnel from many of the island states, giving RAMSI a truly Pacific face as representing the Forum as a whole.

Forum leaders have always endorsed ideas for greater cooperation and integration in the Pacific. A wide-ranging "Pacific Plan" for the future development of the Pacific region was drafted a decade ago [Pacific Plan 2007], but implementation of the Plan was stymied by the 2006 military coup and interregnum in Fiji (the headquarters of the Pacific Islands Forum), led by Commodore Frank Bainimarama. Fiji was suspended from membership in the Forum in 2009, and this suspension was not lifted until after a measure of

democracy was restored, and a Fijian general election was held in September 2014.

In 2013 a Review of the Pacific Plan was commissioned, led by Sir Mekere Morauta, former Prime Minister of Papua New Guinea. The Review expressed disappointment with the pace of regional integration under the Plan. Its central conclusion was that “what is needed to progress regionalism is not a revised list of priorities, but an overhaul of the processes, institutions, and governance of the Plan” [Pacific Plan Review 2013]. In particular, the Review suggested that the Pacific Plan Action Committee (PPAC), which is charged with oversight of the implementation of the Plan and is mainly staffed by bureaucrats, had largely failed to drive progress in regional integration. It should be replaced by a smaller Board for Pacific Regionalism including representatives of civil society and the private sector.

In 2014 the Pacific leaders replaced the Plan by a *‘Framework for Pacific Regionalism’*, setting up a process by which proposals for regional integration could be reviewed and implemented. At the same time, a measure of democracy has been restored in Fiji, and elections have been held for a new Fijian Parliament, so the time has clearly come to reconsider further steps in regional integration. Scott Morrison has paid two recent visits to Fiji, and formed a good relationship with the Fijian leader, Frank Bainimarama.

The challenges facing the Pacific region were discussed in the *State of Pacific Regionalism Report 2017*. The report emphasized a growing sense of uncertainty due to shifting global and regional geopolitics. Some of the specific challenges mentioned include climate change, ocean management and conservation, and regional conflict. All of these challenges demand a collective regional response, and they cannot be addressed by one nation acting alone. The Framework for Pacific Regionalism declared as one of its principal objectives “Strengthened governance, legal, financial, and administrative systems” in the region. The more recent *Blue Pacific communique* committed Forum Leaders to “strengthen regional architecture” [Blue Pacific 2017]

The most recent *State of Pacific Regionalism Report 2019* from the Forum Secretariat offers an ambitious *Vision for a Blue Pacific Continent* in 2050. The Secretary General, Meg Taylor, in her foreword quotes the 2014 Framework document:

*“Our Pacific Vision is for a region of peace, harmony, security, social inclusion and prosperity, so that all Pacific people can lead free, healthy, and productive lives.”*

She goes on to say that “the fundamental proposition underpinning the report is that ‘deepening regionalism’ requires the implementation of a long-term roadmap

towards a Blue Pacific continent. That is, Pacific regionalism will be best advanced through the realization of the Blue Pacific Continent.”

This paper discusses a possible first step in such a process, namely the upgrade of the Forum into a Pacific Islands Community.

### *Suggestions for Change*

#### *a) Governance*

The 2013 Review advocated a “new framework for Pacific regionalism”, and imagined a possible future path for the region leading all the way to a Pacific Union in imitation of the European Union, or even a Pacific Federation. These developments will only occur decades into the future, if they occur at all. But the immediate next step is very obvious, namely the formation of a *Pacific Islands Community*, as an extension of the present Forum.

The changes to the regional architecture necessary to establish such a community would not be large. If we look at the European Economic Community, for example, the main structural elements which have persisted into the present European Union were:

- A supreme European Council of leaders of the member states, which meets periodically to formulate overall policy for the community. Decisions by the Council are generally reached by consensus ;
- A Council of Ministers, consisting of the ministers from each member state in a particular area (e.g. agriculture), to discuss detailed policy in that area as needed. A mechanism of “qualified majority voting” has been developed in Europe, to be used if necessary in reaching decisions by the Council of Ministers;
- The European Commission, consisting of one nominee from each of the member states, which forms the executive ‘cabinet’ of the Community;
- A representative Assembly consisting of nominated parliamentarians from the member states, which later became the European Parliament;
- The European Court, to settle disputes between the member states over the terms of the founding treaties, which became the basis for an eventual European legal system.

Following this example, the basic elements of a Pacific Islands Community are easily foreseen, and several are already in place:

- The Pacific Islands Forum already plays the role of a supreme Council;
- A *Council of Ministers* should be formally instituted, consisting of the ministers from each member state in a particular area (e.g. fisheries), to meet as needed to discuss detailed policy in that area. A mechanism of “qualified majority voting” should again be used in reaching decisions by the Council of Ministers, if necessary. This would avoid dominance of the Council by any particular member state, or group of states, and also avoid possible

deadlocks due to a veto by a single member. A possible scheme of this sort is discussed in the Appendix;

- The PIF Secretariat already fills the role of executive to the foreshadowed community. Given the very much smaller size of the PIF compared to the EU, there seems no need for further complication here;
- The Pacific Plan already proposed a *Forum Parliamentary Assembly* as an enlargement of the present Forum Presiding Officers Conference (FPOC) to meet once a year. This would provide some sort of democratic voice within the Community, and could indeed provide the nucleus of an eventual Pacific Parliament in the longer term;
- The Pacific Plan already proposed setting up a panel of judges to adjudge cases involving regional treaties, which could become the nucleus of an eventual Pacific legal system.

These changes should not involve any great additional expense. Some further comments follow.

The Forum Economic Ministers already meet regularly, as do the Forum Foreign Affairs Ministers. To facilitate decisions at such a Council of Ministers, and avoid any deadlock at this level due to a veto by one member state, a sensible voting scheme should be available if necessary at these meetings, as instituted by the Europeans. The scheme should naturally give greatest weight to the vote of the larger states, but it should also ensure that the smaller states have some 'voting power' over the decisions of the Council, and that no one state (Australia) or group of states dominates. The theoretical ideal scheme is discussed briefly in the Appendix, along with an alternative which gives greater weight to the smaller island states. This would allay the suspicions of the smaller states that a regional community would be dominated by Australia and New Zealand.

If a Forum Parliamentary Assembly is instituted, it would be natural to hold it at the same time as the leaders Forum, and in fact the two groups should probably hold a joint meeting during that time. In that way the Assembly members could be informed about the Forum decisions, and at the same time they could provide political input and advice to their leaders. At present, the Forum Presiding Officers Conference consists of the presiding officers of each member parliament. One model for the Assembly might also include an assembly of representatives from each major political party in each of the member states, to provide a range of views to the leaders. This would provide a natural basis for an eventual democratically elected Parliament. A discussion of the longer-term aim of a Pacific Parliament was given more than thirty years ago by Mike Moore, a former Prime Minister of New Zealand [Moore 1982].

A Pacific Court could be set up to hear cases involving Treaties between the member states on the basis of international law, and might eventually form the nucleus of a Pacific legal system. Given that the cases brought before the Court would very probably be few and far between, a reserve panel of judges could be appointed at fairly minimal cost. As one example of a possible responsibility, the

Court might be given the task of assessing penalties for illegal fishing by foreign vessels encroaching on the Exclusive Economic Zones of the PIF member states.

A number of suggestions along these lines have already appeared. The Eminent Persons' Group [Eminent Persons Group 2004] called for consideration of "options for future economic and political integration", and said that "new thinking on the relationship between sovereign states may be required". They also suggested that a regional panel of judges be established. Prime Minister Tuilaepa Aiono Sialela Malielegaoi of Samoa, who was the chairman of the Forum at the time, gave an address in which he foreshadowed "a new phase of regional integration – a Pacific union of as yet unknown dimensions", and mentioned the EU as an example of what can be done [Malielegaoi 2005]. He suggested the formation of a regional pool of jurists and public prosecutors; "and perhaps the establishment of a regional constitutional court to deal with critical legal issues arising from major extra-constitutional crises in or between Forum countries". In the area of legislative governance, he proposed that the annual meetings of the Forum Presiding Officers Conference (FPOC) evolve into a platform for a regional Parliamentary Assembly, to promote the principles of legislative democracy, representative government and good governance. He also noted that member countries will need to "agree to give up a little bit of our sovereignty not only for the common good but for our needs as a government and as a nation". In this way, many aspects of an eventual community have already been anticipated. In a special report to the Australian Security Policy Institute (ASPI), a distinguished task force concluded that "the best way forward in Australia's engagement with its Pacific neighbours lies in a regional integration of Australia and the Pacific Island states conceived in the widest possible sense" [ASPI 2008].

Several of these proposals were incorporated into the Pacific Plan [Pacific Plan 2007]. In the medium term, identified aims were to develop appropriate models for land ownership and tenure; and to "*enlarge the annual Forum Presiding Officers' Conference (FPOC) into a Forum Parliamentary Assembly to deepen regional co-operation between Pacific legislatures*".

In the longer term, the Plan looked for "harmonization of court structures in the region, and *development of a regional judicial mechanism or process to deal with important legal issues arising out of major extra-constitutional crises in or between Forum countries*". It included provisions for a register of judges and public prosecutors willing to serve in different countries. It did not yet explicitly recognize, however, that the Forum will itself need the power to make laws and regulations on common regional matters. If Pacific-wide economic integration is to be implemented, for instance, then the regional body will need to be given power to regulate inter-island economic affairs. This begins to impinge on national sovereignty, as recognized by the Samoan Prime Minister, and will need ratification by further treaties between the member states.

In the more recent Blue Pacific communique (2017), Forum Leaders renewed their commitment to a strengthened regional architecture.

### *b) Security*

Finally, some remarks on security issues may be in order. This is a sensitive topic which goes to core issues of national sovereignty, but the Blue Pacific communique noted a call by the Forum Foreign Ministers to expand and strengthen collective action for regional security, and called for consultations on a new 'Biketawa Plus' declaration at their next meeting. There is an obvious need for some mechanisms of regional common security, namely:

- A *Pacific Islands Maritime Patrol* to combat illegal fishing, piracy, drug smuggling and similar problems in the region. Such a force would probably need to involve both seaborne and airborne elements, and to make use of resources such as satellite data, and the Jindalee over-the-horizon radar installation in Australia.
- A land-based security force, perhaps a *Pacific Islands Regiment*, to carry out peacekeeping duties both within and outside the region, and if necessary to intervene in "extra-constitutional crises" in the region. Interventions by such a force would carry much greater legitimacy than a similar intervention by (say) Australian or New Zealand forces, which are always subject to charges of paternalism or neo-colonialism. It could also provide a significant source of employment for some of the smaller islands.

The principle should be that the Pacific islands take collective responsibility for maintaining peace and security in their own region. Their responsibilities would include

- Monitoring and patrolling the exclusive economic zones of the PIF members, and preventing illegal fishing
- Monitoring and preventing illegal logging activities in the PIF member states
- Contributing to international peacekeeping missions undertaken by the UN
- Maintaining peace and security within the region, including Intervention to restore peace and order in one of the Island nations, if authorized to do so by the Forum assembly itself.

The first responsibility could be undertaken by a *Pacific Islands Maritime Patrol*. The means exist already in the shape of the Pacific Patrol Boat Program [McCann 2013]. Using patrol boats, aircraft and retired frigates from the Australian navy, and satellite reconnaissance data supplied by Australia, the PIF already maintains a fairly sophisticated surveillance of the fishing zones from

headquarters located in Honiara. Fishing is a major economic resource of the island nations, and the industry needs effective protection against illegal fishing by foreign vessels. The operations of the Pacific Patrol Boat Program should be placed under the control of the PIF, if this is not already the case.

This is a common theme in the literature. Indeed, the Australian Senate Foreign Affairs, Defence and Trade References Committee in 2010 called for “[*elevating*] the Pacific Patrol Boat Program into a regional initiative, supported by the Pacific Islands Forum and other donors” [Senate Committee 2010], and the Australian government promised to carry out an assessment of this idea. The Committee also called for a Regional Maritime Coordination Centre, which has come into being with the Honiara facility. A strategy paper by Herr and Bergin of the Australian Security Policy Institute [ASPI 2011] discussed the regional arrangements in considerable detail. The authors called for a “Regional Maritime Coordination Centre”, and noted that “*the success of Australia’s increased investment in combating illegal unreported and unregulated (IUU) fishing in northern Australian waters should now allow us to move some assets to help combat IUU fishing in the Pacific. The work would be a complementary component in support of the Pacific Islands Forum Fisheries Agency Regional Monitoring Control and Surveillance strategy.*”

Satellite and aerial reconnaissance could also be used to detect illegal logging activities in the PIF member states. Again, this is a very serious problem, affecting a major industry in the Melanesian states. There were claims in 2008 that the forests of the Solomon Islands would be exhausted in five to seven years, at the then current rate of illegal logging [Skehan 2008], and a joint report from the University of Papua New Guinea and the Australian National University estimated that the PNG forests would be exhausted by 2021 at the current rate [Perry 2008]. Corruption at the political level also contributes to the problem: Sir Michael Somare, former Prime Minister of PNG, reportedly admitted to having financial links to logging companies [Roberts 2007].

Satellite reconnaissance data could easily be analysed to reveal the extent of logging activity in the Melanesian forests, and a Forum agency could compile the data, and compare it with estimates of what a sustainable logging regime would allow. It would then be up to the individual Forum members to act to protect their own resources.

The onshore security responsibilities could be undertaken by a *Pacific Islands Regiment*, again using equipment, training and facilities largely supplied by Australia and New Zealand. Such a regiment could undertake peacekeeping missions for the UN, earning income and providing employment for some of the island people. It would also be capable of spearheading any intervention to restore law and order in case of a breakdown of order in one of the island states, at the behest of the PIF council. It would thus act as guardian of their own peace



and security, and would carry authority and legitimacy as embodying the collective response of all the PIF members.

In fact a Royal Pacific Islands Regiment already exists, set up in Papua New Guinea during World War II to help fight the Japanese, and incorporated into the PNG Defence Force after independence in 1971. It has already taken part in missions to Vanuatu, Bougainville and the RAMSI mission in Solomon Islands. This regiment could perhaps be recommissioned as part of a security force for the whole Pacific Islands Forum; or else a new force might need to be raised. This would require further consideration by the experts.

Very recently, the Fijian Defence Minister, Inia Seruiratu, has indeed suggested that Australia should revisit the idea of a Pacific regiment in the Australian army [Seruiratu 2019], and the Australian Minister for the Pacific Alex Hawke has responded positively, raising the possibility of a 'Pacific Support Force' [Lewis 2019], so ideas of this sort should be well received.

### *Summary and Conclusions*

Maintaining and deepening the regional integration between the members of the Pacific Islands Forum brings obvious benefits, and can do much to promote peace and prosperity in the region. The smaller island states simply cannot provide all the benefits of modern life for themselves, and must rely on help and co-operation from the larger states to provide higher education, technical skills, industrial goods and employment for their people. Trade, investment and transport are best co-ordinated at the regional level, as also is the supervision and conservation of natural resources such as the fish stocks in the ocean and the tropical forests on land. Regional organizations can help maintain stable governance in fragile member states, as exemplified in the RAMSI mission, and can help counter any undue influence from outside, foreign states. Much has already been achieved in these areas, but much more remains to be done in the future.

Australia and New Zealand have generally adopted a sensible and bipartisan approach to the development of the Pacific region. The two governments between them provide the lion's share of the funding for regional organizations, and they are generally in favour of greater integration, as exemplified by the Australian joint Parliamentary Committee on Foreign Affairs, Defence and Trade in 2003 [Senate Committee 2003], the Labor Party policy discussion paper '*Towards a Pacific Community*' [Sercombe 2005], or the recent statements of Scott Morrison and Alex Hawke [Hawke 2019]. But their attitude has been that it must be for the Pacific Islands themselves to determine the costs and benefits of the Framework for Pacific Regionalism, and they have taken something of a back seat in its implementation. Recent developments should impel them towards

playing a more active role, perhaps, which ought to be well received by other Forum members.

Australia and New Zealand (to a lesser extent) have also played an active role as 'deputy sheriff' for the region on several occasions, such as the military interventions in East Timor and the Solomon Islands. These actions were successful and well justified, being sanctioned by the United Nations and the Forum, respectively. There is always a danger, though, that such actions will be seen as paternalism and 'gunboat diplomacy', and arouse resentment among the smaller island states. Far better would be a collective response to such emergencies, carried out by regional security forces.

The obvious next stage in the integration process is the upgrading of the Pacific Islands Forum into a Pacific Islands Community, following the European template. This would not actually require huge changes in the regional architecture, or involve huge additional expenditure. Most of the elements have already been suggested in the Pacific Plan.

The new institutions we have discussed include a Pacific Court, to adjudicate on cases involving regional treaties, and a Pacific Parliamentary Assembly, a successor to the present Forum Presiding Officers Conference, to provide political input and impetus to regional decision-making. These bodies would also provide prototypes for an eventual Pacific legal system and a possible Pacific Parliament. The formal institution of a Council of Ministers, with a qualified majority voting system on the European pattern, is also recommended.

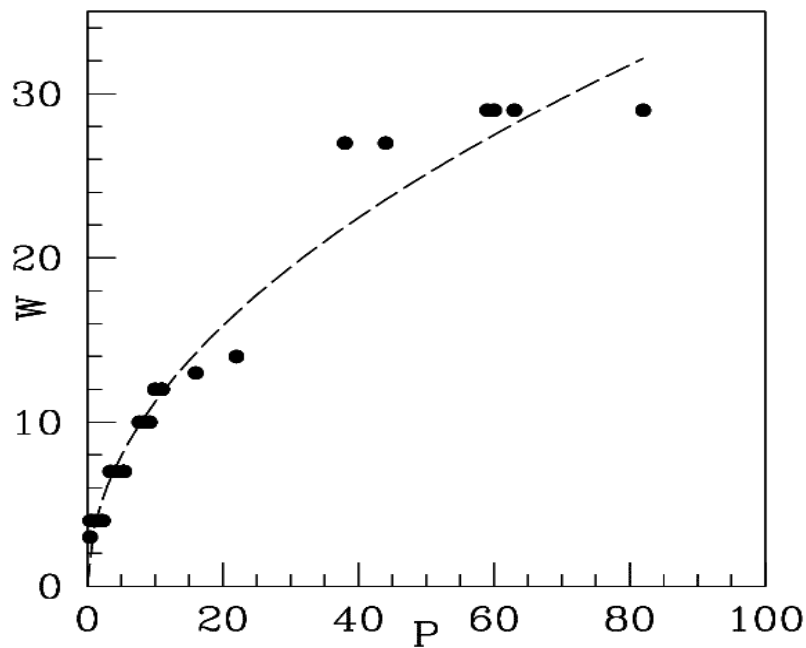
We have also proposed strengthened regional security systems, including a Pacific Islands Maritime Patrol, to regulate a sustainable fishing industry in the region, and a Pacific Islands Regiment, to restore order in case of a breakdown in one of the island states, and also to carry out peacekeeping duties and provide some employment for the island people. The Community would also provide new mechanisms for arriving at collective decisions on defence and security issues for the Forum as a whole, which would do much to counter the fears of increasing Chinese influence in the region.

The Pacific Plan discussed many further initiatives to do with trade, economic and social development in the region, which we have not discussed here. In any case, the Forum's members are already firmly launched on a path towards greater integration. If wisely managed, this course will indeed lead to a Pacific region "of peace, harmony, security and economic prosperity, so that all its people can lead free and worthwhile lives."

**Appendix. Qualified majority voting schemes**

The European Union has pioneered the use of qualified majority voting in the Council of Ministers. If it is based purely on population, the ideal scheme is known as the Penrose scheme, after the mathematician Lionel Penrose, or alternatively as the 'Jagiellonian compromise' [Penrose 1946]. It gives each member country a vote proportional to the square root of its population. Without going into details, this provides the ideal balance between the larger countries, which should have the largest vote, and the smaller countries, which should have at least a non-negligible voice in the outcome.

The European Union has never formally adopted the Penrose scheme, but by a process of pragmatic compromise, it has arrived at a very similar allotment of votes, as shown in Figure 1.



**Figure 1.** Number of votes  $W$  allotted to each member state in the European Council of Ministers as a function of population  $P$  (in millions), according to the Treaty of Nice. Germany is the largest state with 82 million, Malta the smallest with 410,000. The ideal Penrose formula is shown as a dashed line ( $W$  proportional to square root of  $P$ ).

If the Penrose scheme was adopted by the Pacific Islands Forum, starting from Niue with one vote, then the votes allotted to the other members of the Forum would be as listed in Table 1. It can be seen that Australia has the largest vote at 34% of the total, as appropriate to its large population, but not a dominant vote.

Even Australia and New Zealand voting together would make up just less than 50% of the vote, and could be outvoted by all the other island states voting as a bloc. Note that in this perhaps unlikely eventuality, the vote of tiny Niue would be enough to swing the balance either way.

This 'ideal' scheme still gives Australia and New Zealand a virtually dominant voice under most circumstances. In this case, with such a disparity in populations between the member states, it might be desirable to adopt an even flatter voting distribution. An alternative scheme is shown in Table 1, where votes are allotted in proportion to the cube root of the population (!), rather than the square root.

| Country          | Population        | Votes<br>(Penrose<br>scheme) | Votes<br>(Alternative<br>scheme) |
|------------------|-------------------|------------------------------|----------------------------------|
| Australia        | 23,717,700        | 121                          | 24                               |
| Cook Islands     | 14,974            | 3                            | 2                                |
| Fiji             | 859,178           | 23                           | 8                                |
| Kiribati         | 106,461           | 8                            | 4                                |
| Marshall Islands | 56,086            | 6                            | 3                                |
| Micronesia       | 101,351           | 8                            | 4                                |
| Nauru            | 10,084            | 3                            | 2                                |
| New Zealand      | 4,556,270         | 53                           | 14                               |
| Niue             | 1,613             | 1                            | 1                                |
| Palau            | 20,901            | 4                            | 2                                |
| Papua New Guinea | 7,398,500         | 68                           | 17                               |
| Solomon Islands  | 581,344           | 19                           | 7                                |
| Tonga            | 103,252           | 8                            | 4                                |
| Tuvalu           | 11,323            | 3                            | 2                                |
| Vanuatu          | 264,652           | 13                           | 5                                |
| Western Samoa    | 187,820           | 11                           | 5                                |
| <b>Totals</b>    | <b>37,991,509</b> | <b>352</b>                   | <b>104</b>                       |

**Table 1.** Examples of votes that might be allotted to each member state of the Pacific Islands Forum under the Penrose qualified majority voting scheme, and an alternative scheme mentioned in the text. Population figures according to Wikipedia, 2015.

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