

**REPUBLIC OF VANUATU  
OFFICE OF THE OMBUDSMAN**

**PUBLIC REPORT**

**ON THE IMPROPER AND UNLAWFUL ISSUE OF  
DIPLOMATIC AND OFFICIAL PASSPORTS**

**TO "HONORARY CONSULS", "TRADE  
COMMISSIONERS" AND OTHER "SPECIAL"  
VANUATU REPRESENTATIVES AND  
MINISTERIAL "ADVISERS"**

**BY MR JEAN SESE AND THE DEPARTMENT OF FOREIGN  
AFFAIRS**

**ON THE IMPROPER AND UNREASONABLE INSTRUCTIONS OF**

**PRIME MINISTER RT HON S VOHOR  
FOREIGN AFFAIRS MINISTER VIDAL SOKSOK  
FORMER PRIME MINISTER HON MC KORMAN  
& FORMER FOREIGN AFFAIRS MINISTER  
HON WILLIE JIMMY & FORMER FINANCE MINISTER  
HON BARAK SOPE**

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## PREAMBLE

*"He that is greedy of gain troubleth his own house; but he that hateth gifts shall live" ..... Proverb 15 V 27.*

Few countries have made it harder to earn a passport than Vanuatu. The requirements are strict - there must have been ten years residence in the country, and there must have been no criminal record of any kind, or no doubtful background.

It has always been difficult to understand quite why these requirements were made so demanding, since for example, Australia requires only two years residence and New Zealand three years.

However, whatever the reasons behind those requirements, they were ignored by Senior Ministers when it suited them.

This "illegal" practice of improper issue of passports was not confined only to ordinary passports, but diplomatic and "official" passports were granted illegally to selected persons; some of whom had a criminal, or at least a questionable past, and most of them, not any information on them, and sometimes no address.

It should be noted that these actions also put other countries involved in a very undesirable position. For example, the possession of these "special" passports enable undesirable people to pass freely to and from some countries who would not have agreed to this if they had been asked, carrying diplomatic cases that tradition and agreements requires the customs not to open.

Therefore Vanuatu once again is put into a position, because of its leaders' actions, of losing the respect of other nations. This report gives clear evidence of the processes involved and of the actions of leaders elected to take care of the interests of the people.

In the years since Independence in 1980, many of these leaders at different times have used words like "pride", "integrity" "sovereignty" "independent" when referring to Vanuatu's nationhood. However these important words seem to have been forgotten.

## 1 FACTS AND COMMENTARY

- 1.1 This report concerns an improper and unreasonable practice that started in 1993 and has gathered pace since then. This is the issue of Vanuatu diplomatic and/or official passports to various foreign nationals and their spouses who have been appointed by Ministers as "Honorary Consuls", "Deputy Consuls", "Trade Commissioners", "Assistant Trade Commissioners", "Trade Representatives" and "Special Advisers".
- 1.2 The reason that I have put these titles in quotation marks is because my view is that with only a few exceptions all these appointments are a sham. There appears to be about 30 diplomatic passports and 40 official passports that were issued to persons that were not proper appointments. Also of serious concern is that two official passports (X000246 and X000393) and one diplomatic passport, (D000174), are missing and cannot be accounted for.
- 1.3 The appointments of these foreign nationals to these somewhat vague posts for the purpose of developing trade and/or looking after the needs of Vanuatu citizens from countries ranging from Thailand to "the Middle East" and even to a whole continent of Asia appears to be a convenient trick to take part in the fairly lucrative market for second passports.
- 1.4 Those involved were former Prime Minister Rt Hon Serge Rialuth Vohor, former Foreign Affairs Minister Vidal Sokso, former Prime Minister Hon Maxime Carlot Korman and former Foreign Affairs Minister Hon Willie Jimmy. There was on one occasion also a diplomatic passport issued to Peter Swanson under instructions of former Finance Minister Hon Barak Sope relating to the Bank Guarantees matter.
- 1.5 The great majority of these appointees:
  - (a) have never been approved by the receiving country (this means the country to which the appointee is posted; ie for the Honorary Consul to Malaysia the "receiving country" will be Malaysia) and thus are invalid and ineffective.
  - (b) have never done any work for Vanuatu citizens living overseas (in most cases this because there are no ni-Vanuatu living in these countries; eg Cambodia, Thailand, Seychelles, Nauru and Malta) or
  - (c) have never successfully promoted Vanuatu resulting in investment for or trade with Vanuatu;
  - (d) have never submitted any reports as directed to do so in their letters of appointment (where those exist).
- 1.6 For many of these appointees:
  - (a) other than their name, nothing is known about them or their background. The Department of Foreign Affairs at one point had to write to the



Immigration Department asking for addresses from Immigration and Departure cards for various official and diplomatic passport holders as they did not hold even these most basic detail on their own files!

- (b) they are young people without any demonstrable skills or qualifications to carry out the specialised tasks that are required of bona fide Consuls and Trade Commissioners; and
- (c) they already hold or have held other foreign passports, including in a few instances Vanuatu official and/or diplomatic passports. The most recent examples are four passports issued by Foreign Affairs Minister Soksok to four men with Chinese names in late November/early December 1997 who held passports from Nauru issued about 1 week earlier. Two of these Chinese people are now Vanuatu's "Honorary Consuls to Nauru"; and
- (d) they do not live in the country in which they are supposed to be representing Vanuatu and for a few are not even residents let alone citizens of the receiving country

1.7 In the case of a couple of these appointees:

- (a) they have criminal convictions or have been alleged to have been involved in fraudulent activities (eg Mr Yae Yong (Richard) JUNG<sup>1</sup> (appointed by Messrs Serge Vohor and Soksok) and Mr Peter SWANSON<sup>2</sup> (appointed by Mr Barak Sope); WANG Zhi-Ying<sup>3</sup> (appointed by Mr Maxime Korman)
- (b) they have also received citizenship and an ordinary (as distinct from diplomatic) passport as well (Mr Jian Peng CHEN (appointed by Messrs Vohor and Soksok) and Mr Yae Yong (Richard) JUNG.

1.8 Mr Jean Sese, the suspended Director of the Foreign Affairs Department, was the compliant servant of Messrs Vohor, Korman, Jimmy, Soksok and Sope in issuing these passports that should never have been issued. Most recently, when the Ombudsman's Office started enquiring into allegations of illegal passport issues in September 1997, Mr Soksok from November 1997 has now illegally taken over responsibility for issuing diplomatic passports himself as advised to us by the Foreign Affairs Department.

1.9 Interestingly also was that after the Ombudsman's Office started inquiring into this matter the Department of Foreign Affairs suddenly started in late 1997

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<sup>1</sup> Refer Public Report on Appointment of Resort Las Vegas as Agent for "Immigration Scheme for Vanuatu" and the conduct of Prime Minister Rt Hon Serge Vohor and Foreign Affairs Minister Hon Vidal Soksok in assisting the grant of Citizenship and issue of Ordinary and Official Passports to Mr Jae Yong (Richard) Jung, 3 December 1997

<sup>2</sup> Refer Public Report on the provision of Bank Guarantees in the sum of US\$100,000,000 in breach of the Leadership Code and section 14 of the Ombudsman Act and related matters thereto, 3 July 1996

<sup>3</sup> Mr Wang, Mr Korman's "Special Representative in Jakarta, Indonesia" and "President" of the now defunct Dragon Bank was in 1996 investigated for allegations of defrauding other banks.

seeking letters of acceptance for persons it had already given diplomatic and official passports to. This was a pointless exercise since the passports had already been handed out.

1.10 The best way to set out this information is by way of tables. **Table 1** to this report is a list of diplomatic passports that on present information appear to have been improperly and/or illegally issued, with some exceptions as marked. **Table 2** is a list of official passports that that on present information appear to have been improperly and/or illegally issued, with some exceptions as marked. The relevant law and practices relating to diplomatic passports is set out in the next section, section 2.

1.11 The following information is a selection of what is to be noted from the tables:

- Out of 70 passports issued only 6 have been issued with a letter of acceptance from the receiving country. 64 were issued without a letter of acceptance.
- Vanuatu has 8 or 9 representatives in Taiwan
- Vanuatu has four representatives in Singapore and two each in Nauru and the Philippines
- Vanuatu has ten representatives with official passports for whom no-one knows in which country they are representing Vanuatu
- Vanuatu has issued passports to four "special advisers"
- About 20 appointments were made by Mr Korman
- About 19 appointments were made by Mr Jimmy (some with Mr Vohor)
- Eight appointments were made by Mr Vohor (some with Mr Jimmy)
- 
- About nine appointments were made by Mr Soksok
- One appointment was made or recommended by Mr Sope

**TABLE 1 - DIPLOMATIC PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held by receiving country  
 ¶ = Passport now in Department of Foreign Affairs' custody

<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
1. D000137	?? .03.93	<u>BIJON</u> , JEAN-FRANCOIS	France ("FR")	PM Economic adviser	Hon MC Korman
2. D000141¶	05.04.93	<u>THAN</u> , LIEN	US 0318977266, 17.08.96	HC "Asian countries"	Korman
3. D000143¶	29.04.93	<u>NGO</u> , CHO YAM	People's Republic of China "PRC"	Assistant HC "Asia"	Korman
<i>Note: probably same person as holder of X000376 see number 1 in Table 2.</i>					
<i>Note 2: Business card describes him as Deputy Special Advisor of the Minister of Foreign Affairs and Immigration for Asia Affairs</i>					
4. D000145¶	13.07.93	<u>ONG</u> , TEE HENG	M A5558928, 09.04.98 ID4852361	HC PRC	COM
<i>Note: Same person as 12 below. First name (ONG, Tee Heng - 5) is Cantonese spelling, second (WANG, Zhi Ying - 12) is Mandarin spelling</i>					
<i>Note 2: Also issued with official passport number X000386, refer number 2, Table 2.</i>					
5. D000146¶	29.07.93	<u>WU</u> , HUAN-HUI	Taiwan ("TWN") M2115562	Van Trade officer Twn	Korman
6. D000148	30.08.93	<u>MARTIN</u> **, DANIEL	FR 75.538598	HC France	COM
<i>Note: Appointed at same time as Mr &amp; Mrs Caerou, who were issued three official passports each refer X000398-X000403, refer 11-16, Table 2.</i>					
7. D000154	01.10.93	<u>HEINZ</u> **, EGLI	Switzerland 7799021, 22.03.97	HC Switzerland	COM
8. D000166	21.02.94	<u>YOSHIOKA</u> **, BUNNOSUKE	Japan MN3909601, 20.08.98	HC Japan	COM
9. D000167	24.08.94	<u>NAVIKAPOL</u> **, MONTREE	Thailand	HC Thailand	COM



**TABLE 1 (CONTINUED)**  
**DIPLOMATIC PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held by receiving country  
‡ = Passport now in Department of Foreign Affairs' custody

<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
10.D000169‡	20.09.94	<u>YAM</u> , Wilson Hilhong Lickie M D342376(O)	25.11.97	HC Malaysia	Korman
Note: Issued a second diplomatic passport (No D000194 see 13 below) and an official passport (see No 22 Table 2; X000449)					
Note 2: Also issued with a Bolivian passport number 3769844.					
11.D000171	04.10.94	<u>WANG</u> , ZHI YING	M A5558928, 09.04.98 ID4852361	HC Phillipines/PRC	Korman
Note: same person as 5 above; First name ( <u>ONG</u> - 5) is Cantonese spelling, second ( <u>WANG</u> - 12) is Mandarin spelling					
12.D000186	22.09.95	<u>SEET</u> , LYE HUAT (ALLAN) S 0210249-H,	13.04.97	HC Singapore	Korman
13.D000194‡	18.01.96	<u>YAM</u> , Wilson Hilhong Lickie M D342376(O)	25.11.97	PM Adviser	Korman
See 11 above					
14.D000197	26.03.96	<u>SWANSON</u> , PETER HAROLD	Australian	Special Representative	Hon BT Sope
15.D000232	20.01.97	<u>HIMFORD</u> , WENDY	Vanuatu A002173 17.12.00	HC Hong Kong	Hon W Jimmy
16.D000233	21.01.97	<u>PENYA</u> , PAUL	Australia	PM Economic Adviser	Hon S Vohor
17.D000238	18.02.97	<u>YAO</u> ** ENG HUE	Philippines 22007291 12.10.00	HC Phillipines	Jimmy
18.D000025	02.03.97	<u>ZHANG</u> , YUANLIN (DAVID)	Unknown	HC Canada (Vancouver)	Soksok
Note: is this the same person as <u>ZHANG</u> , QIAN see below tab ? X000594 in Table 2.					
Note 2: Also holds a Kiribati passport issued on 27.01.97 number 1001108					
19.D000026	14.03.97	<u>CHEN</u> , JIAN-PENG	PRC 142530089 18.04.01	HC Macau (Portugal)	Hon S Vohor
Note: Also received an ordinary Vanuatu passport for himself and 11 other colleagues/family Refer Ombudsman Report Regarding Passports Issued to the family of PP Chen.					
Note 2: Also issued a second diplomatic passport, D000032, on 1 July 1997, see 25 below					

**TABLE 1 (CONTINUED)**  
**DIPLOMATIC PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held by receiving country  
¶ = Passport now in Department of Foreign Affairs' custody

<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
20.D000027¶	14.03.97	<u>CHEN</u> , ZHA FAN	PRC	Secretary to HC Macau	Jimmy
21.D000028	16.05.97	<u>KAO</u> , YING FANG (ALBERT)	Britain 500043895 19.05.03	Ambassador Hong Kong	Vohor/Jimmy
22.D000029	16.05.97	<u>YAO</u> , DING MING	PRC 141721095 28.03.00	HC Seychelles	Vohor/Jimmy
23.D000030	19.05.97	<u>LU</u> , MING QIU	PRC	HC Vietnam	Vohor/Jimmy
<i>Note: Also holds a passport from the Republic of the Seychelles issued on 16.08.96 number is SEY A053055.</i>					
24.D000031	20.05.97	<u>LIN</u> , SHAOQUN REONARD	PRC	HC Thailand	Vohor/Jimmy
<i>Note: Also holds a passport from the Dominican Republic issued on 09.01.96 number 159411.</i>					
25.D000032¶	01.07.97	<u>CHEN</u> , JIAN-PENG	PRC 142530089 18.04.01	HC Macau (Portugal)	Vohor
<i>Note 2: Also issued a second diplomatic passport, D000026, on 14.03.97, see 19 above.</i>					
26.D000076¶	28.11.97	<u>SHENG</u> , YE GUAN	Nauru 014081(issued 19.11.97)	HC Nauru	Soksok
<i>Note: Also issued a second diplomatic passport D000079, see 30 below.</i>					
27.D000077	12.12.97	<u>CHEN</u> , SHEN	Nauru 014237(issued 03.12.97)	HC Philippines	Soksok
28.D000078	12.12.97	<u>JOHNSON</u> , YIP	Nauru 014236 (issued 03.12.97)	HC Philippines	Soksok
29.D000079	31.12.97	<u>SHENG</u> , YE GUAN	Nauru 014081(issued 19.11.97)	HC Nauru	Soksok

**TABLE 2 - OFFICIAL PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held from receiving country  
 ¶ = Passport now in Department of Foreign Affairs' custody

<b>NO.</b>	<b>Issued</b>	<b>Name</b>	<b>Nationality</b>	<b>Title given</b>	<b>Appointed by</b>
1. X000376	30.04.93	<u>YAM</u> , NG CHO	People's Republic of China "PRC"	Assistant HC "Asia"	Korman
<i>Note: probably same person as holder of D000143 see number 3 Table 1.</i>					
2. X000386¶	13.07.93)	<u>ONG</u> , TEE HENG	Malaysian 4852361	HC PRC	COM
<i>Note 2: Also issued with two diplomatic passports number D000145 and D000171, refer numbers 4 and 11, Table 2.</i>					
3. X000387¶	13.07.93	<u>MEI</u> , YEE MEI	People's Republic of China "PRC"	(Wife of <u>ONG</u> , see 2)	Korman
4. X000388	29.07.93	<u>WU</u> , HUAN-HUI	Taiwan "TWN"	Promotion Director Twn	Korman
5. X000389	29.07.93	<u>YU</u> , HSIANG-SHENG	Taiwan A103372059	Trade Comm'er Twn	Korman
6. X000390	29.07.93	<u>CHANG</u> , MAO WANG	Probably Twn	Dep'y Tr Comm'er Twn	Korman
7. X000391¶	29.07.93	<u>LEE</u> , SUNG LIN	Probably TWN	First Secretary	Korman
<i>Note: Issued two official passports X000395 see 10 below.</i>					
8. X000392¶	29.07.93	<u>HSUEH</u> CHIN LUNG	Probably TWN	Public Officer	Korman
<i>Note: Issued two official passports X000394 see 8 below.</i>					
9. X000394	02.08.93	<u>HSUEH</u> CHIN LUNG	Probably TWN	Public Officer	Korman
<i>Note: Issued two official passports X000392 see 9 above.</i>					
10. X000395	02.08.93	<u>LEE</u> , SUNG LIN	Probably TWN	First Secretary	Korman
<i>Note: Has two official passports X000391 see 7 above.</i>					

**TABLE 2**  
**OFFICIAL PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held FROM receiving country  
¶ = Passport now in Department of Foreign Affairs' custody

<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
23.X000533¶	15.01.97	<u>LO</u> , YIN CHI	TWN	Dep Trade C'mmer Tw	Jimmy
24.X000535¶	15.01.97	<u>LIAO</u> , LIU YUAN-HUAN	TWN	Trade C'mmer Tw	Jimmy
25.X000540	03.02.97	<u>HO</u> , MENG HUNG	TWN	Dep Trade C'mmer Tw	Jimmy
26.X000556	10.04.97	<u>YU</u> , (LARRY)	Probably PRC	Tr C'r Cambodia/Kampuchea	Vohor/Jimmy
<i>Note: Also holds a Marshall Islands Passport number 018240 issued on 20.05.96</i>					
27.X000563	? .05.97	<u>CHI</u> , YI JEN	TWN? M7854994	11.01.99	Trade C'mmer Tw Jimmy
28.X000564	20.05.97	<u>ZOU</u> , CONGJUN (DAVID)	PRC 143010757	25.12.01	Assistant Trade Com ? Jimmy
<i>Note: Wife Sun Jing i(PRC 143010402 exp 19.12.01) included on this official passport.</i>					
29.X000565	19.05.97	<u>ZENG</u> , JIAN RONG	PRC 143179256	02.02.02	Trade Com ? Jimmy
30.X000566	19.05.97	<u>TAN</u> , SHAOQING	PRC P1980134	21.11.97	Trade Com ? Jimmy
31.X000567	19.05.97	<u>YE</u> , GUAN SHENG	PRC 141035371	14.11.99	Trade Com ? Jimmy
32.X000568	19.05.97	<u>HU</u> , YUAN CHUN	PRC 141035371	14.11.99	Ass Trade Com ? Jimmy
33.X000569	19.05.97	<u>GU</u> , FUSHOU	PRC 143632643	11.02.01	Ass Trade Com ? Jimmy
34.X000570	19.05.97	<u>HU</u> , JING (DAVID)	PRC 140972148	11.02.01	Trade Com PRC Jimmy
<i>Note: Wife Yu Yuehua (PRC 142151263 exp 12.12.00) included on this official passport.</i>					

**TABLE 2 (CONTINUED)**  
**OFFICIAL PASSPORTS ISSUED**

**KEY**

\*\* = Letter of acceptance held FROM receiving country  
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<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
11.X000398¶	30.08.93	<u>CAEROU</u> , ANNICK	FR 75-506589 14.11.93	Public Officer	COM
<i>Note: Mr &amp; Mrs Caerou were issued three OFFICIAL passports each. They were appointed at the same time as MARTIN, Daniel, see 7, Table 1</i>					
12.X000399¶	30.08.93	<u>CAEROU</u> , ANNICK	FR 75-506589 14.11.93	Public Officer	COM
13.X000400¶	30.08.93	<u>CAEROU</u> , YVES	FR 950389011170 19.09.94	Public Officer	COM
14.X000401¶	30.08.93	<u>CAEROU</u> , YVES	FR 950389011170 19.09.94	Public Officer	COM
15.X000402	30.08.93	<u>CAEROU</u> , YVES	FR 950389011170 19.09.94	Public Officer	COM
16.X000403	30.08.93	<u>CAEROU</u> , ANNICK	FR 75-506589 14.11.93	Public Officer	COM
17.X000414	15.03.94	<u>CHAU</u> ** , MEI PING	PRC or TWN	Trade Comm'er Macau	Korman
18.X000423	20.05.94	<u>WONG</u> , SING WA	Probably PRC	Trade Comm'er HK	Korman
19.X000434¶	20.09.94	<u>LAI</u> , KUO SHU	PRC	Special Adviser	Korman
20.X000435	20.09.94	<u>LAI</u> , KUO SHU	PRC	Special Adviser	Korman
21.X00438¶	(25.10.94)	<u>LU</u> , (MARY) MIN	Probably PRC	Unknown	Korman
22.X000449¶	(07.02.95)	<u>YAM</u> , Hilhong Lickie	PRC	PM Special Rep	Korman
<i>Note: issued with two diplomatic passports (No D000169 &amp; D000194 see 11 and 13, see Table 1)</i>					
<i>Note 2: Also issued with a Bolivian passport number 3769844.</i>					

**TABLE 2 (CONTINUED)**  
**OFFICIAL PASSPORTS ISSUED**

KEY

\*\* = Letter of acceptance held FROM receiving country  
† = Passport now in Department of Foreign Affairs' custody

<u>NO.</u>	<u>Issued</u>	<u>Name</u>	<u>Nationality</u>	<u>Title given</u>	<u>Appointed by</u>
35.X000573	06.06.97	<u>TOK</u> , KENG PIN	Singapore ("S") S0003772I 26.05.07	Dep Consul S	Soksok
36.X000574	06.06.97	<u>LEONG</u> , KIM MOOK	S S0239742J 12.01.05	1ST Secretary S	Soksok
37.X000575	06.06.97	NG SOON TECK (RAYMOND)	S S1277730B 16.03.04	2ND Secretary S	Soksok
38.X000591	05.08.97	<u>GROENEN</u> , AMOURY	BEL T895957 25.01.98	Special Trade Rep "Middle East" COM	
		<i>Note: Mr Groenen holds a power of attorney to negotiate on behalf of Vanuatu (refer annex 5)</i>			
39.X000594	02.09.97	<u>ZHANG</u> , QIAN	PRC	Trade Rep Canada	Soksok
40.X000595	02.09.97	<u>LIU</u> , YAFEN	PRC	Trade C'r Vietnam	Soksok
41.X000610	27.10.97	<u>JUNG</u> , YAE YONG	SOUTH KOREA	Trade C'r South Korea	Soksok



## **2 LEGAL BASIS FOR THE ISSUE OF DIPLOMATIC AND OFFICIAL PASSPORTS**

2.1 S 2 of the Diplomatic and Official Passports [Cap 179] states:

- (1) Subject to the provisions of this Act, an officer authorised in that behalf by the Minister may issue Vanuatu diplomatic and official passports.
- (2) Diplomatic and official passports shall be issued in the name of the Minister responsible for the foreign affairs of the Republic of Vanuatu and shall be in such forms as are prescribed by the Minister.
- (3) No fee shall be charged for the issue of diplomatic and official passports

2.2 Schedule 1 and schedule 2 specify exhaustively the only people to whom diplomatic and official passports can be issued. These schedules provide as follows:

### **SCHEDULE 1**

(section 1)

#### **CATEGORIES OF PERSONS ENTITLED TO DIPLOMATIC PASSPORTS**

The President of the Republic

The Prime Minister

The Speaker of Parliament

Government Ministers

Vanuatu Ambassadors

Vanuatu High Commissioners

Foreign Affairs personnel: diplomatic and consular staff

Leader of a delegation or sole Vanuatu representative at international conference or bilateral or multilateral negotiations

Diplomatic couriers

Persons in respect of whom the Minister considers exceptional circumstances apply

Spouses of persons granted Diplomatic Passports provided they are travelling on duty at Government expense

### **SCHEDULE 2**

(Section 1)

#### **CATEGORIES OF PERSONS ENTITLED TO OFFICIAL PASSPORTS**

Members of Parliament

Chief Justice

Attorney General

Judges of the Supreme Court

Solicitor General

Magistrates

Commissioner of Police

Ombudsman

Chairman of the National Council of Chiefs

Officers of Vanuatu Government and Parliament

Persons in respect of whom the Minister considers exceptional circumstances apply

Spouses of persons granted Official Passports provided they are travelling on duty at Government expense

2.3 Therefore two important requirements are that:

- (a) The official or diplomatic passport is issued by an officer authorised by the Foreign Affairs Minister. (In that regard there should be a written and gazetted instrument appointing and authorising an officer of the Ministry of Foreign Affairs to issue these types of passports). Note also that there is no legal authority for the Minister to issue the passports him or herself; and
- (b) Official passports and diplomatic passports can only be issued to persons set out in the categories stated in schedule 1 or schedule 2 by the appointed officer per (a) above.

2.4 There does not appear to be any legal basis to issue "Honorary Consuls" or "Trade Commissioners" with a diplomatic passport or official passport. I do not consider either of these officers falls within "*Officers of Government and Parliament*" (who may hold official passports (but not diplomatic)). This category comprehends posts such as the Clerk of Parliament and political secretaries, all of whom are paid by the Vanuatu government. Both "Honorary Consuls" and "Trade Commissioners" posts are unpaid.

2.5 On the face of the two schedules from the Diplomatic and Official Passports Act there is a no *prima facie* legal basis to issue an "Honorary Consul" or "Trade Commissioner" with a diplomatic passport or official passport. One must consider whether these classes of person fall within either "*Foreign Affairs personnel: diplomatic and consular staff*" or "*Persons in respect of whom the Minister considers exceptional circumstances apply.*"

2.6 With respect to the first, the issue is whether "*consular staff*" referred to in the "*Foreign Affairs personnel*" category includes the position of "*Honorary Consuls*". (Clearly, "*Trade Commissioners*" are not included). Our legal

opinion is that "*Honorary Consuls*" are not included. This is because "*consular staff*" must be "*personnel*" of the Foreign Affairs Ministry. The word "*personnel*" is not defined in the Act. The Oxford English Dictionary (6th ed) defines the word at page 825 as follows:

Body of persons employed in public undertaking, armed forces, factory, office, etc

- 2.7 Accordingly, "*consular staff*" as used in schedule 1 of the Act are persons that are in a relationship of employment with Vanuatu's Foreign Affairs Ministry. This interpretation is consistent with the balance of the categories in schedule 1. All those other persons mentioned are in a relationship of employment with the Government or Republic of Vanuatu. The only overt exception to this is spouses of the above.
- 2.8 The only other possible basis one must consider Trade Commissioner is whether these classes of person fall within "*Persons in respect of whom the Minister considers exceptional circumstances apply.*" It is difficult to see how Trade Commissioners would fall into this exception. An example of an exceptional situation might be if Vanuatu wished to send a representative to the funeral of Princess Diana and the President and Speaker were not available to attend. In that circumstance the Minister of Foreign Affairs might approve the issue of a diplomatic passport to a paramount chief to attend on Vanuatu's behalf. The passport would then be handed back in after the representative returned from the trip to the Department.
- 2.9 This exception is a quite different from issuing passports to every third foreigner "willy nilly" without consistency or logic instead of on rare exceptions. These passports are valid for five years and give the holders certain privileges and protections that can be abused. For example diplomats can often attempt to be exempted from having their bags searched at foreign airports. For the unscrupulous this means that they could carry "dirty" money, drugs or even weapons with less risk than on an ordinary passport. If this is revealed then the value of diplomatic and official passports to genuine representatives of Vanuatu is harmed.
- 2.10 Two other points should also be noted:
- (a) The Consular Relations Act [Cap 200] also, which adopts the Vienna Convention on Consular Relations (24/04/63) makes no reference to the issue of diplomatic and official passports to Trade Commissioners or Honorary Consuls; and
  - (b) The appointment does not become effective until the receiving State agrees and accepts the nomination of the sending state (Vanuatu in this case). This requirement is specified at item 1 in Vanuatu Council of Ministers' own written criteria on appointments of Honorary Consuls annexed to the Jung report of 3 December 1997. A copy of the Ministers' criteria is annexed as annex "1"

### **3 WHY WERE THE PASSPORTS IMPROPERLY ISSUED?**

- 3.1 It appears that Ministers, Vohor, Soksok, Jimmy, and Korman, may have arranged for passports to be issued for corrupt or improper purposes. It appears that on occasion money and or other benefits may have been given to the Ministers in exchange for the passports. The Ombudsman's Office does not believe that it has evidence of all the payments or benefits that may have been made because the nature of corruption is to hide itself.
- 3.2 However, the evidence that has been gathered appears to show a disturbing connection between money and/or benefits and passports for these four Ministers. There appears to be no other plausible or reasonable explanation for issuing passports to people who were not accepted in the countries in which they were supposed to be representing Vanuatu - most of which where no Ni Vanuatu people live and many of which have no trade with or investment in Vanuatu. This allegation was put these four Ministers in the preliminary report and none of them denied it.
- 3.3 No evidence is held of receipt of payments or benefits by Mr Sope. In respect to Mr Sope in the absence of any legitimate explanation, as to why Mr Swanson received a diplomatic passport I consider that it was issued irregularly. Mr Sope denied any corrupt link.
- 3.4 Set out below is information that may suggest a link between former Ministers Vohor, Soksok, Jimmy, and Korman, and some of those issued with passports. It is also to be noted that most of those passports issued were done so on instructions by individual Ministers and not by the Council of Ministers. For passport holders appointed by the Council itself most had acceptance letters sent from the receiving country.

#### **Mr Korman**

- 3.4 Funds received from a company named Mascot Holdings Limited (This is the same company that was reported in the Trading Post on 3 February 1996 as being associated with Mr Korman and funds requested by him from Honorary Consuls) shows that Mr Korman has authority on the transfer of funds from the account of Mascot Holdings Limited.
- 3.4 Mr Korman received funds from an account at Bank Bumiputra Malaysia Berhad Airport Branch. This is also an account associated with Mr Korman and funds requested from the Honorary Consuls.
- 3.5 Many of these amounts are listed in the report that this Office has carried out in respect to Mr Korman's use of the "Cyclone Betsy" account. For the purposes of this report the statements made in that report can be taken as repeated here. One prime example from that report is the letter dated 29 August 1995 from Wong Sing Wa the "Vanuatu Trade Commissioner in Hong Kong" sent to Mr Paul Lien Than the "Honorary Consul for Asia". In that letter Mr Wa refuses Mr Paul Lien Than's request made on behalf of Mr Korman and says further *"we've already done our best support to Prime Minister's election and had*

*made two contributions totalling US\$30,000.00 in the earlier days during PM's visit to Hong Kong last time."*

#### **Mr Vohor**

- 3.6 The Ombudsman's Office has obtained evidence that Mr Vohor was paid just over US\$5,000 by a person calling himself Mr Wilson Hilhong Lickie YAM Junior, Vanuatu's "Honorary Consul to Malaysia". A copy of the bank receipt document dated 10 May 1996 confirming this deposit to Mr Vohor's account is annexed as "2". This allegation was put to Mr Vohor and he did not deny it. From the tables above it will be noted that Mr YAM was issued with the following passports, following appointments made by Mr Korman:

- D000169 on 4 October 1994
- X000449 on 7 February 1995
- D000194 on 18 January 1996

- 3.7 Mr Vohor received and transacted a number of lump sums in cash totalling US\$60,000 which were detailed in the Ombudsman's Public Report regarding passports issued the family of Jian Peng CHEN, dated 4 February 1998, the "Honorary Consul to Macau". Mr Chen also is the holder of a diplomatic passport, D000026 - refer No 19, table 1 above. Three of these payments coincide with the dates of Mr Chen's meetings with Mr Vohor. The fourth and last occurred the day after the Chen delegation left Vanuatu after they had received passports three days earlier on 14 August 1997.

- 3.8 Mr Amos Bangabiti MP in his reply to the Jung Pardon report of 30 January 1998 stated that he had been coerced to sign the pardon letter by Mr Alfred Massing MP because Mr Richard Jung was reportedly paying money to the UMP and Mr Vohor. Mr Jung also received passports through Mr Vohor's help as detailed in our public report of 3 December 1997.

#### **Mr Jimmy**

- 3.9 Mr Jimmy benefited from gifts from Mr Chen in his trip to Macau and also payment of a trip to Australia and spending money. Mr JP Chen has recently confirmed in writing that Mr Jimmy's trip to Macau was in his official capacity as a Minister. Despite this Mr Jimmy never accounted the gifts to the Republic but retained them as his own personal property. This was detailed in paragraphs 6.21-6.25 and 6.35-6.37 in the Ombudsman's Public Report regarding passports issued the family of Jian Peng CHEN, dated 4 February 1998.

#### **Mr Soksok**

- 3.10 On or about 7 October a political secretary of Minister Vidal Soksok went to a commercial bank in Port Vila and attempted to open a new bank account in Mr Soksok's name. He then attempted to deposit a cheque for US\$15,000 into this account. The cheque for US\$15,000 was not made out to Mr Soksok but the "*Ministry of Foreign Affairs & Immigration, Republic of Vanuatu*". To attempt to negotiate the cheque belonging to someone else to one's own benefit amounts to a type of theft called conversion. It is possible that this cheque is



connected with Mr Soksok's unlawful issue of passports. The bank concerned refused to open the account in Mr Soksok's name. Copies of the cheque and bank's diary note are annexed as "3" and "4". Two Chinese Messrs Zhang and Liu were appointed as "Trade Commissioners to Canada and Vietnam" and issued with official passports the month before by Mr Soksok (refer 39 and 40 on Table 2).

### Mr Sope

3.11 Mr Sope arranged for issue of a diplomatic passport for now convicted fraudster Peter Swanson who was the chief architect of the US\$100 million bank guarantee scam. Mr Swanson was sentenced to 20 months' imprisonment on 5 December 1997 on the following 7 counts:

- Attempted Obtaining of Property by False Pretences, contrary to sections 125(c) and 28 of the Penal Code Act [Cap 135]
- Fraudulently attempting to induce a person to invest money, contrary to Section 11 of the Prevention of Fraud (Investments) Act [Cap 70]
- Dealing in securities without a Dealers licence, contrary to Section 2 of the Prevention of Fraud (Investment) Act
- Forgery, contrary to Section 140 of the Penal Code
- Uttering Forged Documents, contrary to section 141(a) of the Penal Code
- False Statement by a promoter, contrary to section 129(c) of the Penal Code
- False statement by promoter, contrary to section 129(c) of the Penal Code

3.12 By providing Mr Swanson with a diplomatic passport I consider that Mr Swanson was able to commit his criminal activity more easily with the benefit of a diplomatic passport. The basis for my statement appears in Mr Sope's own letter to the DFA director Mr Sese dated 26 March 1996, a true copy of which is annexed as **4A** Mr Sope says within that letter:

I herein advise you that Mr Peter Harold Swanson will hereafter, carry out an important task as a diplomat of this country, therefore you are to issue Mr Swanson with a diplomatic passport within 24 hours.

3.13 Mr Sope was involved with a Council of Ministers decision to appoint Mr Armoury Groenen, Vanuatu's "Special Trade Representative to the 'Middle East. Mr Groenen is from the European country of Belgium but lists his residential address on his CV as in England.

3.14 It is uncertain as to what was behind this bizarre appointment but what is most concerning is that Mr Sope, on instructions from the Council of Ministers (of which he was a member) gave Mr Groenen a power of attorney on behalf of Vanuatu in which states "*that any negotiation entered into by the Mr Groenen shall be as good and effectual where it is done in accordance with this Deed as if the same has been made, executed or done by the Government in its proper name*". A copy of this power of attorney is annexed as "5". This means that Mr Groenen can, amongst other matters, in my view legally bind the Republic of Vanuatu to contracts without the Attorney



General or anyone else in Vanuatu looking at it first. Mr Sope disagrees with this interpretation of the deed and his view is set out in section 5, point (g).

#### **4 THE ROLE OF MR JEAN SESE, DIRECTOR OF FOREIGN AFFAIRS DEPARTMENT**

4.1 Mr Sese is apparently a well qualified and experienced director. Until his recent suspension pending a disciplinary hearing in connection with his issue of a passport to convicted criminal and illegal immigrant Yae Yong Richard Jung, Mr Sese had been director of the Foreign Affairs Department for many years .

4.2 Unfortunately, despite his qualifications and experience, Mr Sese has shown himself to be either stupid or possibly corrupt or a combination of both. However one may characterise him, the fact is that from mid 1993 onwards Mr Sese, as the person in charge of the Department given the statutory authority to issue diplomatic and official passports, allowed about 64 passports to be issued to persons for whom there was no letter of acceptance held from the receiving country and for many for whom nothing was known, not even an address. Fortunately, as detailed in the tables a number of these passports are in the custody of the Department of Foreign Affairs. The only explanation for allowing issue of passports to:

- such nebulously entitled persons as "special advisers"
- an Honorary Consul for the whole of "Asia"
- Vanuatu's "ambassador" to Hong Kong
- various persons with Chinese names but with recently issued passports from various other third countries
- an Honorary Consul to China (a country that specifically does not have any honorary consuls in its country)

is incompetence or corruption.

#### **5 REPLIES**

##### **Reply of Mr Sope**

5.1 Mr Sope replied. He did so by letter dated 18 February 1998. A copy of his reply is annexed as **A**. It will be noted that some of his reply is blacked out. The reason for this is that Mr Sope has repeated points made by me in the preliminary report to which he did not agree. Having considered Mr Sope's reply I accepted that certain comments were not appropriate in respect to him and it is fair to observe that his activities were not as grossly in breach of the Leadership Code as the other four Ministers. It therefore would be unfair to him if the preliminary comments made about him which I had agreed to remove from the final public report still remained through his repetition of them in his own reply.

- 5.2 I should add that I did not agree with all of the criticisms made by Mr Sope so a number remain stated in the final report. I now summarise the points made by Mr Sope in his reply and comment on them.

- 
- (a) Mr Sope states that in respect to Mr Swanson it was a decision of the Minister of Foreign Affairs and that he only made a "request". He says that the Foreign Affairs Minister makes a decision on exceptional circumstances [and the implication in this is that there were exceptional circumstances].

#### Comment

Mr Swanson had not been approved by the Council of Ministers. Mr Sope's letter to Mr Sese was in the form of an order and not a request. Mr Sope's language was "*therefore you are to issue Mr Swanson with a diplomatic passport within 24 hours*". See appendix 4A. Further Mr Sope makes no reference to what the exceptional circumstances were. Obviously what these must have been were Mr Swanson's ability to carry out his "*special assignment*", the US\$100 million bank guarantee scam. Mr Sese's reply to Mr Sope's letter says as follows:

*"26th March 1996  
Mr Peter Swanson  
c/o Ministry of Finance  
Port Vila*

*Dear Mr Swanson*

*After consultation with the Minister of Finance, Hon B Sope, and the Minister of Foreign Affairs, Hon A BANGABITI, today, and in accordance with the Power of Attorney conferred onto you by the Prime Minister, Hon M Carlot KORMAN, on March 22, 1996 to undertake a special assignment on behalf of the Vanuatu Government, the Department is pleased to issue the Vanuatu Diplomatic Passport D000197 both in recognition of the task you are about to do **and to facilitate your work.***

*The passport is to be returned to this Department on the completion of this assignment which is understandably at the end of this year 1996.*

*Yours faithfully*

*Jean Sese  
Director*

*cc: - Hon Prime Minister  
"- - Hon Minister of Finance  
"- - Hon Minister of Foreign Affairs*

*(emphasis added)*

- 
- (b) Mr Sope then gives his opinion on the law in relation to section 2 of the report and disagrees with the legal analysis appearing in the report.

Comment

Mr Sope is not a lawyer. I prefer to rely on the legal advice provided to me by qualified lawyers.

- 
- (c) Mr Sope objected to the original comments made by me in relation to how I had characterised his connection with issue of passports to Messrs Groenen and Swanson.

Comment

In view of my acceptance of his comments on this point I amended the report.

- 
- (d) Mr Sope made a further objection to the manner in which I had characterised his connection with the Bank Guarantees.

Comment

In view of further legal advice that I obtained I amended the report in light of Mr Sope's comments. I reserve my position in respect to the point and do not change the findings made about Mr Sope in any of the three Bank Guarantees Public Reports.

- 
- (e) Mr Sope objected to my view that by providing Mr Swanson with a passport it was easier for him to commit criminal activity. Mr Sope asked "Where is the proof?" Mr Sope also mentions the fact Mr Swanson has appealed his case to the Appeal Court.

Comment

The fact is that Mr Sope was not authorised to take part or sign the Bank Guarantees by the Council of Ministers. It is a fact that Mr Sope did sign the guarantees without authority. It is a fact that Mr Swanson was involved in this "special assignment". Mr Sope in his letter to Mr Sese told him that Mr Swanson was to "carry out an important task as a diplomat of this country, therefore you are to issue Mr Swanson with a diplomatic passport within 24 hours". Mr Sope in his own letter therefore sees the passport integral to Mr Swanson carrying out his "important task". Further Mr Sese in his reply tells Mr Swanson that his "Department is pleased to issue the Vanuatu Diplomatic Passport D000197 both in recognition of the task you are about to do **and to facilitate your work**". Therefore in answer to Mr Sope's question "Where is the proof?" I would suggest that it is on his own files and is a conclusion based on common sense.

- 
- (f) Mr Sope states that it is a complete lie to say that Mr Sope arranged for Mr Groenen's official passport and his appointment.

### Comment

I consider Mr Sope is justified. Our original information checked by Department of Foreign Affairs suggested that Mr Sope had acted alone. Following a further consultation between my office and Foreign Affairs, they produced a letter from Mr Tabiusu to Mr Sope stating that Mr Groenen had been approved by the Council of Ministers (a copy of which is annexed as 6). However, it is to be noted though that in the deed of signed by Mr Sope it states that it is Mr Sope on behalf of the Government who appoints Mr Groenen

Additionally, the fact remains that Mr Groenen received his official passport before any approval was received from the Belgian authorities. It still has not been received despite the Department of Foreign Affairs now writing (after issue of the passport) to the Belgium authorities.

- 
- (g) Mr Sope disagrees with my statement that the deed gave Mr Groenen the power contract on behalf of Vanuatu. He says that this statement is misleading and that he has taken legal advice on this point.

### Comment

I stand by the original statement. The deed talks about things being "*effected and executed*". It is therefore my view, based on legal advice, that the deed did give Mr Groenen the ability to conclude contracts within his area of responsibility - namely, the Middle East. Mr Sope is also correct to point out that the Attorney General has signed the deed as well.

- 
- (h) Mr Sope then comments on the findings that had been made in the preliminary report. He repeats some matters already stated by him and introduces some new points. Of these new points - first he says that both Messrs Groenen and Swanson gave CVs which were considered by the Council of Ministers who approved both.

### Comment

As noted above I accept that the Council of Ministers approved Mr Groenen. This fact does not make the issue of the official passport to him lawful. It remains unlawful and unreasonable in my view. Further investigations have uncovered the CV for Mr Groenen. It is annexed as 7. It is a vague and fairly imprecise document of one page in total in all probability prepared by Mr Groenen himself. In my view, it is not the sort of document that one could rely on to issue an official passport. Independent checks must be made. That is the whole purpose of getting approval from the receiving state before the passport is issued. Mr Groenen received his passport in August 1997 but it was not until 30 October 1997 (after the Ombudsman's Office had commenced its enquiry) that Mr Sese sought approval from Belgium for Mr Groenen's appointment. Attached as 8 and 9 are true copies of Mr Sope's First Secretary's letter to Mr Sese dated 3 October 1997 and the diplomatic note sent by Mr Sese dated 30 October 1997 seeking approval from Belgium. No response has been received to this it is understood.

A CV for Mr Swanson could not be located despite efforts by this Office. If it did exist I am curious to know whether it showed that Mr Swanson was a former bankrupt. Subsequent events with the Bank Guarantees Scam in my view show that issue of a passport to Mr Swanson was foolish as well as being unlawful. No approval was ever received by any receiving state for Mr Swanson.

The final point to note is that nowhere in his reply does Mr Sope disagree with the Council of Ministers' own criteria for the appointment of Honorary Consuls, appendix 1.

- 
- (i) Mr Sope then concludes with some overall criticisms of the Ombudsman and the manner in which it carries out its functions.

#### Comment

Mr Sope's comments are not relevant to the report at hand so I do not make any comment on them.

#### **Reply of Mr Sese**

- 5.3 Mr Sese provided a 2 page written reply dated 12 February 1997. Some of his reply addressed the facts and allegations contained in the preliminary report. He made other comments that do not relate to these matters in the preliminary report. I set out below the substance of his reply where it relates to relevant matters.
- 5.4 The first relevant point that he made was his statement:

The Diplomatic and Official passports were issued on ministerial instructions and after the appointments had been made by the Vanuatu Government. Once the appointments and the instructions by the Council of Ministers, the Prime Minister or the Minister of Foreign Affairs have been made, the Department of Foreign Affairs does not have much choice but to act accordingly.

#### Comment

- 5.5 There are a number of points upon which I consider Mr Sese to be incorrect:
- (a) The appointments were not made by the Government. Most of the appointments that are listed in the Tables were made by individual Ministers. These Ministers for reasons explained already did not follow the law nor their own criteria. Mr Sese must be taken to know the criteria and the law - those persons who were entitled to passports and those who were not.
- (b) It is not an excuse to break the law to say a Minister or the Council of Ministers told me to do so. If Mr Sese felt he had no choice he could have consulted the Attorney General for legal advice to deal with the situation or complained to the Ombudsman's Office. The Department did have a choice in my view. Mr Sese in my opinion failed to show sound



leadership by meekly complying with ministerial instructions that clearly on their face were unusual and came without any letter from the receiving country approving the nominee.

I have no knowledge of any intention or acts from anybody which would involve sales of or any financial or other transactions for Vanuatu diplomatic and official passports. May I, therefore, respectfully suggest that you delete the terms "either stupid or possibly corrupt or a combination of both" and "incompetence of the grossest form or corruption." in paragraph 4.2 on page 11 and again "grossly incompetent or . . . corrupted in some way, either by way of offer of money or for fear of consequences."

- 5.5 Mr Sese then expressed his general dissatisfaction with the choice of words used in the report. He said that he was insulted as a ni Vanuatu.
- 5.6 I am not prepared to change my assessment of Mr Sese's role. I am unable to discern any other explanation for such a systemic problem with the department's practice of issuing diplomatic and official passports under the directorship of Jean Sese.

#### **Mr Korman's reply**

- 5.6 Mr Korman sent the Ombudsman's Office a reply after the final public report was first issued. Since it was only received a few days late I decided to modify the report and include his reply. His reply in French and English translation is attached as "B".
- 5.7 The reply is general. Mr Korman suggests in general terms that he did everything legally and did not obtain any benefits.
- 5.8 In view of his still unexplained [by him] facsimile to Mr Lien Than, "*Honorary Consul to Asia*" of August 1995 and the findings into his bank accounts in the Cyclone Betsy report of 26 February 1998 (also unexplained to date) I am unable to give his reply any credibility. Mr Korman stated in the fax as follows:

*Commissioners, Special Representative like Mr. LAI and Matsumoto, and Honorary Consuls:*

<i>Trade Commissioners:</i>	<i>r. Ricky,</i>	<i>Malaysia</i>	<i>US\$5,000</i>
	<i>r. Yu,</i>	<i>Taiwan</i>	<i>US\$5,000</i>
	<i>r. Wong,</i>	<i>Hong Kong</i>	<i>US\$5,000</i>
	<i>r. LAI</i>	<i>TAIWAN</i>	<i>US\$5,000</i>
<i>Special Representative:</i>	<i>r. MATSUMOTO</i>	<i>JAPAN</i>	<i>US\$5,000</i>
<i>Honorary Consul:</i>	<i>r. Yatiskera</i>	<i>JAPAN</i>	<i>US\$10,000</i>
	<i>r. MOTERE</i>	<i>Thailand</i>	<i>US\$10,000</i>
	<i>orget Name</i>	<i>Singapore</i>	<i>US\$10,000</i>

*I ask them to transfer their contribution as requested my ASIACITI TRUST Company in Hong Kong and Shanghai. Banking Corporation 10 Collyer Quay, # 01 Ocean Building, Singapore*



**0104 A/C MASCOT HOLDING INC # 141 - 246660 - 01. (Bold added)**

*I repeat the No. of A/C*

*A/C MASCOT HOLDINGS INC.*

*A/C No. 141 - 24 6660 - 01*

*Or In Malaysia - Kuala Lumpur*

*Bank BUMIPUTRA MALAYSIA BERHAD, AIRPORT BRANCH No. A/C CA 1173 - 48.*

*Paul, the Singapore Honorary Consul is already put 10.000 dollars US in my account. Mr. Matsumoto promises me to meet me in Tokyo and give me 5 000 dollars on 24 August.*

*Please Paul ask the others to do their part immediately. I we received negative answers from the others by the end of this month I will personally as P.M. and Minister of Foreign Affairs cancel their nominations as Vanuatu Government Rep in overseas.*

*Paul please give me reply immediately by Fax because I'm leaving on # 24 August in the morning.*

*Regards to you and Bon  
Courage et à bientôt à Port-Vila."  
(signed by Mr Korman)*

## **6 FINDING OF MISCONDUCT**

### **Finding No 1: Messrs Korman, Vohor, Soksok, And Jimmy Acted In Breach Of The Leadership Code By Directing Improper Issue Of Diplomatic And Official Passports**

- 6.1 These men all ignored the law, their own Ministerial criteria and common sense and at will issued passports to foreigners about whom little was and is known. The information gathered to date and their activities in matters points to the Ministers' conduct to be have been motivated by corrupt purposes - financial and/or political.
- 6.2 In doing so it appears that they used their public offices for private gain and as such cynically breached the principles of the Leadership Code.

### **Finding No 2: Mr Sope acted improperly and in breach of the Leadership Code by directing Improper Issue of a Diplomatic Passports to Mr Peter Swanson**

- 6.3 I consider that Mr Sope ignored the law, the Council of Minister's own criteria and common sense in his involvement with the issue of a diplomatic passport to Mr Swanson. He should not have directed Mr Sese to issue the passport to Mr Swanson. Mr Swanson was a former bankrupt and ended up being involved in activities that resulted in his trial and conviction on criminal offences. I consider that Mr Sope's integrity was left gravely open to question as a result of his conduct in all the circumstances.

**Finding No 3: Mr Sese issued or allowed his Department to Issue Passports in breach of The Official and Diplomatic Passports Act, was incompetent and left his integrity open to question**

- 6.4 Even if Mr Sese believed that Honorary Consuls and Trade Commissioners were within the classes of persons to whom the said passports could issue, had he insisted on first receiving a letter of acceptance from the receiving country first this sorry debacle may well have been avoided. He did not do this and I form the opinion that he was grossly incompetent or corrupted in some way, either by way of offer of money or for fear of consequences if he had stood up to the Ministers concerned.

## **7 RECOMMENDATIONS**

**Recommendation 1: Messrs Korman, Vohor, Jimmy, Soksok and Sope not be reappointed as Ministers and not hold position of public responsibility**

- 7.1 I consider that all the above, by reason of acting contrary to the Leadership Code, should not be reappointed as Ministers. I note that each of these Ministers has been the subject of similar recommendations in past reports.

**Recommendation 2: Parliament to pass an Act for the Leadership Code**

- 7.2 This report and the fact that no Ministers have been brought to account for conduct in breach of the Leadership Code once again shows the desperate need for Parliament to pass a Leadership Code Act that will provide for punishment of those breaking the Leadership Code in the Constitution.

**Recommendation 3: Public Prosecutor with the assistance of Police to investigate whether criminal charges should be brought**

- 7.3 Pursuant to section 25(1) of the Ombudsman Act I am referring this matter to the Public Prosecutor for consideration as to whether criminal charges should be brought. Without limiting the scope of the Public Prosecutor's enquiry into the facts I consider that:
- (a) US\$5,000 payment to Mr Vohor from Wilson Hilhong Lickie YAM Junior, deposited into Mr Vohor's personal bank account; and
  - (b) US\$15,000 cheque made out to "*Ministry of Foreign Affairs & Immigration, Republic of Vanuatu*" that a political secretary attempted to deposit into a personal account to be opened for Mr Soksok;

may be evidence of the offence of corruption and bribery under section 73(1) of the Penal Code in relation to Mr Vohor and misappropriation under section 123 of the Penal Code in relation to Mr Soksok.

- 7.4 I note that a similar recommendation has already been made by me in relation to Mr Korman in the Public Report on Breach of the Leadership Code on Misuse of Cyclone Betsy account by the former Prime Minister of Vanuatu, Mr Maxime Carlot Korman (26 February 1998). The information in that report appeared to show a strong link between payments of money to Mr Korman and his appointment of Honorary Consuls.

**Recommendation 4: The Public Service Commission to within 30 days of the date of this report to convene a disciplinary hearing by the Public Service Disciplinary Board concerning Mr Sese allowing the issue of official and diplomatic passports without letters of approval from the receiving countries**

- 7.3 This is what was recommended in the Ombudsman's report on the issue of an official passport to Richard Jae Yong Jung. At that time I noted that the issue of a passport to Mr Jung was symptomatic of a substandard practice in relation of issue of official and diplomatic passports. The great number of passports improperly issued as specified in the schedules bears this out.

- 7.4 Under s 11 of the Public Service Act [Cap 129] it is a disciplinary offence for a public servant who:

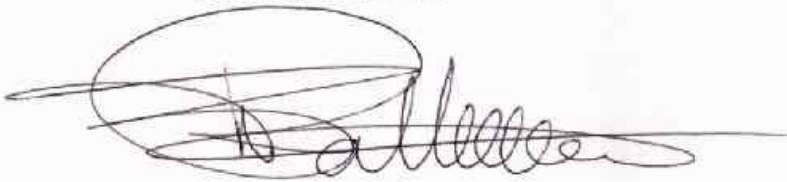
is negligent, careless, indolent, inefficient, or incompetent in the discharge of his duties.

- 7.5 Mr Sese is a public servant and his duties include overall responsibility for the Foreign Affairs Department, including responsibility for the issue of official and diplomatic passports. I consider that he was negligent, careless and incompetent in allowing the passports listed in the two tables to be issued to persons without first obtaining the letters of approval.
- 7.6 As stated in the Jung report if Mr Sese was to resign and agree not to take employment in the public sector again that may avoid the need for the Public Service Disciplinary Board to be convened to determine the matter. That will be a matter for Mr Sese. Otherwise, I consider that the matter must be determined by way of a disciplinary hearing.

**Recommendation No 5: Department of Foreign Affairs acting under advice of the Attorney General to require return of passports for which no approval letter held from receiving country and to advise diplomatic missions and embassies that said passports are void and invalid**

- 7.7 The above recommendation is self explanatory. To regain respect for diplomatic and official passports issued by Vanuatu I consider that this step must be taken. If it is not then it is quite possible that genuine holders of these

types of passports may be inconvenienced whilst passing through immigration authorities in other countries. This is because other countries may wish to add in extra checks to ensure the validity of individual Vanuatu's diplomatic and official passports.

A handwritten signature in dark ink, appearing to read 'Marie Noelle Ferrieux Patterson', with a large, stylized initial 'M' and a long horizontal flourish extending to the right.

**MARIE NOELLE FERRIEUX PATTERSON**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**

13 March 1998. (reissued 18 March 1998)

1

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

- (1) The acceptability of the nominee to the receiving country:
  - (a) Some countries will accept only a citizen of Vanuatu.
  - (b) Some countries will not 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 acceptability 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.)



2

CREDIT

8/8

V/LA

Tran-  
Code

Account Number

Item No

(To be completed only when sent as a remittance) Branch

Account Name

JERGE VOTON

Foreign Currency Amount

Value Date

Currency  
CodeExchange  
Rate

Local Currency Amount

Due Date

Narrative (include payment details)

V/LA, V/LA rate

10 MAY 1998

NOT NEGOTIABLE

Deduction 21

Manager

Accountant

19 05 96

0.6

CB 931.481 N.O

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✓

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I.N.T.T. : 39.958

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FLC:099979 (10-92)

chase Manhattan New York  
 u\$5.088-24 e-109.28  
 less VT500-charges

2

DIARY NOTE

Date 7 October 1997

Author

Subject

CHEQUE USD15,000-00.

A man by the name of \_\_\_\_\_ who is working for the Ministry of Foreign Affairs called with the above cheque and a letter from the Minister of Foreign Affairs authorising the cheque to be paid into a new account that is going to be opened with ourselves in the name of the Minister himself (Fidele Soksok). He was served by \_\_\_\_\_ who handed him the signature card for the minister to complete. It was at this time that I interrupted their conversation and told Mr. \_\_\_\_\_ that I do not think it is correct for the Minister to open the account in his personal name as the cheque is made payable to the Ministry and not Minister Soksok. I added that if we had received a letter from the Minister of Finance confirming that an account is to be opened in the name of the Minister concerned then we may consider opening an account. I told him that I will refer the matter to my boss and that he will come back at 2-00pm. ✓

What has made me suspicious regarding the cheque is that it is payable to the Ministry of Foreign Affairs & Immigration and from the speculations in town, regarding the sale of Vanuatu Passports it is obvious that this may relate to the passport issue.

I spoke to \_\_\_\_\_ and he agreed that we do not open the account.

Later

Mr. \_\_\_\_\_ called as promised. Told him that we had referred the matter to the Manager concerned and he agreed with me in saying that we will not open the account unless we get a letter from the Minister of Finance. He asked that we give back the copy of the cheque which he had given us earlier. We made a copy for ourselves and provided him with his copy.

I will let the matter rest at this stage unless we hear from them again.

This diary note is raised for information purposes only.

SUPERVISOR CUSTOMER SALES & SERVICES



4A

5/6/1

GOUVERNEMENT DE LA  
REPUBLIQUE DE VANUATU  
MINISTÈRE DES FINANCES

GOVERNMENT OF THE  
REPUBLIC OF VANUATU  
MINISTRY OF FINANCE

Sac Postal Privé No. 058, Port Vila

Private Mail Bag 058, Port Vila

REF 606/6/2/BTS/ks/MOF

Telephone (678) 23032

DATE 26th March, 1996

The Director  
Department of Foreign Affairs  
P O BOX 051  
PORT VILA

Dear Sir,

RE: PETER SWANSON


You are hereby advised that the above mentioned person has been given the Power of Attorney to assume essential duties for the government of the Republic of Vanuatu.

I herein, advise you that Mr Peter Harold Swanson will hereafter, carry out an important task as a diplomat of this country, therefore, you are to issue Mr. Swanson with a diplomatic passport within 24 hours.

It is essential this matter is dealt with immediately as his assigned duties will involve a work-tight time plan.

Your immediate response towards this matter is very much appreciated.

Yours Sincerely,

  
Barak T. Sope  
Minister of Finance



5

1/7/0 FAX  
4/8/97

## REPUBLIC OF VANUATU

### TRADE REPRESENTATIVE FOR VANUATU TO THE MIDDLE EAST

#### **WHEREAS:**

- (1) I am the Minister of Trade, Commerce, Industry and Tourism and responsible for the development and management of the implementation process of all policies and programmes covering the said sectors in the Republic of Vanuatu, the supervision, control and direction of all other matters relating to trade, commerce, industry and tourism affairs of the Government of Vanuatu;
- (2) At its meeting on the 10<sup>th</sup> day of July 1997, the Council of Ministers –
  - (a) agreed to adopt the strategy of appointing special industrial and trade representative in Vanuatu and in selected overseas countries to assist in promoting foreign investment in Vanuatu and to foster trade relations between Vanuatu and the respective countries;
  - (b) acknowledge Mr Amaury Groenen's recognition of the status of Vanuatu as a least developed Country and the limited financial resources available to Government and has offered his services freely to the Government and people of Vanuatu to be their Trade representative in the Countries of the Middle East.
  - (c) agreed that Mr Amaury Groenen of Chateau de Pett-Han, Route d'Andenne 16, 6940 Durbuy, Belgium, be appointed by the Government of Vanuatu to be the Trade Representative for the Republic of Vanuatu to the countries of the Middle East.



5


NOW THIS DEED WITNESSETH that I, BARAK TAME SOPE, Deputy Prime Minister and Minister of Trade, Commerce, Industry and Tourism, on behalf of the Government of the Republic of Vanuatu, appoint the said Amaury Groenen, (hereafter called "Mr Groenen") to be the Trade representative for the Government of Vanuatu to the Countries in the Middle East and on behalf of Vanuatu to perform the following acts, that is to say:

1. To enhance diplomatic relations between Vanuatu and the Countries of the Middle East, in particular the enhancing of Vanuatu's position as an effective member of an interdependent world.
2. To establish and develop trade relations between Vanuatu and the countries of the Middle East, particularly in all matters relating to possible trade in technologies and services and services that Vanuatu could benefit from as a tax haven and the promotion and development of industries in Vanuatu by investors from the said countries and region;
3. For countries where there is established diplomatic relations with the Republic of Vanuatu, to investigate the possible establishment of bilateral cooperation with Governments of the said region.


AND I, BARAK TAME SOPE, Deputy Prime Minister and Minister of Trade, Commerce, Industry and Tourism, hereby declare that any negotiation entered into by the Mr Groenen shall be as good and effectual where it is done in accordance with this Deed as if the same has been made, executed or done by the Government in its proper name.

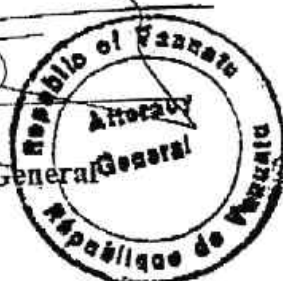
AND I declare this Instrument of Appointment to be irrevocable for 12 months from the date hereof.

GIVEN under my hand this 28<sup>th</sup> day of JULY, 1997.

  
HON. BARAK TAME SOPE  
Deputy Prime Minister  
And Minister of Trade, Commerce,  
Industry and Tourism  
For and on behalf of the Government of Vanuatu



  
H. BULU  
Attorney General  
(Witness)





7

# CURRICULUM VITEA.

Surname  
First name  
Born  
Nationality  
Marital status  
Address

Groenen  
Amaury Jean Godfroid Lydie  
February 20th 1956 in Maaseik, Belgium.  
Belgian  
Married  
4, Brampton Grove  
Wembley Middlesex HAQ 9QU

1962 till 1968  
1969 till 1972  
1972 till 1974  
1974 till 1979  
1979 till 1981  
1981 till 1984  
As of 1983  
1984 till 1994  
As of 1991  
As of 1994  
As of 1994  
As of 1995  
1997

Primary School of the Royal Atheneum at Maaseik (B)  
Education at the European School, in order to master  
the English, French, German and Dutch languages.  
Successful study at grammar School at Maaseik.  
Study of International law at the European  
Luxembourg Law School, study of Arts at the  
Academie des Beaux Arts in Bruxelles, speciality:  
Flemish 14th till 17 century oil paintings.  
Managing Director of an Art Gallery, Gallery Napoleon  
Kempische steenweg 81 in Hasselt Belgium.  
Director of several holding- and trust Companies in  
Luxembourg, specialized in investments.  
Member of the organisation Correspondants  
Diplomatiques, involving numerous travels to  
different countrys in order to enhance diplomatic  
and buisness contacts amongst Nations.  
Restauration of a historical castle, First price for art  
knowledge in Tokio Japan.  
President of the Luxembourg Committee of  
correspondants Diplomatiques.  
General Director Europe for Global Petroleum  
America.  
General Director of Global Petroleum Holdings.  
Buisness development advisor of Securitas Group  
4, one of the leading international security companys  
Nomination for International President of the  
Diplomatic Peace Academy, Correspondants  
Diplomatiques.

*L. J. Sant Jan request*  
*CV*

**GOUVERNEMENT DE LA  
REPUBLIQUE DE VANUATU  
MINISTÈRE DES AFFAIRES  
DU TRADE, COMMERCE,  
L'INDUSTRIE ET DU  
TOURISME**

*1000*  
*8*  
*2/2*  
*55*

*1000*  
*8*  
*2/2*  
*55*

*7/4/0*

*Sac Postal Confidential 056*  
*Port Vila Vanuatu*



**GOVERNMENT OF THE  
REPUBLIC OF VANUATU  
MINISTRY OF TRADE,  
COMMERCE, INDUSTRY  
AND TOURISM**

*Private Mail Bag 056*  
*Port Vila, Vanuatu*

*Telephone (678) 25675*  
*Fax (678) 25677*

Ref: 103/24

October 3, 1997

**Mr Jean Sese,  
Director,  
Department of Foreign Affairs,  
Port Vila.**

Dear Mr Sese,

**Subject: Establishment of a Vanuatu Trade Office in Belgium**

As you know Government appointed Mr Amaury Groenen as Trade Representative for Vanuatu to the Middle East countries in early August. The Ministry has requested that he established a Trade Office for Vanuatu to cover the countries that has been allocated to him to facilitate effective implementation of his responsibilities as Trade Representative. This has been undertaken and the address for the office is - Chateau de Petit-Han, Route d'Andenne 16, 6490 Durbuy, Belgium, Tel: 32-86-213917, Fax: 32-86-213937.

I would be very grateful if you could inform the Ministry of Foreign Affairs in Belgium of the office and also seek their approval of the establishment of such an office in their country.

Yours sincerely,

**George Borugu,  
First Secretary.**



9

7/5/0

**Note No: 007/DFA/97**

The Vanuatu Department of Foreign Affairs presents its compliments to the Royal Belgian Embassy and has the honour to formally advise that the Vanuatu Government has proposed to appoint Mr Aruaury GROENEN in early August 1998, as Vanuatu Trade Representative to the Middle East Countries in Belgium.

Mr GROENEN's address is:-

Chateau de Petit - Han,  
Route d'Andenne 166490 Durbuy,  
Belgium.

Tel: 32-86-213917

Fax: 32-86-213937

His curriculum vitae is attached.

The Vanuatu Department of Foreign Affairs avails itself of this opportunity to renew to the Royal Belgian Embassy the assurances of its highest consideration.

**Port Vila, 30 October 1997**

The Royal Belgian Embassy  
19 Arkana Street  
Yarralumla  
Canberra, ACT 2600  
Australia  
Fax: 61-6-2733392

N

GOUVERNEMENT DE LA  
REPUBLIQUE DE VANUATU  
MINISTÈRE DES AFFAIRES  
DU COMMERCE, TRADE ET  
DE L'INDUSTRIE

*Sac Postal Confidential 056  
Port Vila Vanuatu*

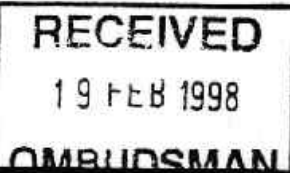
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GOVERNMENT OF THE  
REPUBLIC OF VANUATU  
MINISTRY OF TRADE,  
COMMERCE AND  
INDUSTRY

*Private Mail Bag 056  
Port Vila, Vanuatu*

*Telephone (678) 25675  
Fax (678) 25677*



Mrs. Marie-Noelle Ferrieux Patterson  
Office of the Ombudsman  
PORT VILA  
Republic of Vanuatu

February 18, 1998

Dear Mrs. Patterson,

**RE: PRELIMINARY REPORT ON IMPROPER ISSUE OF DIPLOMATIC AND OFFICIAL  
PASSPORTS**

Thank you for your letter dated 5<sup>th</sup> February 1998 with the preliminary report concerning the above matter.

I refer specifically to section 3.11 and 3.12 which refers specifically to me. The issuing of the diplomatic passport to Mr. Peter Swanson falls within the categories of persons entitled to Vanuatu Diplomatic Passports. The Minister of Foreign Affairs at that time had considered my request for Mr. Peter Swanson to obtain a Diplomatic Passport. At his own discretion he issued the passport. He could have refused to accept my request.

Schedule 1 of the Diplomatic Passport Act gives the Minister the sole discretion to issue diplomatic passports to persons in respect of whom the Minister considers exceptional circumstances apply.

In Section 2.8 you had given your view of an exceptional circumstance. That is your opinion and you are entitled to it. But the Law is very clear as to who can

decide to issue a Diplomatic Passport. The Minister of Foreign Affairs is also <sup>the</sup> only person who decides on "exceptional circumstances."

In Section 2.10 you had raised a point on Consular Relations Act [CAP.200] which makes no reference to the issue of Diplomatic and Official Passports to Trade Commissioners or Honorary Consuls.

That is correct and it does not also prevent the Government of Vanuatu from issuing persons with diplomatic or official passports, to be Honorary Consuls <sup>or</sup> as Trade Commissioners. Again it is the Minister of Foreign Affairs that decides and not the Vienna Convention on Consular Relations.

In Section 3.1 you had mentioned that [REDACTED]  
[REDACTED] This is incorrect and a blatant lie. I have sought legal advice on this and if publicised in public I have no alternative but to sue you and your office. You have also claimed that [REDACTED]  
[REDACTED] That again is a complete lie. If this section remains as it is, then you will be sued in a Court of Law. This is also enough evidence for disciplinary action against yourself and your office.

In Section 3.11 you [REDACTED]  
[REDACTED] You have no proof of this. This accusation is untrue and if publicised would warrant Court action and Disciplinary action against you.

You went on to say that by providing Mr. Swanson with a Diplomatic Passport, Mr. Swanson was able to commit his criminal activity more easily with the benefit of a diplomatic passport. Where is the proof? This is a baseless accusation and a lie. Mr. Peter Swanson has made an appeal against the Supreme Court decision and until the appeal court decides we will then know who is telling the truth. This accusation is false and puts your office and your integrity into question.

In 3:12 you had said that the appointment of Mr. Groenen to be a "Special Trade Representative to the Middle East" as "bizarre". The appointment of Mr. Groenen was approved by the Council of Ministers and the allocation of an official passport was also approved by the Council of Ministers. It is not only incorrect but a complete lie to say that [REDACTED]  
[REDACTED] appointment.

Mr. Groenen's instrument of appointment was drafted by the Attorney General and approved by the Council of Ministers, before the signing. You refer to a clause which declares "that any negotiations entered into by Mr. Groenen shall be as good and effectual where it is done in accordance with this Deed as if the same has been made, executed or done by the Government in its proper name" - You went on to say that "this means that Mr. Groenen can legally bind the Republic of Vanuatu to contracts without the Attorney General or anyone else in Vanuatu looking at it first."

The clause you quote refers only to negotiations. It does not mention anything regarding the signing of contracts. You have made a misleading statement in this regard and I have obtained legal advice to substantiate my position.

### PRELIMINARY FINDING OF MISCONDUCT

#### Finding No. 1.

You have said that I [REDACTED] Acted in Breach of the Leadership Code by directing Improper issue of Diplomatic [REDACTED] Passports. The Diplomatic Passport and Official passport issued to Mr. Peter Swanson and the Amaury Groenen were approved by the Council of Ministers and were issued by the Ministry of Foreign Affairs. You have also said that little is known of Mr. Peter Swanson and Mr. Amaury Groenen. This is a generalised lie as both persons had given their curriculum vitae which were submitted to the Council of Ministers for approval.

In your finding you have also claimed that [REDACTED]  
[REDACTED]

[REDACTED] I challenge you to provide the proof and information you referred to, towards my case. Your reporting and findings will be challenged in Court. Negligence and lack of common sense on your part gives doubt to your integrity and independence in your work.

In Section 5.2 of your finding you have claimed that [REDACTED]  
[REDACTED] breached the principles of the Leadership Code.

A

4/4

Where is your proof to substantiate your accusations [REDACTED] You have generalised your finding [REDACTED] I have sought legal advice on your reporting, accusations and finding o this report and other reports. You have put yourself and your office open to legal action. I will await your final report. It is disturbing to note that four weeks before the general elections you have decided to dish out all these reports. It gives much doubt in the public mind as to your integrity and independence. It is clear that your reporting and accusations at this time are politically motivated and biased. It is also disturbing not to read anymore of your Biblical quotes in your reports.

God Bless you.

Yours Sincerely,



**Barak T. Sope**

**Minister of Trade, Industry, Tourism and Business Development**



B

Le 16 Mars 1998

A : Madame Marie Noelle Furioux Patterson  
Mediatrice de la République  
Tiliopo Compagnie House Port-Vila Vanuatu.

Objet : Rapports en Anglais et en Bislama  
seulement sur la délivrance des  
Passports Diplomatiques et officiels  
par le gouvernement.

Références : Vos lettres du 5 Février et du 27 Février  
1998 ( OMB0550/8330/L 17 MCK et 08096/  
8330/L 17/mck )

Madame,  
Je me permets tout d'abord en attendant  
le rapport en français de qualifier votre  
Rapport Préliminaire sur les Passports d'une  
pure "salade de fruits" bien mélangée et  
plein de mensonge en ce qui me concerne  
personnellement en tant qu'ancien Premier  
Ministre et ancien Ministre des Affaires Étrangères.  
Je ne réponds que pour moi  
seulement et de mon côté seulement.



Mon gouvernement conformément à la Convention de Vienne a choisi de nommer pour le bien du Vanuatu des Consuls Honoraires et un Consul Général (Nommé). En ce qui concerne les Ambassades dans le monde, une aux Nations Unies accrédité également pour les États-Unis d'Amérique une pour l'Europe (basée soit à Paris soit à Bruxelles) une en Asie (Singapour ou la Chine Populaire) et un Ambassadeur Itinérant pour le Pacifique.

En ce qui concerne les Consuls Honoraires approuvés par le Vanuatu, j'ai été responsable de la nomination des Consuls Honoraires de Paris (France), de Zurich (Suisse) de Melbourne (Australie), de Sydney (Australie) de Bangkok (Thaïlande), de Québec (Canada) de Hong Kong (Wendy Hui-Ford) d'Auckland (Nouvelle Zélande) de Singapour, de Californie (États d'Am.) pour les affaires Asiatiques seulement. Il y a eu d'autres propositions de Consul Honoraires pour les autres pays fait

B

Maxime CARLOT KORMAN  
Port Vila MP  
etc.

March 16, 1998

Madame Marie Noelle Ferrieux-Patterson  
Ombudsman  
Pilioko House  
Port Vila  
Vanuatu

Subject: Reports in English and Bislama only on the issuance of  
Diplomatic and Official Passports by the Government

References: Your letters of February 5 and 27, 1998  
(OMB0550/8330/L17/mck and 08896/8330/L17/mck)

Madame,

First of all while waiting for the report in French, I take the liberty of describing your Preliminary Report on the Passports as a pure "fruit cocktail" well mixed and full of lies as far as I am concerned personally and as former Prime Minister and former Minister of Foreign Affairs. I repeat that I respond for myself only and from my side only.

My government in accordance with the Vienna Convention chose to appoint Honorary Consuls and a General Consul (Noumea) for the good of Vanuatu. As far as Embassies around the world are concerned, one at the United Nations also accredited to the United States of America, one for Europe (based in Paris or Brussels), one in Asia (Singapore or China), and one roving Ambassador for the Pacific.

As far as the Honorary Consuls approved by Vanuatu are concerned, I was responsible for the nomination of the Honorary Consuls of Paris (France), Zurich (Switzerland), Melbourne (Australia), Sydney (Australia), Bangkok (Thailand), Quebec (Canada), Hong Kong (Wendy Him-Ford), Auckland (New Zealand), Singapore, California (U.S.A.) for Asian Affairs only.

There were other suggestions of Honorary Consuls for other countries made by diplomatic request by my government which were refused by each of those governments. These were Malaysia, also China, also Indonesia, etc...

As for those Honorary Consuls approved by the foreign governments, my government under the authority of the Prime Minister and Minister of Foreign Affairs issued the Diplomatic and Official Passports to these Consuls and their assistants for free and in accordance with Vanuatu law on passports.

My government never sold passports to foreigners; this is forbidden by the law and the Constitution.

Official and Diplomatic Passports are issued for honorary purposes for a specified period and must be returned when the appointments are finished.

I thank you,

(signed)

B

Maxime CARLOT KORMAN

Député de Port Vila  
Port Vila MP

Rue André Colardeau  
Port Vila, République de Vanuatu

Sac postal privé 052 - PMB 052 Port Vila  
Téléphone : (678) 22229  
Fax : (678) 24530

par notes diplomatiques par mon gouvernement  
et qui ont été refusées par ces gouvernements  
respectivement. Il s'agit de la Malaisie,  
Il s'agit également de la Chine Populaire  
il s'agit aussi de l'Indonésie etc...

Pour ce qui est des Consuls Honoraires, approuvés  
par les Gouvernements étrangers mon Gouvernement  
par le biais du Premier Ministre et Ministre  
des Affaires Étrangères a délivré à ces  
Consuls et leurs Adjoints des passeports  
diplomatiques et des Passeports Officiels ~~par~~  
gratuitement et conformément à la loi sur  
les Passeports à Vanuatu.  
Mon Gouvernement n'a jamais rendu de  
Passeports aux étrangers c'est interdit par  
la loi et la Constitution.

La délivrance des passeports officiels et  
Diplomatiques est ~~délivrée~~ effectuée à titre  
Honorifique pour un délai déterminé  
et doit être restituée lorsque les nominations  
peuvent fuir.

Je vous remercie

Y. Korman