REPUBLIC OF VANUATU OFFICE OF THE OMBUDSMAN

PUBLIC REPORT

(Pursuant to art 63(3) of the Constitution)

on the

MISCONDUCT OF

MINISTER DEMIS LANGO

PUBLIC REPORT ON THE MISCONDUCT OF MINISTER DEMIS LANGO

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PREAMBLE

".... they obeyeth not, nor inclined their ear but walked everyone in the imagination of their evil heart; behold I will bring evil upon them, which they shall not be able to escape ..." Jeremiah 11 v 8 - 11.

This report deals with a matter which may appear small when set against the reports of theft and disappearance of public assets on a large scale but it is important as another illustration of a different kind of disregard for the duties and morals of our elected leaders.

Aside from the personal question of adultery and of forcing intercourse without consent, there is the national question of what kind of behaviour is to be expected from not only officials but Ministers.

When Police are forced to investigate noise and disorderly behaviour inside government office buildings in the middle of the night, the matter has gone beyond a matter of simple personal liberty and becomes one of civic morality.

When the offender concerned is one who travel overseas representing Vanuatu and encounters there all the temptations and opportunities such occasions provide, the public are entitled to expect a very different standard of representation and behaviour than the one demonstrated in this shameful episode. Perhaps a needed lesson will be learned by our leaders that they cannot be permitted to exploit their positions for inappropriate sexual conquest, any more than for financial gain.

1 CASE NUMBER

1.1 7345

2 THE COMPLAINANT

2.1 Own Initiative

3 COMPLAINT AGAINST

3.1 Hon. Demis Lango ('Mr Lango')
Minister of Civil Aviation, Telecommunication, Postal Services &
Meteorological Services

4 THE COMPLAINT

4.1 That being a Minister of State he was involved in an alleged misconduct by having sex on Government premises with two females when they were full drunk with liquor and he was also involved in an alleged rape.

5 METHOD OF INVESTIGATION

- 5.1 Examination of statements already made by off duty policemen and three females involved.
- 5.2 Examination of correspondence received from the Ministry of Agriculture

6 SUMMARY

- 6.1 On 25/7/97 at night there was a closing of a course party at the SHEFA Province. One of the organisers of this party was Mr Clement Charley ('Mr Charley'). He asked three women, Miss N, O, and P, to come and assist him with cooking. The women started drinking at this party.
- 6.2 After the party Mr Charley and the three women went to the office of the Ministry of Agriculture ('Ministry') because Mr Charley told the women that he kept some drinks there. At the Ministry Mr Charley and the women started drinking.
- 6.3 Mr Charley then left to pick up Mr Lango at his home in a taxi. They had already arranged that Mr Charley would pick him up at 10 o'clock that night. Mr Lango did not come in his official car but came with Mr Charley in a taxi. Mr Lango brought a bottle of Burundi rum with him. Mr Lango started drinking with Mr Charley and the women.
- Later during the night Miss N stated that Mr Lango had sex with her in one of the rooms of the office block of the Ministry where they were drinking in. She made a statement to the police on 27/7/97 (see Annex B-1) on this incident. She was examined under oath by the Ombudsman where she stated that Mr Lango locked both doors of they room they were in and went and grabbed her by the collar of her T-shirt she was wearing. Because her shirt was an extra large size, it came off during her struggle to get away from Mr Lango leaving her only in her bra and underpants. That was when Mr Lango pushed her onto the floor, took her underpants off her and had sex with her. She went on to say that the whole incident took about 6 minutes. Miss N cried and ran with her clothes outside of the building and put them back on. She then left for Club Vanuatu with Mr Charley and Miss P.
- One of the women, Miss O, was left alone with Mr Lango in the Ministry. About 3 o'clock in the morning of 26/7/97, an off duty policeman saw Mr Lango and Miss O fully naked and having sex in the office of the Ministry after hearing their voices. They were completely drunk. He recognised Mr Lango. This policeman told Mr Lango and Miss O to go home at once and left.
- 6.6 This off duty policeman came back about an hour later but this time with another off duty policeman. Mr Lango and Miss O were still fully naked. Mr Lango confirmed to the two policemen that 'he was Minister Lango.' Miss O also confirmed that she was the one seen with Mr Lango having sex.

7 PRELIMINARY REPORT

- 7.1 A preliminary report was issued by the Ombudsman which outlined the Ombudsman's preliminary findings of misconduct in relation to the breach of leadership code. The Ombudsman gave 15 days from the receipt of the preliminary report to people who had been involved in the matter to give their comments and submissions. This discharged the Ombudsman's constitutional obligation of granting 'the person or body complained of an opportunity to reply to the complaints made against them' granted by Article 62(4) of the Constitution.
- 7.2 In response I received comments from the following persons:
 - Mr J (Annex A)
 - Miss K (Annex B)

Their comments are explained in paragraphs 9.7 & 9.8.

7.3 Mr Lango did not response even he was given an extended time to respond in my second letter to her with a second copy of the preliminary report. For Mr Lango and those that did not response, I assume that they agreed with the report where it concerned them.

8 RELEVANT LAWS

Leadership code

8.1 Article 66(1) of the Constitution provides:

Any person defined as a leader in Article 67 has a duty to conduct himself in a way, both in his public and private life so as not to:

- (b) demean his office or position:
- 8.2 The Constitution is very clear. When a person is appointed as a leader he must at all times conduct himself in his public or private life in such ways that are acceptable to the communities. In this case Mr Lango was and is a Member of Parliament elected by the people, a Minister of State, and a married man, and he belongs to a community in Paama, and his conduct should be unacceptable for the whole community.
- 8.3 Article 67 of the Constitution provides:

For the purpose of this Chapter, a leader means the President of the Republic, the Prime Ministers and other Ministers, members of Parliament, and such public servants, officers of Government agencies and other officers as may be prescribed by law.

8.4 This definition of a leader is very clear. Mr Lango, during the date of incident, was a member of Parliament and the same time a Minister of State. He was and is a leader under the Constitution.

Traditional custom and Christian principles

8.5 The Preamble of the Constitution provides:

We the people of Vanuatu, PROUD of our struggle for freedom, DETERMINED to safeguard the achievements of this struggle, CHERISHED our ethnic. linguistic and cultural diversity, MINDFUL at the same time of our common destiny, HEREBY proclaim the establishment of the united and free Republic of Vanuatu founded on traditional Melanesian values, faith in God, and Christian principles, AND for this purpose give ourselves this Constitution.

(My emphasis added)

- 8.6 The contents of the Preamble of the Vanuatu Constitution is very clear because they are worded in simple language. Amongst others, the Preamble says that Vanuatu was founded on traditional Melanesian values, faith in God and Christian principles. That means that the people of Vanuatu had strong beliefs in traditional customs and Christian principles, which were and still are deeply rooted in Vanuatu, because they proclaimed their Constitution on them. That was why the Vanuatu motto says 'LONG GOD YUMI STANAP'.
- 8.7 Traditional customs sets out the rules of conduct, likewise, the Bible sets out its rules of conduct for Christian believers. For a leader such as Mr Lango I do not need to tell him what are the traditional customs and Christian believer's rules of conduct because he is familiar with them as he was brought up in them. We now know, that Mr Lango, whilst still being a married man and a leader, had sexual affairs with other women, and by doing so he did not comply with his Constitutional role as an MP and Minister of State, and he did not respect the customs laws and Christian principles. His actions showed that he broke the custom law on adultery (the offence of adultery does not now exist in the Penal Code Act). He also broke one of the God's Ten Commandments which says that 'thou shalt not commit adultery' (Exodus 20:14). The people themselves will make their own judgements on this.

9 RELEVANT MATTERS AND FACTS

- 9.1 This incident occurred in one of the offices of the Ministry of Agriculture during the night of 25/7/97 and early hours of 26/7/97
- 9.2 The following activities took place on 25/7/97:
 - (a) There was a closing of a course in the SHEFA Province Headquarters so Mr Charley asked Miss N. Miss O and Miss P to assist him because Mr Charley was arranging this function.
 - (b) After this function Mr Charley asked the three women to go with him to the Ministry of Agriculture because he told them he had a bottle of alcoholic drink there. Miss and Miss O said they accompanied Mr Charley to the Ministry of Agriculture but Miss P joined them later in the Ministry. This was confirmed by Miss P.
 - (c) At the Ministry of Agriculture Miss N and Miss O said they started drinking this strong drink that Mr Charley bought. Miss P did not drink any because she does not drink.
 - (d) Mr Charley said that he then left in a taxi at 10 o'clock at night to Mr Lango's house to pick Mr Lango. This was already pre-arranged between the two of them because Miss N asked Mr Charley to find a

- man to go out with as a retaliation against her boyfriend because he was having an affair with another woman. A copy of Mr Charley's statement is attached as **Annex A**.
- (e) Mr Charley said that Miss N and Miss O were already drunk when he arrived back with Mr Lango. Mr Lango came with a bottle of Burundi rum. Miss N confirmed that this bottle of rum was brought.
- (f) Miss N stated that Mr Lango called her into another room and had sex with her. She pushed Mr Lango off her and ran naked outside where Miss P was. Miss P confirmed that Miss N was totally naked when she ran out of the office and was crying as she was putting her clothes back on her. A copy of Miss N's statement is attached as **Annex B**. A copy of Miss P's statement is attached as **Annex D**.
- (g) Miss N told Miss P and Mr Charley that they had to go to Club Vanuatu. When they left Miss O was still very drunk, asleep and fully clothed.
- (h) Mr Lango remained in the Ministry of Agriculture with Miss O.
- 9.3 The following activities occurred in the early hours of 26/7/97:
 - (a) An off duty policeman, Mr Q, was walking back to the Police Single Barracks at Independence Park at about 3 o'clock in the morning when he heard a loud female voice coming out. He then went to investigate.
 - (b) He found out that this voice was coming out of an office in the Ministry of Agriculture and there were coming from a man and a woman and that they were having sex. He opened the door of the room these voices were coming, took his box of matches, stroked one, and found that they were fully naked and having sex. The woman blew out the match. A copy of Q's statement is attached as **Annex E**.
 - (c) Mr Q, the policeman, recognised that this man was Minister Lango. He then told them to leave the office and that he would be coming back to check them again.
 - (d) Mr Q then asked Mr Lango as to why he was having sex with this woman in the Ministry of Agriculture. Mr Lango replied that the MALAMPA Province requested the Ministry of Agriculture to use this office for their fund raising.
 - (e) Mr Q came back with another policeman, Mr R, but heard no more voices so they thought Mr Lango and this woman already left. They shone their torchlight into the office and found clothing still lying around but saw no one. On checking another office they heard Mr Lango and this woman ran into another office. Mr Lango and this woman, who were still completlely naked, went and hid in another office when they saw these two off duty policemen coming. Mr Q then asked Mr Lango again as to who he was. He replied that he was Minister Lango. All this time Mr Lango and this woman were fully naked. A copy of Mr R's statement is attached as Annex F.



- (f) When Mr Charley went back to check Mr Lango and Miss O, the police were already there with their torchlight. Mr Lango was in his underpants and Miss O in a piece of cloth wrapped around her. When Mr Charley left them for Club Vanuatu he said that Miss O was fully clothed and completely drunk. This was also confirmed by Miss N.
- (g) Miss O confirmed to the off duty policemen (Messrs Q and R) who came to the Ministry of Agriculture that she was the one seen having sex with Mr Lango by Mr Q. A copy of Miss O's statement is attached as Annex C.
- (h) Messrs Lango and Charley went in government vehicle G.15 (Minister Lango's official car) to the SHEFA Guesthouse at about 7 o'clock in the morning and picked up Miss P to go with them to North Efate to pick up food. At the Vanuatu Livestock Development area, one of the car's tyre had a puncture so they came back to Vila.
- 9.4 The First Secretary of the Ministry of Agriculture Mr Adrien Malere stated to the Ombudsman that the MALAMPA Province never requested the Ministry of Agriculture to use one of its offices. Mr Charley was the one who requested and was permitted to use this office for a period of 1 31/7/97. It was only a verbal agreement made. The purpose of using this office was to raise funds for the Vanuatu boxers tour to American Samoa. A copy of this letter is attached as **Annex G**.
- 9.5 We understand that Mr Lango's wife has been sent back to the island for a few months no which allowed Mr Lango to behave in such a way.
- 9.6 The Prime Minister, Hon. Rialuth Serge Vohor, knew about this incident and instructed the Police to get all the information but it appears that he had not taken any disciplinary measures against Mr Lango.

Comments by those who replied to Preliminary Report

- 9.7 Mr Lango did not respond specifically to the Preliminary Report but on 03.02.98 he rang the Office of the Ombudsman to say that the Chiefs had already settled his report in a custom court and he was sending the Chief involved to confirm this to the Ombudsman's Office. This Chief came and confirmed that during the end of 1997, he held a custom court with another Chief into the affair Mr Lango was having with a married woman. Mr Lango was reconvicted and fined VT 100,000.
- 9.8 We do not know why this answer from Mr Lango was forwarded to us as it concerns another case of adultery.

9.9 Mr Charley

Mr Charley said (see **Annex A-1**) that he agreed with the contents of the report however, he went to pick up Mr Lango because they had planned to go out to a night club that night. He did not witness the incident but only saw Miss N crying.

9.10 Miss N

Miss N said (see **Annex B-1**) that she went outside of the office to give a drink to Miss P who was sitting outside. When she came back into the office Mr Lango had already locked both doors and came towards her and held onto the collar of her t-shirt. It was an extra large shirt so when she struggled to get away from him her t-shirt came off her leaving her only with her bra and underpants on. She said that was when Mr Lango pushed her on the floor and had sex with her. The whole incident took about 6 minutes. She went to say that Mr Lango was not drunk because he only started drinking when he came to see them. Miss N went on to say that Mr Charley started a boxing club for the SHEFA Province boxing club for women. She, with other women, went there to train as a boxer.

10 FINDINGS OF MISCONDUCT

Breach of Leadership Code

- 10.1 As a leader, Mr Lango breached the leadership code (art 66) (1) of the Constitution) when he conducted his behaviour in such a manner because doing so he totally ignored:
 - the honour the people granted him when they voted him into Parliament as their MP;
 - (b) that he was a Minister of State;
 - (c) that he cannot use a Vanuatu Government office and vehicle to fulfil his sexual impulses;
 - (d) the custom laws and Christian principles binding him as a married man and a community leader being an example for all the people including the young people of his community and of the nation.
 - (e) that he is a leader.

By his action he demeaned his office and position as an MP, Minister of State and a leader, the honours given to him by his people in his constituency and the people of Vanuatu.

- 10.2 In article 66 of the Constitutions Minister Lango has 'a duty to conduct himself in such a way, both in public and private life,'
- 10.3 Mr Lango is a member of the Presbyterian Church. This church, like any other christian churches, preaches against adultery. He ignored this.

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11 RECOMMENDATIONS

- 11.1 Mr Lango committed a serious misconduct because at the time of this incident he was a Member of Parliament, Minister of State and leader. He totally ignored the trust the people of his constituency placed on him when they voted him as their Member of Parliament. He totally ignored the customs and Christian principles binding him. I recommend that:
 - (a) not to be appointed as a Minister of State in the future;
 - that the Prime Minister writes a letter of reprimand to Minister Lango for his misconduct and for this letter to be public;
 - (c) the fact of electing Mr Lango as their Member of Parliament rests with his own people who will have to decide whether they want such a representative for them;
 - (d) we are asking the Police and the Office of the Public Prosecutor to look into the statements of Miss N and Miss O to assess if there are any criminal offences from Mr Demis Lango.

12 CONCLUSION

- 12.1 In accordance with Article 63(4) of the Constitution and section 23 of the Ombudsman Act No.14 of 1995, I am forwarding a copy of this report to the President of the Republic of Vanuatu, Prime Minister, Minister of Finance, Minister responsible for the Met. Department and relevant public authorities. According to the Constitution their duty is to 'decide upon the findings of the Ombudsman within reasonable time and the decision, with reasons, shall be given to the complainant forthwith'.
- 12.2 I therefore request all appropriate authorities to decide upon these findings within 21 days upon the date of receipt of this report.
 - His Excellency the President of the Republic of Vanuatu

Honourable Prime Minister.

Dated this 3rd February 1998.

Marie-Noëlle FERRIEUX PATTERSON

OMBUDSMAN OF THE REPUBLIC OF VANUATU

13 LIST OF ANNEXURES

- A. Mr Clement Charley's statement
- B. Miss N's statement
- C. Miss O's statement
- D. Miss P's statement
- E. Mr Q's statement
- F. Mr R's statement
- G. First Secretary's letter

AUNEX"A" 1 2/1

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Statut résidentiel:	ni-Vanuatu	expatrié	touriste	Visiteur pour affaires
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APPENDIX

ANNEL"A-1"

REPLY BY MR CHARLIE CLEMENT

PRELIMINARY REPORT ON 18.12.97

Statement blong Mr Charlie Clement konsenem preliminary report long alleged misconduct blong Minista Demis Lango.

Fes poen we mi wantem mekem se repot ia emi stret mo mi agri long konten blong hem.

Mi mi bin toktok long Minista Lango se bambae mifala igo aot long naet klab long sem taem we problem ia i happen. Wetem mi igat tu ol gel ia mo mifala i livim Shefa Provins Offis mo go blong tekem drink we mi putum istap long wan bilding insaed eria blong Ministri blong Agriculture.

Taem mifala isat go be mi tingbaot toktok we Minista Lango emi talem blong pikimap hem long 10.00 pm. Mi bin go from Mr Lango.

Mifala istap drink mo evri taem cigarette blong mifala i finis Mr Lango istap sandem mi igo long Stoa long Tropical Market Stoa blong pem. Taem we mi mi go mi nosave wanem emi stap happen from mi mi sek nomo taem mi kambak mi luk Miss emi kam krae long mi.

Mi wantem apologaes nomo from we mi bin tekem olgeta gel ia igo drink long Ministri blong Agriculture mo luk wanem emi happen long olgeta gel ia wetem Mr Lango.

(Sgd.) Mr Charlie Clement

ANNEX "B"

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REPABLIK BLONG VANUATU ANNES 6-1 TOKTOK BLONG WETNES

DEPATMEN .:

DET: 26/01/98

PLES: Ombudsman Office TAEM: 0910hrs

NEM:

FAMLE NEM:

DET WE MI BON LONG HEM: 14/7/79

KANTRI BLONG MI:

WOK BLONG MI:

No wok

LANWIS WE MI MEKEM TOKTOK YA LONG HEM: Bislama

Mi talemaot se toktok ya we mi mi mekem mi bilif se hemi tru mo, taem mi mekem toktok ya, mi save gud se mi save pas long kot sipos mi talem wan samting we mi save se hemi kiaman o sipos mi no bilif se hemi stret.

Saen: 5

Mi agri wetem stetman blong mi we mi mekem long police long 27/7/97.

Incident ia ihapen long wan ofis blong Ministry blong Agriculture long Vila long naet blong Fraedei 25/7/97.

Ofis ia oli dividem igo long two rooms. Wan room ia nao mifala istap drink long hem we igat two doa we yu save go actaset long hem be tufala oli lockem istap mekem mifala ino usum nating. Long nara room igat wan doa blong go aotsaet long hem we doa ia nao mifala istap usum blong cam insaet mo go aotsaet.

Long tufala room ia igat wan doa long tufala insaet. So blong go aotsaet long room we mifala istap drinkl long hem ia yu mas pas through wan doa ia we istap insaet, igo through nara room bifo yu gotsaet long doa blong room ia.

Incident ia hemi hapen taem mi go aot long room mifala istap drink long hem blong go givim drink long we hem wetem wan boy Tongoa istap actsaet nomo long ofis. Taem mi cam insaet long nara room ia blong go long hemia we mifala istap drink long hem ia, mi traem blong openem doa be hemi lock finis. Mi harem se Mr Lango hemi satem mo lockem doa we mi just cam insaet long hem afta mi go lukim aotsaet. Mekem se nao ia mi wetem Mr Lango nomo istap long wan room forom doa blong hemia (taem ia mo mo istap insaet istap) mifala istap drink long hem Mr Lango hemi lockem finis mo blong go aotsaet Mr Lango too hemi lockem doa finis.

Taem ia mi werem wan T-Shirt we hemi extra large we hemi bigwan mekem se taem Mr Lango icam holem mi ia hemi holem tight cola blong T-shirt blong mi long neck blong mi mekem se taem mi stap traem camaot long hem nao shirt blong mi icamaot long mi mekem se mi stap long bra mo underpants blong mi nomo. Mr Lango nomo hemi tekemaot underpants blong mi.

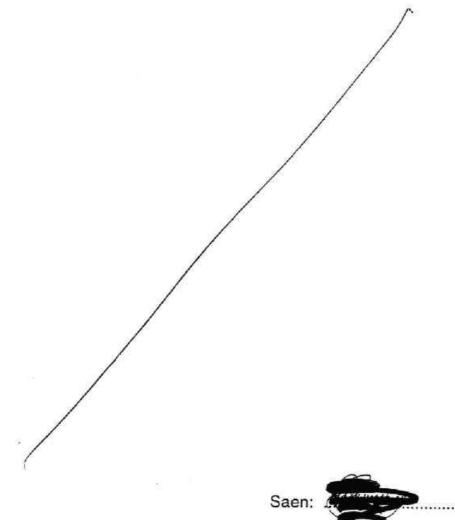
Afta Mr Lango hemi havem sex mi ia mi pusum hem aot long mi mo ron aotsaet mo go lukim em mo just go putum olgeta colos blong mi. Afta mi werem colos blomg mi ia mi nomo go insaet bakegen be go stret long Club Vanuatu.

Taem mifala igo long Club Vanuatu ia tem mi go aotsaet blong givin drink long forom mi lukim hemi stap long conditon ia taem mi go aotsaet blong givin drink long we afta hemia nao Mr Lango hemi haven sex wetem mi. Taem Mr Lango hemi haven sex wetem mi ia itekem aboat 6 minutes olsem. Long mi, mi no expectem se Mr Lango bae imekem olsem long mi be ating hem wetem ibin plan long hem finis.

Taem ia Mr Lango ino full drong. Mi luk se hemi just statem drink taem hemi cam lukim mifala ia.

Mr Common sistatem wan boxing club blong ol woman blong SHEFA. Mi just go joenem club ia long 1 week nomo bifo incident ia hemi happen.

Long Satedei 26/7/97 moning taem de me hemi talem se oli go forom kaikai long North Efate ia, igat olgeta 5 evriwan. Igat Mr Lango, Mr Lango, Mr Lango blong Tongoa mo wan girl Tongoa.



Mi mi ridim toktok ya antap finis mo mi bin gat janis blong stretem mo jenisem toktok ya mo blong putum insaed sam narafala toktok bageken olsem mi mi wandem. Toktok ya i tru.

Saen: Aug	Det:26 - 01 - 98
na	o hemi tekem toktok ya.

Statement submitted by on 27/7/97 at 2130hrs to the police.

Mi wantem telemaot sei long Fraedei 25th July 1997, mi bin stap wetem mo ol narafala woman bahegen long Shefa Provincial Government Headquarters long wan party blong sam pipol wei oli bin attenedm wan course long Shefa.

Alsem mi bin joinem ol man wei oli stap cookim kaikai blong ol course aprtici[ants. Long sam wei 18.00hrs ol man icam blong kaikai. Afta kaikai nao ol boy istart drink mo taem ia talemaot long mi hemi tekem wan smol bottle gin mo mi gat wan coco cola nao mitufala iminem blong drink gin ia.

Afta olfala Afta mi, mo Jibe mo woalkbaut iko antap. Taem mifala ikasem antap, mifala ienterem wan ofis wei miopenem doa blong hem.

Taem ia mifala tri fastaem afta ijust joinem mifala afta long ofis ia. Mifala istap drink koko nao Minister Demis Lango ikam wetem wan bottle drink bakagen.

Mi no save sei Minister ia bae ikam antap be mi ting tufala mo save sei Minister ia bae ikam antap be mi ting tufala mo save sei mao itoktok. Alsem mi druink tumas, nao mi ded long drink insaed long room ia afta wei mi ded long drink ia, ol gelfrens blong mi oli ronwe long mi so mi silip istap until mi sek sei wan man istap torchem mi. Taem ia mi sek nao mi kirap, be everi clos blong mi ino gat mo wan man iout long mi wei taem ia oli torchem mitufala.

Afta mi harem wei man we torchem mitufala italem sei 'Ples ia hemi no ples blong yutufala imus kamoat long ofis ia'. Taem mi haren toktokt ia olsem drink iout smol, so mi wearem ol clos blong mi nao mi out iko long house.

Mi no really save sei hemi mi or no gat forom, mi trong tumas be mi relisem se mi naked or ol clos blong mi ino gat long body blong mi. Be mi just realisem nomo long same naet ia, taem wan man itorchem mi nao wan piece calico nomo icovremap mi mo clos blong mi stap narasaed long mi.

Long Saturdayt morning 16/97/97, mi ko back long Ministry blong Agriculture forom wan purse wei mi trong tumas nao mi ron wei long hem.

Afta taem mi go nao sam man wei mi ting sei oli polisman oli tok strong long mi mo askim sipos mi nao weioli torchem mi wetem Minister Demis Lango afta wei oli toktok strong tumas, nao mi bin admittem gud long olgeta mo wan woman ibin stap.

Ale wan woman wei stap long taem ia iaskem mi sei 'yu ko tekemaot traot blong yufala long room'. Ale mi ko strap cleanim nao same woman ia ikam back. Afta hemi talem se 'yufala iting sei ples blong drink blong yufala ia'. Ale itekem wan wood mo wipem mi tri taem wei mi harem isore tumas. So mi kirap nao mi tekem purse ia mo ko out mo ko home.

Mi sori forom fasin ia be mi trong tumas, so mi no really save gud.

Mi wantem clearem tu sei Minister Demis Lango, mi no save hem bifo be introducem hem nomo long naet ia long mi.

Minister ino bin payem mi tu mo mi neva out wetem hem bifo.

Mi mus admittem tru se mi full drong long naet ia so sipos Minister imekem trabol wetem mi, ating itru.



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Occupation/profession:	- NIL				
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F. 2.

MINISTERE DE L'AGRICULTURE, DE L'ELEVAGE, DES FORETS, DES PECHES ET DE L'ENVIRONNEMENT



ANNE GOVERNMENT OF THE REPUBLIC OF VANUATU

MINISTRY OF AGRICULTURE, LIVES STOCK, FORESTRY, FISHERIE AND ENVIRONMENT

PRIVATE MAIL BAG 039
PORT VILA, REPUBLIC OF VANUATU
TEL: (678) 27729 / 23406 FAX: (678) 25108

Our ref: 1600/5/3/MALFFE/97/AM/cs

3/10/97

To

Mme La Mediatrice

Ofis blong Ombudsman

Port Vila.

From

Malere Adrien

First Secretary

Ministry of Agriculture, Livestock, Forestry,

Fisheries & Environment.

Dear Madame/Sir.

ANSA ABAOT USE BLONG WAN OFIS LONG MINISTRY BLONG AGRICULTURE.

Insaed letta blong inkwari blong yufalla, yufalla iwandem save stret sam ansa long sam specific poen relatet long Minista Demis LANGO affairs.

First samting mi wantem mekem save long yufalla se mi no bin wednisem even ia mo evri samting we mbae mi talem long ples ia emi kam long personnel inkwari blong mi.

Poens

- Ansa long poen ia emi yes mo no :
 - No Malampa Provinsio Kaonsel ino gat concern long bisnis blong fund raising blong Masta Clement Charley.
 - Yes, Ministry tru Hon. Minister blong Agriculture emi givim verbal agreement long Clement Charley lida blong wan boxing club long Port Vila blong usum building ia follem tingting we istap long letta blong dimand blong em datet 23 Jun 1997 (luk letta joen).

Purpose blong usum house ia emi clearly statet long letta: emi blong mekem fund raising towards tua blong of boxers blong Vanuatu long American Samoa.

- Date blong agriment: emi long end blong Jun mo agreement emi blong period blong 1st to 31 Julae 1997.
- c) Emi no MALAMPA PROVINCIAL KAONSEL iusum o askem blong usum ofis but Clement Charley wan lida blong Port Vila Boxing Club. Mi ketsem information ia tru long Secretary blong MALAMPA PROVINCE, Mr. Daniel NATO.
- d) Long taem we Minista iletem ofis long group blong ol boxers olgeta nomo oli klinim wetem sam young girls we oli joenem club blong Mr. Charley CLEMENT. Olgeta girl ia ijoenem club blong lanem technique blong self defence olsem we olgeta iexplenem.

Long saed blong key, ino bin kat key and time Clement imuv ikam occupaem em nao ikontrolem ofis.

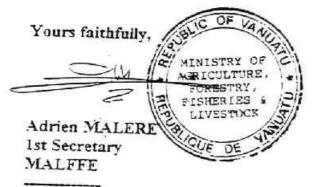
e) Ansa : Ino wan staff blong Ministry o Malampa Provinsiol

Kaonsel iholem key.

f) Ansa: Masta Clement Charley emi no wan staff blong Ministry.

Emia nomo wanem mi save talem abaot use blong ofis blong Ministry.

Mi hope yu satisfae long em.



Anne

CRITERIA TO BE CONSIDERED IN THE SELECTION OF HONORARY CONSULS OF THE REPUBLIC OF VANUATU

- (1) The acceptablity of the nominee to the receiving country:
- (a) Some countries will accept only a citizen of Vanuatu.
- (b) Some countries will <u>not</u> allow one of their own citizens to act as Consul for a foreign country.
- (c) Is there anything in the nominee's past dealings with the receiving country or any of its citizens which might lead to rejection of his or her appointment?
- (d) If a national, or permanent resident of the receiving country, does the nominee have an untainted record and good reputation in that country?
- (2) The acceptablity of the nominee to Vanuatu as a nation:
- (a) The length of the nominee's association with Vanuatu and its interests.
- (b) Evidence of commitment and goodwill towards Vanuatu.
- (c) The extent of the nominee's knowledge of Vanuatu and its Custom, laws and policies.
- (d) Is there any risk that any ni-Vanuatu individual or enterprise might see the appointment of this person as Consul as conflicting with their interests?
- (e) Is the nominee regarded as being sufficiently politically neutral to allow for him or her to continue in office and functioning for at least a substantial transitional period in the event of a change of government in Vanuatu?
- (f) What is the nominee's motivation for seeking or accepting nomination for the position?
- (3) The likely effectiveness of the nominee as the promoter and guardian of Vanuatu's interests in the receiving country:
- (a) How well respected is the nominee in the receiving country?
- (b) How large and diverse are the nominee's contacts in the receiving country - and in what areas of its society?

- (c) What level and quality of access does the nominee have to individual officials and institutions in the receiving country who have the capacity to affect the interests of ni-Vanuatu individuals and institutions?
- (d) If any "diplomatic" role is envisaged does the nominee have sufficient stature, access and experience to allow him or her to be accepted and effective in that area?

General Considerations

It is first necessary to decide why and for what purpose(s) Vanuatu wishes to appoint an Honorary Consul in a particular place. (Some countries will wish to be convinced that there is sufficient need for such an appointment before agreeing to it. These countries object to the use of the Honorary Consul system as a mere means of distributing "honours" and "awards" to the citizens of either the sending or the receiving country.) With Vanuatu's particular needs and objectives in mind it is then necessary to find and appoint the candidate best qualified and suited to satisfy them. (Where there is a significant ni-Vanuatu resident community requiring services it is obvious that a Vanuatu citizen - or at least someone with very long and close connections with Vanuatu - is needed. If, on the other hand, the task is more "diplomatic" and Involves making contact with and influencing the receiving country's leaders, a distinguished local figure with relatively limited connections with Vanuatu may be the better choice.)

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RIALUTH SERGE VOHOR

PRIME MINISTER OF THE REPUBLIC OF VANUATU

CONSULAR COMMISSION

By me, RIALUTH SERGE VOHOR, Prime Minister of the Republic of VANUATU

Be it known to all to whom these present shall come that by virtue of the powers vested in me as Prime Minister of the Republic of VANUATU, do hereby constitute and appoint Mr. Jian Peng Chen to be Honorary Consul in Macau with jurisdiction over the whole of the territory.

WITNESS my hand at Vila this 23 day of Jan

1997.

I hereby certify that this is a true and complete copy of the original document

Signed

.....

PRIME MINISTER

3 RÉPUBLIQUE DE VANUATU

LE SECRÉTAIRE GÉNÉRAL



Annex 4
GOVERNMENT C
THE REPUBLIC OF VAI

SECRETARY-GENER,

04th March 1997

Mr Albert KAO:
Honorary Consul
Republic of Seychelles
Room 2 813,
Hong Kong, Plaza
186-191 CANNAUGHT,
WEST HONG KONG

Dear Mr. KAO,

RE: REQUEST OF A TV/VIDEO SET AND A VIDEO DECK (MULTI-SYSTEM)

I am writing to you regarding the above mentioned.

I refered to our conversation on telephone said if I need anything from Hong-Kong I'll let you know.

As a best friend, I do request a such item for my home TV/Video screen and Video deck Multi-system if it would be possible to get it for me.

I would be very greatful of that particular.

While that, I will also be coordinating your staying in Vanuatu in such a way that you all will be enjoyed.

Accept His Excellency, the assurances of my highest consideration.

112

Telephone: 23117



CONSULATE OF THE REPUBLIC OF SEYCHELLES

– HONG KONG –

Rm. 2813, Hong Kong Plaza, 186-191 Connaught Road West, Hong Kong Tel: 2559-2961 Fax: 2858-1471 Tix: 70522 TINGA HX

MR. LI JUN SHENG

MR. HU JING

MS. YU YUE HUA

(CHINA) P2683633

(CHINA) 140972148

(CHINA0 142151263

At the moment, these above persons was admitted to get into Vanuatu without having their country's visa. Nevertheless, they still ought to apply a Transit Visa of your country-AUSTRALIA to Vanuaru. Would Your Excellency please take a serious to consider our applications and transact the transit visas to them as soon as possible.

The Consulate of the Republic of Seychelles avails ourself of this opportunity to Your Excellency the assurance of our highest consideration.

Yours sincerely.

Albert Kao

Hon. Consul for the

Republic of Seychelles

ENCI.



塞 舌 爾 領 亭 館 CONSULATE OF THE REPUBLIC OF SEYCHELLES HONG KONG

Hm. 2813. Hong Kong Plaza, 186-191 Connaught Road West, Hong Kong. Tel: 2559-2961 Fax: 2858-1471 Tix: 70522 YINGA HX

The balance went towards

- 1. Official visit's to Vanuatu;
- Documents preparation;
- 3. Vanuatu official visit's to Hong Kong

For example, expenses were incurred hosting Mr Jimmy's delegation in early May 1997 to Hong Kong. We send you just one example of the expenses incurred HKD26,481.00 for Hotel accommodation.

Mr. J P Chen had made a pledge of a further 1.5 million Hong Kong dollars for further promotion of trade and investment to the Republic of Vanuatu. However, Mr Chen has stepped back on his word and left this office with more than a HKD300,000 deficit in it's previous association with Mr Chen. For the record this office refuses to have any further association with Mr Chen.

It is hoped that at least some good for Vanuaru has come from this unfortunate circumstance and that no inconvenience has occurred for the Prime Minister's Office. It has also not deferred this office from rolling up our sleaves and working hard towards building a bridge for Chinese businessmen into Vanuaru.

Please don't hesitate to contact us if you require any further information.

bellet is for

Yours sincereiv,

Albert Kao

innex 6

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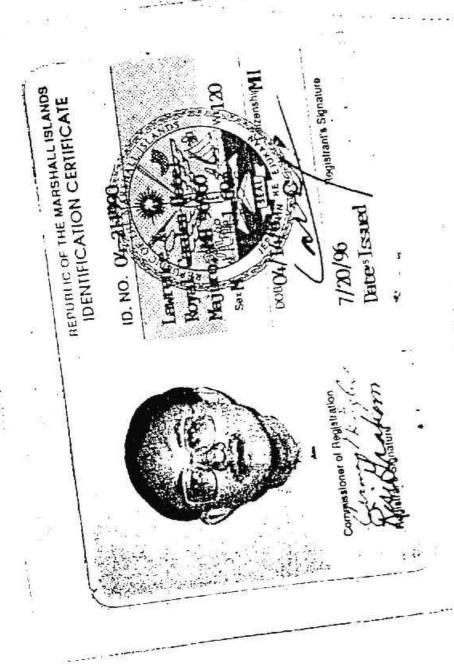
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The Minister responsible for Foreign Affairs of the Republic of Vanuani requests and requires in the name of the Republic all those whom it may concern to allow the bearer such assistance and to afford the boarer such assistance and protection as may be necessary. OFFICIAL PASSPORT PASSEPORT OFFICIEL REPUBLIC OF VANUATU REPUBLIQUE DE VANUATU REPUBLIQUE DE VANUATU REPUBLIQUE DE VANUATU No. of PASSPORT No. do P	Residence MONG NONE Special positional Special posi	Bearer (Titulaire) Destroy of Beauty Figure and Justice Wife Penancy Wife (PHOTO)
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Annex 10

GOVERNMENT OF THE REPUBLIC OF VANUATU

OFFICE OF THE PRIME MINISTER

DU PREMIER MINISTRE

07th April 1997

To: Hon. Willy JIMMY

Minister of Foreign Affairs

Vanuatu Government

Port-Vila

Dear Hon. Minister,

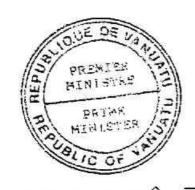
Re : MR. LARRY'S POSITION

I send this note referred to the above mentioned.

I would be greatfull if you could sign his letter of appointment as a "TRADE COMMISINER IN CAMBODIIA" that he can then think to go back sometimes this week.

Accept, Minister the Assurance of my highest consideration.

Yours sincerely,



Hon. RIALUTH Serge VOHOR
PRIME MINISTER OF THE REPUBLIC
OF VANUATU

ÉMENT E LA JUE DE VANUATU

MINISTÈRE DES FFAIRES ÉTRANGÈRES ET DE L'IMMIGRATION



GOVERNEMEN OF THE REPUBLIC OF VAN:

MINISTRY OF FOREIGN AFFA AND IMMIGRAT.

Ref: MOFAI/7/4/4/WJ:jn

10th April, 1997

Mr. Lurry YU, Cambogia.

Dear Mr. Lurry YU,

Upon the Prime Minister's recommendation, I have the honoto inform you, that you are hereby appointed as the Trac Commissioner for Vanuatu in Cambodia.

This appointment is subject to the approval of the Cambodia Government.

Your appointment will be for a term of 3 years and is subject to be reviewed annually to assess you performances. This appointment may be terminated by either party giving (30 days) notice in advance.

I wish to take this opportunity to congratulate you on your new appointment as Trade Commissioner of Vanuatu in Cambodia.

Yours faithfully,

MINISTER OF FOREIGN AFFAIRS 4NJ IMMIGRATION

Hon. Willie JIMMY (MP)

Minister of Foreign Affairs and Immigration

cc: Ministry of Economic Pears:
Director of Foreign Affairs

: Director, Department of Industry

GOUVERNEMENT DE LA : RÉPUBLIQUE DE VANUATU

BUREAU DES AFFAIRES ÉTRANGÈRES ET DE L'IMMIGRATION



GOVERNEMENT OF THE REPUBLIC OF VANUATU

MINISTRY OF FOREIGN AFFAIRS AND IMMIGRATION

MEMORANDUM

8th April, 1997

Your Ref.
V/Ref.

Our Ref. MOFAI/1/3/7/WJ:jn

from Minister of Foreign Affairs and Immigration

ou Principal Immigration Officer

Description Deportment of Foreign Affairs Affairs

Re: APPLICATION FOR VANUATU ORDINARY PASSPORT

Acting in accordance with the Prime Minister's instruction as per attached letter, the department is hereby requested to process one Vanuatu Passport to be given to the above person.

Your cooperation would be very much anticipated.

MINISTER OF FOREIGN AFFAIRS

Hon. Willie JIMMY (MP) AND

Minister of Foreign AFFAIRS

Encl.

Encl.

GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

EAU DU PREMIER MINISTRE



GOVERNMENT ATREX /O OF THE REPUBLIC OF VANUATU

OFFICE OF THE PRIME MINISTER

25th March 1997

RECEIVED

2 7 MAR 1997

Ant 'd

From: Hon. RIALUTH Serge VOHOR

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Prime Minister of The

Republic of Vanuatu and Acting Minister

of Foreign Affairs Vanuatu Government

Port-Vila

To: The Acting Director

of Foreign Affairs Department

Mr. CHAPET Port-Vila

Dear Acting Director,

RE: MR. LURRY'S PASSPORT

Referred to the above mentioned, it is in deed a great pleasure as Acting Minister of Foreign Affairs in asking you to please release a Passport for Mr. Lurry.

Accept, the assurance of my highest consideration.

Yours sincerely,

Hon, RIALUTH Serge VOHOR

Prime Minister of The Republic of Vanuatu

GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

MINISTÈRE DES AFFAIRES ÉTRANGÈRES ET DE L'IMMIGRATION



Annex 11

GOVERNEMENT OF THE REPUBLIC OF VANUATU

MINISTRY OF FOREIGN AFFAIRS AND IMMIGRATION

Ref: MOFAI/1/3/6/WJ:jn

14th March, 1997

The Chief Protocol Officer, Protocol Division, Department of Foreign Affairs, Vanuatu Government, PORT VILA.

Dear Protocol Officer,

The Prime Minister requested me to formally confirm the appointment of Mr. Chen JIANG-PENG as the Honorary Consul for Vanuatu based in Macau, and Mr. Chen ZHA-FAN as the First Secretary to the Honorary Consul in Macau. Attached is the copy of Mr. Chen's confirmation of their respective appointments as requested by the Hon. Prime Minister.

Your Department is therefore requested to formally issue a note to the Portuguse Government in Macau concerning the Vanuatu Government's decision on the above appointments respectively for their endorsements etc.

The Prime Minister also requested that their passports be issued immediately before their departure on Sunday 17th March, 1997.

I regret this demand may be causing some inconvenience to you, but your cooperation would very much anticipated.

Yours faithfully,

Hon. Willie JIMMY (MP)

Minister of Foreign Affairs and Impigration

cc: To Principal Immigration officer

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The President of the Republic of Vanuatu requests and requires in the name of the Republic all those whom it may concern to allow the bearer peacefully to pass without let or hindrance and to afford the bearer such assistance and protection as may be necessary.



Au nom de la Nation, le Président de la République de Vunuatu prie instamment toutes les autorités compétentes de bien vouloir laisser passer librement le fitulaire du présent passeport et de lul offrir assistance et protection le cas échéant.



This passport contains 64 pages.

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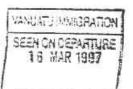
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Visas





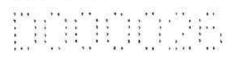


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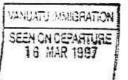
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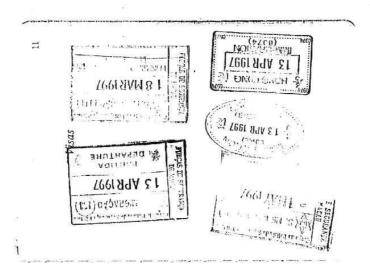
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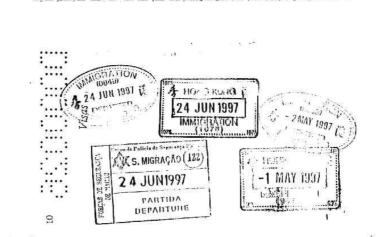
Visas











- (f) Vanuatu Ambassadors
- (g) Vanuatu High Commissioners
- (h) Vanuatu Consul Generals
- (i) Diplomatic and Consular Staff of the Vanuatu Foreign Service
- (j) Honorary Consuls
- (k) Diplomatic Couriers
- Spouses of persons granted Diplomatic Passports, other than Spouses of Honorary Consuls, provided they are travelling on duty at Government expense.

Schedule 2 - Official Passports

- (a) Members of Parliament
- (b) Attorney General
- (c) Judges of the Supreme Court
- (d) Solicitor General
- (e) Magistrates
- (f) Commissioner of Police
- (g) Ombudsman
- (h) Chairman of National Council of Chiefs
- (i) Heads of Statutory Bodies
- (j) Senior Government Officers who frequently travel overseas.
- 5. The following categories of people should be excluded from the use of either of these travel documents:
 - (a) Public Officers going on training courses overseas
 - (b) Officers travelling as sports participants
 - (c) Students
 - (d) Officers who travel less frequently

- (e) Expatriate contract officers other than those specified in the schedules.
- (f) Officers on temporary appointments
- (g) Members of the Police Force, except the Commissioner of Police and officers assigned to the Head of State and Head of Government.
- (h) Any person listed on schedules 1 and 2 who go on private trips overseas, except the President and the Prime Minister.
- 6. In general expatriate contract officers are recruited for a short period of time. Therefore, they should travel on their own travel documents, with official letters certifying their employment with the Vanuatu Government.
- 7. The Minister responsible for the Foreign Affairs of Vanuatu may in particular amend by Order the schedules of the Diplomatic and Official Passports Act in accordance with Section 7 of the Act.

RECOMMENDATION:

The Council is hereby invited to:-

- (a) Consider this revised list of the schedules.
- (b) and to endorse it.

GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

LE SECRÉTAIRE GÉNÉRAL



GOVERNMENT OF THE REPUBLIC OF VANUAT

SECRETARY-GENERAL
21st March 1997 ———

To : Mr. CHEN JIAN-PENG

Honorary Consul of Vanuatu

in MACAO MACAO

Dear Honorary Consul,

RE: Fax Machine and a Mobile Telephone as Point of Contact in any circonstances

Being the point of contact for any circonstances in Vanuatu, I have the only way available is the telephone and no others.

I do request then these two(2) item to fascilitated our contact stated above. I would be greatful if you could assist me with a Fax Machine and a Mobile Telephone.

Referring to our Luck of communications system in Vanuatu, it is in deed a great privillege to extend to you my request to enable us to communicate more efficiently.

Accept sir the assurance of my highest consideration.

Secretary General to the Council of Ministers

Cc : S.H. CHAN

: Peter Lo : Patrick

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Telephone: 23117

P.M.B. - 053

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21st March 1997

To: His Exellency Mr. Chen Jian Pang Honorary Consul of the Republic

of Vanuatu In MACAU

Dear Exellency,

RE: BUTCH FOR THE PRIME MINISTER'S SECURITY

Referring to our conversation to the above mentioned, I have a great pleasure in sending you the references of that particular.

If possible when Mr.Peter LO comes to Vanuatu in 3 or 4 weeks time could he brought with him a sample of the "BUTCH" to have a look before releasing it

His Exellency I would be greatful if you could provide about the CPS of the Prime Minister's Security with 35 Butches.

Accept, His Exellency, the assurance of my highest consideration.

Yours sincerely,

Noél TABIUSU Secretary General, Council of Ministers

Cc: S.H.CHAN

: Peter LO Patrick

26th March 1997

To : Mr. CHEN JIAN PANG

Honorary consul of Vanuatu in Macau

TAIPA MACAU

Dear Exellency,

RE: TWO(2) SETS OF FOOTBALL UNIFORM

Referred to our conversation in Port-Vila Vanuatu concerning the above subject. I have the great honnor and pleasure to adress you this request.

As we have agreed that I should send you the details of this particular.

It is not in fact a priority but I would be greatful if you could assist me in the near future this year.

The details of Uniform goes like this:

Two (2) set Uniform: Top - Yellow with blew spot

Shorts - blew Socks - blew

Accept. His Exellency, the assurance of my highest consideration.

Yours sincerely,

Noél FAIONALAVE
Office Supervisor to the Council of Minister
Prime Minister's Office

15th April 1997

To: Mr. JIAN PENG CHEN
Honorary Consul
Consulate of the Republic of
Vanuatu (MACAU)

Dear Honorary Consul,

Re: GO INTO BUSINESS

I am writing to you regarding the above mentioned.

After your short visit in Vanuatu, referring to our discusions on the above matters. I would like to express my strongest desire to do business in Vanuatu. And I want to collaborate with your Compagny.

I do ask if it is possible to have a branch of your Compagny in Vanuatu. I would be grateful of your assistance in helping us to have retail sales or Whole Sales or a Supermaket any of the three.

As I have said that it will be one of your Compagny's branch in Vanuatu so that we can then import cygarettes and then re-export them to our neighbouring countries who want to by cygarettes.

Yours sincerely,

Noél TABIUSU Secretary General, Council of Ministers

15th April 1997

To: Mr. JIAN PENG CHEN Honorary Consul

Consulate of the Republic of

Vanuatu (MACAU)

Dear Honorary Consul,

Re : GO INTO BUSINESS

I am writing to you regarding the above mentioned.

After your short visit in Vanuatu, referring to our discusions on the above matters. I would like to express my strongest desire to do business in Vanuatu. And I want to collaborate with your Compagny.

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Yours sincerely,

Noél TABIUSU Secretary General, Council of Ministers

15th April 1997

Our Ref.: CM/33/NT:mi/97

To : Mr. LIAO JINCHENG

AMBASSADOR

FOR THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

PORT-VILA

Dear Ambassador.

Re: DONATION OF TWO P 5/120 COMPUTERS (PENTIUM 120)

Referred to the above mentioned, I have the great honour and pleasure in writing you this letter concern.

The Government of the Republic of Vanuatu and the Government of the People's Republic of China are committed to each other in their respective era. And the Government of Vanuatu still believes in one(1) China Policy.

Being a receiver of the two computers on behave of the Government of Vanuatu, I would like to extend the Government sincere gratitude to the Government of the People's Republic of China for these two computers.

These will fascilitate the over load works of the Government to speed up the works.

The Government is looking forward for more assistance from your government.

Please convey our sincere gratitude and thanks to your Government in China.

Accept, Ambassador, the assurance of my highest consideration.

16th May 1997

To: His Exellency Mr.LIAO JIN CHENG Ambassador of People's Republic of China PMB 07 Port-Vila

Dear Ambassador.

Re : FINANCING A PHOTOCOPY

Referred to a letter regarding the above mentioned. The letter dated of 9th May 1997 concern. I have a great pleasure and honour on addressing this letter to you.

I have also received a copy of this letter and that is why I write to you in support of it.

The reasons indicated in the letter are very much tru.

H.E Ambassador, I do asked for consideration on this letter or demand.

I wish to convey my sincere gratitude for many assistance to Vanuatu and Communities.

ask once again for your kind assistance on this particular.

Accept, Ambassador, the assurance of my highest consideration.

Yours sincerely,

Noél TABIUSU
Secretary General, Council of Ministers

Cc : Mr. Joseph BULEURU, Directeur Ecole Primaire, Melsisi : Mr. Rolland BULEWAK, Proviseur Collège de Melsisi

30th May 1997

To: Mr. JIAN PENG CHEN
Honorary Consul
Consulate of the Republic
of Vanuatu (MACAU)
TAIPA, MACAU

Dear Excellency,

RE: REQUEST FOR PERSONAL AND HOME GOODS OR GIFTS

Referred to a conversation a couples of times Noél Vs CHAN, I have the great pleasure and honour in writing to you regarding the above mentioned.

Excellency, this is not the first time that I ask you to do such request for me and family.

I am so grateful of many help you've given to me and my family so far and I don't know how much to thank you for it but you are still remain mine and family won't never forget the dinner together and your wife.

My wife has ask a "STEREO TAPE RECORDER" and perfum for her.

My little son has ask for a "BYSCYCLE" and cold clothes.

My little daughter has ask for some cold clothes.

My Niece (Secretary Typist) has ask for a Saving Machine.

Excellency, I hope that my family doesn't ask so much on you for these gifts.

As you will be coming over to Vanuatu next month we will be looking at a chance to get your driving liscence of Vanuatu.

Pl ganne

Accept, Excellency, the assurance of my highest consideration.

Yours sincerely,

Noél TABIUSU Secretary General, Council of Ministers

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GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

GOVERNMENT OF THE REPUBLIC OF VANUATU

BUMBAU DU PREMIER MINISTRE

CM/PMO/PM/1/8/28/RSV:ml/97

To : Chairman of CITIZENSHIP

Commission:

OFFICE OF THE PRIME MINISTER
1st July 1997

Dear Sir,

In accordance with the provisions of CITIZENSI IP Act, CAP 112, SECTION 6, MINISTERIAL DIRECTIONS AND REQUESTS, SUBS! CTION 1:

"The Prime Minister may give directions to the Commission of a general source concerning the exercise of its functions or powers and the commission shall comply with such directions."

I wish to advise that Mr.CHEN JIAN PENG has been appoint as Vanuatu Honorary Consul to MACCAU. Mr. CHAN and associates own more than nine Major companies in Asia including China. Enclosed herewith a copy of his business card

Mr.CHEN and his family has indicated interest in investing in the Republic of Vanuatu. Hence, they will be investing in excess of US \$

For this reason they have been hornored and shall be given Honorary Citizenship. Enclosed herewith is also a copy of their names contained in Annex A.

As per reference CAP 108, PASSPORTS, SECTION 3, SUBSECTION (1) & (2) ISSUE OF PASSPORTS, Principle Passport Officer is to issue to them Vanuatus

By copy of this letter the Chairman of Citizenship Commission is informed.

The Department of Immigration currently responsible for Immigration duties and Passports is advised to act accordingly.

Yours sincerely,

Hon. RIALUTH Serge VOHOR
Prime Minister of The Republic of Vanuatu

Cc : Principle Immigration Officer

: Mr. CHENG

ephone: [678] 22354 esimile : (678) 25492



Immigration Departme Annex 24 Private Mail Bag OC

er rinningration Offi

REPUBLIC OF VANUATU

Our Reference 5/3

Date 02/07/97

Sergent Salali Teitoka Passport Office

RE: ISSUE OF PASSPORT

Pursuant to a telephone conversation with Mr Noel TABUISU private Secretary to Hon. Prime Minister on Monday 31 0945 (1) June 1997 authorising this office to issue passports to the following Non Citizens as Hornorary Citizen: Cheng Jian Pens, Shen Xue-Lan, Chen Xiao-Dan, Chen Xiao-Quing, Chen Xiao-Yi, Xu Yuan, Luo Wei-Jun, Chen Zhi-Fan, Chen Shi-Yuan,

Also a yerbal confirmation from Mr Peter Sali Third · Secretary to Ministry of finance on Tuesday 01 1625 (1) July 1997 confirming that Hon. Prime Minister has agreed that the above named personnel be issed with Vanuatu Passports as hornorary ditizens.

Mr Sali also stressed that Hon. Prime Minister will submit to council of Ministers their application of which no dout should be approved. Mr Sali also emphasised that Citizenship Commission will meet on Wednesday 09 July 1997 to approve their application. Mr sali and Hornorary Consul to MACGAU also insisted that Hon. Prime Minister with no doubt will sign their correspondence of application on Wednesday 09 July 1997. Enclosed herewith is a copy of that letter unsigned.

In this regard, this delegation departs Wednesday 02 2100 (1) July 1997 to Hong Kong Via Sydney. Posphond to sx: 0730(4) 05July my

Could you proceed and ensure their passports is ready prior

Thanking you in anticipation for your prompt action.

Regard,

John Mark BELI



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凡努阿圆须序館 CONSULATE OF THE REPUBLIC OF VANUATU - MACAU

Tel Hearth of Action Company of the Page Marian

August 1, 1997

To (C28) 27937 Alth Mr Peter Sall

Dear Mr Peter Sali

I and my family also my relatives are ready to go back to Vanuatu for vacation. The members as following.

v Mr Chen Jian Peng Ms Chen Xiao Qing Miss Chen Xiao Dan Ms Luo Wei Jun Mr Xu Yuan Mr Chan Sal Hung Ms Luo Xiao Wei

Ms.Shen Xue Lan Miss Chen Xiao Yi Mf Chen Jian Yi Mr Zhang Qing Yun Ms He Shac Ling Mr Lim Kali Chuen

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Please arrange all the communication and reservation. The hotel prefer to book is Windsor Hotel

Regards.

Yours sincerely.

JIAN FENG CHEN Honoraly Consul

of the Republic of

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GOUVERNEMENT DE LA REPUBLIQUE DE VANUATU

Annex 27
GOVERNMENT
OF THE REPUBLIC
OF VANUATU

05 August 1997

MEMORANDUM

Your Ref. V/Ref	
Our Ref. N/Ref	DF3 /7 /3 /0 /FM
from du	Department of Foreign Affairs
to à	Mr John Mark Bell Principal Immigration Officer

Re: Arrival of the Honorary Consul of Vanuatu to Macau and His Delegation.

I wish to advise that the above delegation will be arriving Port Vila on Monday 11 August 1997 at 18.15 hours on flight QF 375 and they will be departing on Sunday 17 August 1997 at 20.00 hours on flight QF 378.

I would be grateful if your Department could assist them on their arrival.

Find attached is the copy of their names.

Your cooperation on this matter will be very much appreciated.

Sylvestre MELTETAKE V

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SURATA TAMASO TRAVEL Ltd.

B.P. 343, Port Vila, vanuatu Téléphone : (678) 22666

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SURATA TAMASO TRAVEL Ltd. B.P. 343, Port Vila, vanuatu Téléphone : (678) 22666

AGENCE DE VOYAGES TRAVEL AGENT

Annex 34 B.P.VT. 12.40s

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瓦努阿圖領事館 CONSULATE OF THE REPUBLIC OF VANUATU ————— HONG KONG ——————

Rm.2813, Hong Kong Plaza, 186-191 Connaught Road West, Hong Kong. Tel: 2559-2961 Fax: 2858-1474 2/084948

And from above we understanding Honorary Officers can receive remuneration and emoluments form the sending State.

4.21. The Vienna Convention on Consular Relations (24/04/63) make no reference "PROHIBIT" to the issue of diplomatic passports for Honorary Consul.

The people in develop country, they can do anything except "the Law prohibit". The people in undeveloped country, they cannot do anything except "the Law allow".

Vienna Convention on Consular Relations (24/04/63) also makes no reference to the issue of diplomatic passports for the president of the Republic, the Prime Minister, the Speaker of parliament, Government Ministers, Arnbassador, High Commissioners, etc. List in Schedule 1.

5.1 - 5.3. I had report to Mr. William Tari on 9th September 1997 concerning the two cheques and I had sent the copy to your Excellency.

I hereby object Your Excellency's report said "stated to be in the business of sale of passports". I object Seychelles Government to do the business of sale passports. Hereby enclose my report to the following persons.

8th May 1996 H.E. MRS. DANIELLE DE ST JORRE MINISTER OF FOREIGN AFFAIRS OF SEYCHELLES

9th May 1996 H.E. SIR JAMES R. MANCHAM FORMER PRESIDENT OF SEYCHELLES





Rm.2813, Heng Kong Plaza, 186-191 Connaught Road West, Hong Kong.

Tel: 2559-2961 Fax: 2858 14742/086 PUR

21st Aug 1996
H.E. MR. DANIELLE DE ST. JORRE
MINISTER OF FOREIGN AFFAIRS OF SEYCHELLES

22nd July 1997
H.E. MR. JAMES MICHEL
VICE-PRESIDENT OF SEYCHELLES

24th July 1997

H.E. MR. RAMKALAWAN

MEMBER OF SEYCHELLES' NATIONAL ASSEMBLY

8th Dec 1997
MR. ALAIN BUTLER PAYETTE
SPECIAL ADVISOR TO THE MINISTER OF FOREIGN AFFAIRS
SEYCHELLES

- Would Your Excellency please indicate which country, their Prime Minister no power appoint a Honorary Consul. Additionally, if Mr. Chen's appointment is good for the Country. We must do our best to help him to receive the approval from Portugal Government. If Mr. Chen's appointment is bad for the country. We must objection even his appointment had received required approval from the country of Portugal.
- 5.5 I didn't sent the gifts said TV/Video screen and Video deck to Mr. Tabiusu.

Response A



瓦努阿圖領事館 CONSULATE OF THE REPUBLIC OF VANUATU

Rm.2813, Hong Kong Plaza, 186-191 Connaught Road West, Hong Kong. Tel: 2559-2961 Fax: 2868-1474

- HONG KONG -

If I give him TV/Video Screen and Video deck. I think he will send the FAX to me ask for more gifts. but he didn't send any FAX to me ask for more. It's verify I didn't give him screen and deck. Additionally, the letter said "while that, I will also be coordinating your staying in Vanuatu in such a way that you all will be enjoyed".

I don't understand why Your Excellency feel "It was strongly appeared that Mr. Tabiusu was asked for the TV and Video in exchange for helping Mr. Chen in his efforts to obtain Vanuatu passports." Hereby, I must strongly pointed out that

- (1) Mr. Tabiusu asked screen and deck didn't ask for TV and Video;
- (2) We must carefully study "WHILE", for example: The Walls are green, while the ceiling is white. Your Excellency can't say "green is white". (Green = White) So, the same reason, Your Excellency can't say "screen and deck = enjoy"; "enjoy = obtain passport".
- 5.6 I was not acting as either as Mr. Chen's representative or agent or as Prime Minister's representative or agent.

I was acting according Article 8 Vienna Convention on Consular Relations (24/04/63).

Exercise of Consular functions on behalf of a third state.

Upon appropriate notification to the receiving State, a Consular post of the sending State may, unless the receiving State objects. Exercise Consular

Response A



瓦努阿圖領事館 CONSULATE OF THE REPUBLIC OF VANUATU HONG KONG

Rm.2813, Hong Kong Plaza, 186-191 Connaught Road West, Hong Kong.
Tel: 2559-2961 Fax: 2858-1471

functions in the receiving State on behalf of the third State.

The Honorary Consul of Vanuatu in Hong Kong, avails itself of this opportunity to renew to the Ombudsman of Vanuatu the assurance of its highest consideration.

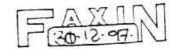
Yours sincerely,

Allat us for

Albert Kao

Honorary Consul of Vanuatu

Response A



25th December 1997

MRS. MARIE-NOELLE FERRIEUX PATTERSON OMBUDSMAN OF THE REPUBLIC OF VANUATU P.O. BOX 126, PORT VILA VANUATU

Dear MADAM,

Thanks for your letter dated 8th Dec 97 and thanks for giving me the chance to reply to you concerning your preliminary report dated on 5th Dec 97.

I was appointed as the Trade Commissioner of Vanuatu in Cambodia. I am not the Honorary Consul of Vanuatu in Cambodia. But the situation of Cambodia are unstable. For the safety reason, I stay in Hong Kong.

I was appointed as a agent for promoting the Republic of Seychelles by H.E. MR. ALBERT KAO, the Honorary Consul of Seychelles in Hong Kong. And the same time, I am also the Chief Editor of International Economic and Trade Report. Hereby enclose the newspaper International Economic and Trade report to you dated 6th March 96 and 1st May 96. We just promote Seychelles' tourism and residence permit. H.E. Mr. Kao didn't allow us to promote and sale Seychelles' Passports, and this matter didn't our interesting.

I obtain my citizenship of Marshall Islands are legality. Would you please check the Government of Marshall Islands.

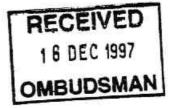
We introduce some investors to Seychelles, but until now Seychelles
Government don't establishment of an International Business Centre and very high
incomes (profit) tax. Now even control the profit (foreign currency) to send outside
the country. Seychelles is very bad situation for investors. So, I went to Vanuatu for
searching the opportunity for investment. I think Vanuatu is the good place for
investors because there are no tax in incomes, interests and investment profit. Labour
cost just 30% of Seychelles' labour cost. I stay in Vanuatu about 2 months,
Government believe my knowledge and experience will contribution to the country. So,
appoint me as Trade Commissioner. I am very lucky and happy to have this
opportunity to contribution to Vanuatu. I will do my best to promote Vanuatu in
Cambodia and/or Asian Countries.

Yours sincerely,

Kesponse C

Honourable T.R. Willie Jimmy

(Minister of Finance 1991 - Feb 1996) Member of Parliament P.O. Box 684, Port Vila, Republic of Vanuatu.



15th December, 1997

The Ombudsman P.O. Box 126 PORT VILA.

Dear Ombudsman,

RE: <u>VANUATU ORDINARY PASSPORTS ISSUED</u> TO THE FAMILY OF J.P. CHEN

I refer to your letter of 8th December, which requested me to reply to the allegations raised in the Preliminary Report on the above subject matter. I wish to make the following comment:

CHRONOLOGY OF FACTS WITH COMMENTARY:

Paragraphs:

- 5.9. My letter of 10th April confirming Mr. Lurry YU's appointment was done in compliance with the Prime Minister's recommendations, nothing else.
- Mr. J.P. Chen was introduce to me as potential New Investor coming to Vanuatu, not in his capacity as an old time investor in Vanuatu.
- 5.12. The instruction given to release the diplomatic passport follows normal usual practise following the appointment of Mr. Chen as Honorary Consul for Vanuatu in Macau.
- Late April and early May, I went to Hong Kong and Macau as Minister of Foreign Affairs, responsible for Vanuatu Foreign Missions abroad.
- 5.21. It was during this visit to Hong Kong and Macau that Mr. Chen showed me the purported Consular Commission document signed by the Prime Minister together with the two receipts of money paid in order for him to be appointed as Honorary Consul for Vanuatu in Macau.

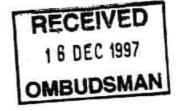
Tel: (678) 27672

Fax: (678) 26599

Response Cny

Honourable T.R. Willie Jimmy

(Minister of Finance 1991 - Feb 1996) Member of Parliament P.O. Box 684, Port Vila, Republic of Vanuatu.



15th December, 1997

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Tel: (678) 27672

Fax: (678) 26599

Response C

Regarding the cost of my delegations' accommodation, it was Mr. Albert Kao and Mr. Chen who voluntarily offered to pay for our accommodation. We had enough Accountable Imprest on hand that can be used, instead we all accepted Mr. Albert and Chen's offer to meet the cost of our hotel charges etc.

5.22. Regarding gifts of whatever nature they may be, whether it be Television set, Video camera, video tapes, vides cassettes, mobile phones etc, if they are given genuinely without conditions, I don't see how this could be treated as compromising our positions with such gifts.

Also, according to Vanuatu culture and tradition, if someone brought a gift to you and if you refuse it, it would be disrespectful and shameful to whoever is bringing such gifts. Therefore, by accepting the gift, it does not necessarily mean that our position had been compromised in anyway whatsoever.

- 5.31. I did receive an envelope contained an airline ticket without any cash.
- 5.32. How the tickets were paid, I had no idea. This paragraph is full of suspicious assumption and all false allegations.
- 5.34. My staff to assist Mr. Chen's delegation during their visit to Vanuatu was an act done in good faith or in reciprocate to Mr. Chen for what he did to my delegation during our official visit to Hong Kong, without any matter connected to the issue of Vanuatu Passports.
- By August of 1997, I was already in the Ministry of Finance and remember having met Mr. Chen as potential new Foreign Investor interested to invest in Vanuatu.
- 5.36 5.44. Under paragraphs 5.36 to 5.44, it was clear enough for Ombudsman to know from the investigation that, the Vanuatu Ordinary Passports issued to the family of Mr. J. P. Chen between 2nd July and 14th August of 1997 were given in accordance with the Prime Minister's instruction to the New Foreign Affairs Minister, Hon. Vital Soksok. They were directly involved. How could the Ombudsman possibly include me in the scandal? There is no evidence in the Preliminary Report that proved I was involved.

This is where again I say this report is inflamatory and tainted towards me and reflect the wishful thinking of the Ombudsman to try and damage my reputation.

PRELIMINARY FINDINGS:

6.1. The appropriate authority to determine diplomatic status of Mr. J. P. Chen is the Vanuatu Government through the Foreign Affairs Ministry. As far as

Response C

I am aware Mr. Chen is still the Vanuatu Honorary Consul based in Macau, pending Portugal Government endorsement.

- It follows past practices normally adopted following an appointment of Honorary Consul abroad etc.
- 6.3. Same comment as above (6.2).
- 6.5. Passports, whether they be ordinary, officials or diplomatic, they are issued for 5 years term, nothing under unless appointments terminated earlier in case of the officials and diplomatic passports holders.

FINDING NO. 5

There was no proof to substatiate the allegations raised under this paragraph. I maintain the comments made under paragraphs 5.36 to 5.44, in my respond above.

- (5.41 to 5.43) Vanuatu Ordinary Passports issued to the family of J. P. Chen between 2/07/97 and 14/08/97, when I was no longer the Minister of Foreign Affairs and Immigration. I was already transferred to Ministry of Finance by that time. The Ombudsman cannot unnecessarily condemn me or include me in this exercise.
- 6.7. The Ombudsman arguments under this paragraph is totally unacceptable, because it has no evidence. How could I, as a Minister overrides the decision and instruction by the Prime Minister, when I was not even a Minister responsible for the Foreign Affairs and Immigration between July and August 1997?

Any checks should have been conducted by the Foreign Ministry not the Finance Ministry if it relates to satisfy requirements, one may wish to pursue in acquiring Vanuatu Passports.

I say Ombudsman Office is once again demonstrating non-impartiality in the report of alleged Passport scandal.

- Mr. Peter Sali was appointed as 3rd Secretary to the Ministry of Finance. He was not employed to work for Willie Jimmy in his personal capacity. He was a Vanuatu Government employee. Any discussions between Mr. Chen and Mr. Peter Sali does not necessarily reflect any agreement I may have on matter being discussed.
- 6.17 to 6.19 I am not aware neither do I involved in any meeting which could be qualified as being a <u>CONSPIRACY</u> meeting between Mr. Vohor, Mr. Jimmy and Mr. J. P. Chen.
- 6.24. Again, this paragraph contain all assumptions based on suspicious by the Ombudsman to try and damage my character and reputation.

Response C

CONCLUSION:

The allegation raised in the Preliminary Report which were purported to destroy my reputation have no basis and evidence to clearly show any direct or indirect act or involvement in the issue related to passport scandal.

Therefore, I request the Ombudsman to eliminate my name on the alleged list of people involved in the Vanuatu Passport Scandal. If my name is not eliminated in the Final Report, I may have to seek legal opinion and challenge the report before the Court.

Hon. T. R. Willie Jimmy MP for Port Vila Response C

REPUBLIC OF VANUATU
DEPARTMENT OF
STRATEGIC
MANAGEMENT
Ministry of Comprehensive
Reform Programme
Private Mail Bag 008



REPUBLIQUE DE VANUATU
DEPARTEMENT DE
GESTION STRATEGIQUE
Ministère du Programme de
Réforme Globale
RECEIVED
Z 2 DEC 1997
OMBLIDSMAN

Our/ Notre Ref:

Vendredi 19 décembre 1997

Madame Marie-Noëlle FERRIEUX-PATTERSON Médiateur de la République de Vanuatu Bureau du Médiateur, BP 126, Port Vila

Objet: Rapport préliminaire relatif à l'émission de passeports à la famille JIAN PENG CHEN Madame le Médiateur.

J'accuse réception de votre lettre du 5 décembre dernier relatif à l'objet sus-mentionné et vous en remercie.

S'agissant du premier paragraphe de votre lettre portant sur des allégations de "mauvaises conduites, de manquement au code de dirigeant ou de mauvaise gestion" à l'encontre des membres de la délégation, j'estime qu'aucun des faits relatés dans l'extrait du rapport préliminaire ne correspondent en tant que tels ou ne peuvent raisonnablement être qualifiés d'actes de "mauvaises conduites, de manquement au code de dirigeant ou de mauvaise gestion".

Cependant en vue de clarifier et préciser les faits, je soumets les commentaires suivants:

- 5.20 J'estime qu'il soit juste de préciser que le trajet à Macau via Hong Kong avait pour but de faire visiter au Ministre des Affaires étrangères d'alors, l'Honorable Willie Jimmy, les nouveaux bureaux de l'agence de commerce du Vanuatu par M. Chen.
- 5.21 Je ne me rappelle pas d'un agent du département des Affaires étrangères, autre que M. Sali du Ministère, faisant parti de la délégation à Macau. Je ne me rappelle pas avoir reçu une quelconque somme d'argent de M. Kao ni de M. Chen pour règler ma chambre d'hôtel à Macau. En conséquence, j'estime que la référence à un agent des affaires étrangères, qui aurait affirmé quoique ce soit, et en particulier que M. Jimmy, M. Sali, M. Joy et moi-même aient reçu une somme d'argent pour régler nos chambres d'hôtel, ne soit pure spéculation.
- 5.22 J'ai confirmé qu'il y avait effectivement deux cartons de télévision par contre je n'ai pas confirmé s'il s'agissait de cadeaux ou d'achats de la part M. Jimmy et M. Sali. Telle que rédigéé, la dernière phrase de ce paragraphe laisse supposer que j'ai effectivement assisté à la réception des cartons, ce qui n'est pas le cas.

Je concluerais en maintenant qu'aucun des faits relatés dans le rapport préliminaire ne constituent des actes de mauvaises conduites, de manquement à un quelconque code de dirigeant ou de mauvaise gestion.

Vous en souhaitant bonne réception, je vous prie de croire, Madame le Médiateur, à l'assurance de ma considération distinguée.

Georges Maniuri

Directeur

Response D

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GOVERNMENT OF THE REPUBLIC OF VANUATU

DEPARTMENT OF INDUSTRY, TRADE AND COMMERCE



Response E

GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

SERVICE DE L'INDUSTRIE, DU COMMERCE INTÉRIEUR ET EXTÉRIEUR

Mrs Marie Noelle FERRIEUX PATTERSON Ombudsman Ombudsman's Office Pilioko House P.O. Box 126 Port Vila Vanuatu.

URGENT

Our ref: ITC/200/502/97

Date: 10th December, 1997

Dear Madam,

Re: Your Report regarding Passports issued

to the Family of JIAN PENG CHEN

I acknowledged receipt of copy of your preliminary report pertaining to the controversial issue of Vanuatu Passports issued to the Family of Mr Jian Peng CHEN, and would like to make the following clarifications and observations with a view to provide a concrete evidence to the allegations made against me.

- 1. On paragraph 5.20, you correctly stated that between the period of April and May 1997, we travelled to Hongkong and Macau (Portuguese, Colony). Our invitation or rather the invitation given by Mr Albert Kao to the former Minister of Foreign Affairs, Hon. Willie Jimmy was purposely to visit the new Vanuatu Trade Office in Macau which was recently opened and to discuss with the Trade Commissioner the exact date by which the Vanuatu Trade Office would be officially inaugurated.
- Your report failed to mention or address the issue of the invitation, which was the initiative of both Messrs Kao and Chen and which in normal circumstances implies that they will bear the costs of the Vanuatu delegation hotel accommodations and meals whilst in their territory

In Hongkong, we were met by Mr Kao prior to our travel to Macau where the Minister's Delegation met Mr Chen and subsequently visited and inspected the facilities of the new Vanuatu Trade Commissioners Office in Macau.

 5.21. Your report alleges that it was during the course of this trip that Mr Jimmy and Mr Chen discussed the two (2) cheques issued to Mr Kao.

Port Vila: P.M.B. 030 — Telephone: (678) 22770 — Fax: (678) 25640

Santo: P.O. Box 230 - Telephone: (678) 36046

Response &

For purposes of clarifications and correction, I must admit that I have no knowledge of the issue of the cheques and payments, which subsequently led to the whole controversial issue of passport sales in Vanuatu.

However, had discussions emanate between the respective officials, I believe it is to do with the set-up of the Office and that the cheques would be utilised to foot the hotel bill for our delegation.

For correction purposes, there was no Foreign Affairs Officer travelling as part of the Minister of Foreign Affairs delegation at that particular point in time, however Mr Peter SALI's involvement in the mission was in this capacity as Second Secretary to the Minister of Foreign Affairs.

4. On the allegation that I, Mr Maniuri, Mr Jimmy and Mr Sali received money from Kao to pay for our accommodation. I would like to confirm that this allegation is totally false and has no substance as the accommodation expenses were settled by Mr Kao after we checked out from the hotel and had departed for Sydney Australia. I have no recollection whatsoever of any discussions relating to the issue of the cheques.

With specific reference to my statement which you have misinterpreted in you report, I would like to clarify the issue of gifts presented to the delegations. It must be stressed clearly that it is a tradition and customary visitors to Asia as guests are given some gifts whether (large or small) as a token of appreciation and friendship.

I would like to strongly stress that every Ni-Vanuatu who has travelled to Asia, whether on official or private visits has been given the same treatment and as such, this should not in anyway, form the basis of your investigation vis-a-vis the issue of the sale of passports.

 The gifts presented to Messrs. Jimmy and Sali were based on their seniority as very Senior Vanuatu Government Officials and comprises of a Video Cassette and a Camera respectively.

My initial statement which I refer to "a number of small gifts" basically qualifies and implies the Video Cassette and Camera which was received and confirmed by the recipients.

Response E

- I hope the replies as given will assist you in your investigation and findings as to the correlation between the events that took place in Hongkong and the direct sales or issue of Vanuatu Passports.
- 7. This submission is made in a genuine spirit of cooperation and understanding with a view to improving and strengthening dialogue between your high office and various Government Offices and Departments in future for the best interests of this Country.

I humbly and respectfully request that in the event you decide to release a public report, that this submission is taken into account and attached it as an Annex to your final report.

Yours sincerely,

Roy Mickey JOP Acting Director

Department of Industry, Trade & Commerce

Response E

1

P.O. Box. 126 Port, Vila

RECEIVED 1 2 DEC 1997 OMBUDSMAN

ATIN: MR: PASA TOSUSU Dear sir,

DE: Prelininary report regarding pressports issued to the Family OF Jian Peng Chen.

Mi wanten informen you se mi recivime letter we you bin sendem i kam about matter we i mention antap.

Long ples in ni think so mi bin talemant finis long report blong ni long Mrs. M.N. Farricux. Hi neva aware long issued blonged passports we is ko long family Jian Peng Chen mo ni never save long of man ia too.

bin Kat wan letter we i adress long mi, but mi never receiving too. Taem blong enquiries none, hi tes receivem long namber 12 Sept. 1997- Letter ia stronge.

Mi thing se emia nomo mi save reply long of allegations, mo for your information.

Thank you. Jours faithfully Thenwo xome

GOUVERNEMENT DE LA REPUBLIQUE DE VANUATU



GOVERNMENT OF THE REPUBLIC OF VANUATU

Response

DEPARTMENT OF FOREIGN AFFAIRS

DEPARTEMENT DES AFFAIRES ETRANGERES

Port vila 11th December 1997

Ombusdman of the Republic of Vanuatu P.O. Box 26 Port Vila

Attention: Mr. Pasa TOSUSU

Director of General Complaints

RECEIVED
1 2 DEC 1997
OMBUDSMAN

Dear sir,

PRELIMINARY REPORT REGARDING PASSPORTS ISSUED TO THE FAMILY OF JIAN PENG CHEN.

In response to your preliminary finding and your allegations of wrong conduct and breaches of the Leadership Code, made against me, in relation to the above, I wish to advise that my memorandum to Mr Mark Bell, Principal Immigration Officer (copy attached) was a routine official request for the facilitation of entry permit or tourist visa made on behalf of Vanuatu Government for the Vanuatu Government Overseas Representatives and members of the Diplomatic Missions and International Organisations as per instruction of Director of Foreign Affairs (copy attached).

Therefore my memo in no way constituted an official request for Mr Beil to issue Vanuatu Passports to Mr Jian Peng Chen and his family. I hope the above facts do clarify my role in this matter. I will be happy to assist you futher in your investigation should there be a need to do so.

Yours faithfully

Sylvestre MELTER

Protocol and Consular Deficion

社企

TELEPHONE 22913 / 22347

P.M.B.: 051

FAX: 23142

TELEX: 1040 VANGO

Response H

issue of a passport sales. Mr Chan states that Mr Chen purchased airline tickets for new Minister of Foreign Affairs Vidal Soksok, his wife, his Secretary Alfred Maliu, and Mr Sam Bruno to travel to Hong Kong. These airline tickets were to Sydney and then onto Hong Kong leaving 3 September 1997 and returning 13 September 1997. It appears that the true purpose is likely to have been to continue the scheme that had been started with Mr Vohor and the former Fereign Affairs Minister Jimmy. Not thus to Heng to

Because there is not any agent of the Varmatu on Herry trong.

These tickets were paid for by cheques from the Harbourview Restaurant a Chinese restaurant in Port Vila. Mr Chan when asked about why the Harbourview Restaurant had paid cheques for these airline tickets stated that Mr Chen had paid money into a bank account that one of the owners of the Harbourview Restaurant held in Hong Kong and presumably money had been transferred from that account in Hong Kong to the Harbourview account in Port Vila and then used to pay for Messrs Soksok, Maliu and Sam's tickets. The tickets were not used possibly because of the publicity the issue of passport sales was starting to receive. Copies of the tickets of Messrs Maliu and Soksok are annexed as "24". Copies of the receipts for payment of these tickets issued to Harbourview Restaurant are annexed as "25".

the UMP goot had plans to proceed with and create two free sones in Vanuation, one on Santo and that other one on Maletrica. One of the reason is China is preparing to take back pessession of Hong Kong and Hoc envestores did register ate then names with the Vannetu Consulate in Hong Kong After FM Vehen terminated Miss Himford, we did not have confirmed into mation on these investors When we met Mr Chen he said that he would help us to get to Hong Kong and the what was chaptering there. You must know that the Velimata goot has asked Mr Chen to find runeas investment opportunities for lanuation.

×2/12/97

GOUVERNEMENT DE LA REPUBLIQUE DE VANUATU



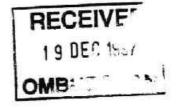
GOVERNMENT OF THE REPUBLIC OF VANUATU

DEPARTMENT OF FOREIGN AFFAIRS

DEPARTEMENT DES AFFAIRES ETRANGERES

17 December 1997

Mr Pasa TOSUSU
Director of General Complaints
Office of the Ombudsman
P.O. Box 126
PORT VILA



Dear Mr TOSUSU

Preliminary Report Regarding Passports Issued To The Family of Jian Peng Chen.

I refer to your letter dated 5 December 1997, relating to the above subject.

Mr Jian Peng Chen has been nominated as the Honorary Consul of Vanuatu to Macau. In the current revised list of the schedules of the Diplomatic and Official Passports Act approved by the Council of Ministers on 1 December 1994, Honorary Consuls have been included in the schedules for Diplomatic Passports. The issuance of the said document to Mr Chen, as instructed by former Foreign Minister Willie Jimmy, based on Mr Chen's status as Vanuatu Honorary Consul to Macau is in accordance with the approved schedules of the Passports Act.

Yours sincerely

OF POREIGN

AFFAIRS

DEPARTMENT

AFFAIRS

DEPARTMENT

AFFAIRS

DEPARTMENT

AFFAIRS

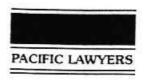
DEPARTMENT

AFFAIRS

Principal Assistant Secretary

(PS - Note above correct spelling of my first name)

1/5



PORT VILA

HONIARA

Barristers and Solicitors Moti Haus P.O. Box 72, Post Villa

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Telephone: (678) 27000 Facsimile: (678) 27002

RECEIVED 2 2 DEC 1997 OMBUDSMAN

December 15, 1997

The Ombudsman
Office of the Ombudsman
P O Box 126
Port Vila
Republic of Vanuatu

Confidential Communication

Attention: Pasa Tosusu, Esq.

Dear Sir/Madam

30

Re: Preliminary Report Regarding Passports Issued to the Family of Jian Peng Chen

We refer to your letter and enclosures of December 5, 1997 addressed to our client, Harbourview Chinese Restaurant.

We are instructed to make the following comments to clarify the contents of paragraphs 5.47 and 5.48 of the abovecaptioned Report:

- Our client had agreed to issue the cheques upon Mr Chen's assurance that
 the equivalent amount would be paid into one of our client's proprietors'
 account in Hong Kong for onward remittance to our client's account in Port
 Vila.
- 2. The above transactions were completed, as agreed.
- Our client had never been given nor forwarded any receipts for the payments.
- 4. Our client disclaims any knowledge of the purposes for which the cheques were required by Mr Chen.

Response J

We trust that the above explanation will assist your understanding of our client's involvement in the subject matter of your investigation.

Yours faithfully MOTIS

Dudley Aru

Partner





Office of the Ombudsman Bureau du Médiateur Ofis blong Ombudsman



30 January 1998

Honourable Prime Minister Mr Serge Vohor Vister Rialuth Prime Minister's Office P.M.B. 053 PORT VILA

Dear Honourable Prime Minister

RE: Preliminary Report On The Passports Issued To The Family Of Jian Peng Chen

I refer to our meeting of Friday 23rd January 1998 concerning the above matter.

I am writing this letter in English in order to facilitate the understanding with your second secretary who has been following these passport inquiries.

During our meeting you have stated that your comments were to be considered as official

answer to our preliminary report, I therefore wish to outline your miscellaneous comments and if you disagree on my understanding of them, I ask you to contact me as soon as possible.

I also understand that you have expressed the desire to write officially and you have asked me to wait till Thursday for your answer.

Referring to the 3 payments cash you received as mentioned in our letter of 23.01.98, you said:

- The monies which were received by you on 13.08.97 (USD10,000), on 14.08.97 (USD10,000), on 18.08.97 (USD30.000) were coming from supporters of the UMP Party and you denied that the funds were coming from Mr Chen or one of his business colleagues.
- You said that you could not give me the source of the funding that it was secret and it could create to grave relationship problems with other countries if the names were known as these supporters were well known people.
- 3 The monies were needed to finance the UMP Congress in Tanna which was set to start on 17.08.97.
- 4 The monies were used to pay for the Ship Sairaka from Ifira and Than's ship MV Killian. You did not have any receipt but you advised me to contact the ship's companies to obtain the justification of payments.
- You said that you would not as President of the party have accepted to do something wrong for the sake of the party.
- You also said that you were the one who initiated the passports inquiry and gave additional funding to our office to start investigating these matters.
- You said that up to the time when Mr Willy Jimmy came out publicly with his accusations against you and your Office, you had no idea that there was any problem with passports.

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- You have never supported in the Council of Ministers projects to sell passports and in fact when Mr Jimmy, last year presented a project on Immigration including the sale of passports, you and the Council of Ministers never approved this project.
- 9 You furthermore never approved the project to give Las Vegas Resort Group a sort of monopoly of Immigration Services presented by the Minister of Foreign Affairs, Mr Vidal Soksok.
- When Mr. Chen came to see you in August 97, he wanted to propose a project of Tobacco factory and that was the reason why you met him.
- You said to me that Mr William Tari, your second Secretary, had written to Mr Chen around that time in August indicating that it was not possible to give him some passports, but you were not able to produce a copy of that letter during our meeting.

I also wish to remind you of my comments during our meeting and taking into account the sums you received on 1 July 97 of USD 15.000.

On 1.07.97, you received USD15,000 and Mr Chen was visiting Vanuatu at that time and on 02.07 11 ordinary passports were received by Chen

On 13.08.97, when you received USD10,000, Mr Chen was visiting Vanuatu and had actually seen you in a private meeting between you and Mr Chen.

On 14.08.97, when you received USD10,000 you had a private meeting with Mr Chen.

On 14.08.97, Mr Chen received 8 more passports (see para6..5.0 of our report).

On 18.08.97 You received another USD 30.000.

On the basis of the circumstantial evidence we have, we will have to conclude that these sums were likely to have been given to yourself or to the UMP party by Mr Chen in order to be granted passports for him and his family and friends, especially when you indicate that you cannot divulge the source of these funds.

Please reconsider the situation as we need to know where these monies came from. We will need some evidence to support any of your new statements.

I would appreciate any comments if you have some before the end of the week. All these facts were already remitted to you last week. I wrote this letter just to make sure that you understood all their implications

Warning: Enquires of the Ombudsman remain strictly confidential until the public report stage in accordance with Article 62(%) of the Constitution and Section 20 of the Ombudsman Act.

MARIE-NOËLLE FERRIEUX PATTERSON OMBUDSMAN OF THE REPUBLIC OF VANUATU.