



GOVERNMENT OF SAMOA

Samoa National Security Policy

IMPLEMENTATION STRATEGY

Property of the Government of Samoa



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A. INTRODUCTION


1. This document, for official use only, is the Implementation Strategy of the Samoa National Security Policy (NSP). The NSP, a public document, outlines the Government's position and future direction on key national security issues relevant to Samoa.
2. In the past Samoa has dealt with national security issues through normal Cabinet and other government committees and processes. Given the need for a more strategic approach, the Government is taking a number of steps to upgrade the management of national security issues as set out below.

B. GOVERNMENT MACHINERY

3. In order to discharge its fundamental responsibility to safeguard the nation and its people, government must establish organizational entities for national security that are strategically-focused, effective and well-coordinated, flexible and able to balance many competing interests. These entities will be responsible for dealing with any challenges that arise under the broad concept of security set out in the NSP. They should be able to deal with short-term emergency situations, as well as evolving threats or situations that require analysis and action to minimize risks. Strong management, at both the strategic and operational level, is the key.
4. The national security system operates at three levels:
 1. Cabinet
 2. CEOs - the National Security Committee (NSC)
 3. Other officials - Working Groups, Monitoring Groups.
5. These structures do not override the statutory powers and responsibilities of ministries and other government agencies. The aim of the national security machinery as outlined below is to provide a more strategic and better-managed approach to tackling the complexities of national security.

(1) CABINET

6. The peak body for decisions on national security shall continue to be the full Cabinet, chaired by the Prime Minister. It has oversight of the national security sector, including relevant policy and legislative proposals. Exceptionally, Cabinet will be convened urgently to manage and




direct responses to major crises or other events affecting national security that require immediate attention.

7. In the event of an extreme national security emergency, Cabinet shall have the option of recommending to the Head of State the declaration of a State of Emergency under Part X, Section 105 of the Samoan Constitution.
8. Cabinet has the option of appointing a particular minister to take the lead on a given issue. Cabinet may also decide, if it wishes, to invite others to join the discussion to provide expert opinion - for example the Attorney General or Police Commissioner.

(2) NATIONAL SECURITY COMMITTEE (NSC)

(a) General

9. The Terms of Reference of the NSC, including its composition, are at Annex A.
10. The current CEO-level National Border Committee shall be expanded in scope and membership, with a strengthened role, to become the National Security Committee. It will be the key body to identify national security risks and imminent threats; to put systems in place across government to mitigate and manage those threats; and to provide advice and support to government on national security issues, reflecting the full range of stakeholders' views, the best available data, and analysis.
11. The NSC shall have the authority to make decisions itself on operational and other matters not requiring Cabinet-level approval or decision. It will also be the key body to oversee the implementation of relevant Cabinet decisions; to provide oversight of a range of operational matters involving front-line agencies and to hold those agencies accountable for their performance in relation to such matters; to oversee the ongoing monitoring and evaluation of the NSP, and compliance with it; and to commission projects and other work on national security issues, where necessary with the approval of Cabinet.
12. Meetings of the NSC shall be held approximately every two months, or convened outside those times to deal with urgent issues when necessary. Meetings shall normally be chaired by the CEO MPMC, although the Prime Minister shall be invited to chair meetings approximately every six months. The NSC will report in writing the outcomes of each regular NSC meeting to



the Prime Minister and Cabinet. It will also keep the Prime Minister and Cabinet promptly informed of any matters of national security significance which may arise between regular meetings.

13. The NSC may invite representatives of other government agencies, and organizations outside government (for example representing civil society, communities, or the private sector) to participate in relevant NSC discussions.

14. The NSC shall designate a lead agency or agencies on particular security issues as it may see fit.

(b) Role of Ministry of Prime Minister and Cabinet (MPMC)


15. The CEO MPMC is Samoa's lead official for national security, and chairs the NSC. The MPMC has a broad role to strengthen the management of national security by government, which includes: identifying national security risks, external and internal; developing policy briefs for consideration by Cabinet; and managing government action to deal with the risks. The CEO MPMC shall also be responsible, in consultation with the Prime Minister when necessary, for all media management in relation to national security matters.

16. The CEO MPMC has a key role in deciding, or recommending to the Prime Minister and Cabinet in the case of major threats, what level and type of committee should be convened to handle an emerging incident. In reaching that decision the CEO will consult with the CEO of the lead agency and with other colleagues as necessary.

(c) Liaison Officers

17. Agencies represented on the NSC shall appoint a liaison officer at ACEO level or equivalent. The role of the liaison officer will be to assist his or her CEO in the preparations for meetings, to accompany the CEO to NSC meetings, and to assist in any follow-up meetings or other activities that may be assigned by the Committee.

18. The liaison officer will normally be the person representing the agency when the CEO is absent, given the importance of continuity and the need for each agency to be represented by a well-informed, authoritative officer.



19. In addition, liaison officers will be the point of contact for all matters concerning the NSP not requiring the CEO's involvement.

(d) Public Statements on National Security

20. Each member agency shall submit to the NSC annually a short report focusing on national security threats relevant to their portfolio. These reports should cover trends in threat level; perceived strengths and weaknesses in responses; the outlook for the coming year; and any recommendations to improve responses.

21. The NSC will use these reports as the basis for regular public national security statements.

(3) COMMITTEES OF OFFICIALS

22. The NSC may decide - and has the authority - to convene multi-agency working groups or other expert committees to assist in its work on any security issue that it sees fit. Membership will depend on the nature of the issue under consideration, and attendees should be senior and experienced enough to contribute to the deliberations of the group and make commitments on behalf of their agency.

23. Committees should keep records of meetings including action items and decisions, as well as briefings and recommendations for the NSC.

C. RESPONSE TO CRISES AND OTHER URGENT EVENTS

(1) General

24. Most often it is a matter of judgment when national security mechanisms should be activated in response to emergencies or events that could adversely affect Samoa. Normally a "triggering" event would be likely to meet one or more of the following criteria: it poses a threat to Samoa's security, interests or reputation; the risk has cross-agency implications and requires close management and/or extensive resources; there is ambiguity over who has the lead in managing the risk; the risk is of high intensity, urgency or complexity.

25. It is critical that agencies be proactive in consulting with the CEO MPMC regarding actual or emerging threats.



26. National security issues can move very fast. It is advisable to activate the system early on to ensure mechanisms are in place when needed.
27. There are three possible levels of government response to a crisis, depending on its nature, severity, and urgency: Cabinet; National Security Committee (CEOs); and other committees of officials.
28. When the NSC meets to deal with a particular event, the membership should reflect the security situation at hand, and the Chair shall invite representatives from those agencies that have a role to play or a need to know.

(2) Committees

29. In addition to, or instead of the above, the NSC may decide to convene a working group or other expert group (for example a group focusing on legal issues) to assist in managing the incident and assessing its impact.
30. In consultation with relevant CEOs, the CEO MPMC may convene a “watch group” of expert officials, to monitor a potential, developing or actual crisis. As the crisis dissipates, or unfolds, then a decision can be taken based on advice from the watch group whether the NSC should be convened.

(3) Lead Agencies

31. As noted above, for any national security threat, a lead agency should be nominated to manage the threat. Usually it is self-evident which agency should lead, but in cases of ambiguity agencies should consult with the CEO MPMC, who will make a decision, if necessary after consulting with members of the NSC.
32. Responsibilities of the lead agency are to assess the situation; plan and manage the national response within the framework of the NSC; report on-going developments to the NSC and provide advice on actions to be taken and resources needed; identify policy implications; and work cooperatively with other members of the NSC towards a whole-of-government solution. In close coordination with the CEO of the lead agency, the CEO MPMC will continue to have a key role as Chair of the NSC.



(4) Debrief and Lessons Learnt Reviews

33. After each significant incident that requires convening of the NSC, a debrief and lessons learnt review shall be conducted by the lead agency to assist in highlighting what worked well, where there were gaps or weaknesses, and where remedial action needs to be taken. These debriefings shall be conducted under the oversight of the NSC. In each case a written report shall be presented to the NSC, which shall decide on follow-up action, and monitor implementation.

(5) Agency Contact Points

34. Agencies are required to have a 24/7 single point of contact to enable rapid communication between them during security incidents, including when the CEO is unavailable. The point of contact is responsible for acknowledging receipt of messages, and informing the CEO and others within their agency who need to know of the action required.


35. The single point of contact will normally be at the ACEO-level or equivalent agency liaison officer, designated to assist the agency CEO's participation in NSC meetings (see paragraph 17 above).

ANNEX 2 provides several examples of how the national security machinery might operate in practice.

(6) Note: National Disasters

36. It is not intended that the NSC security mechanisms outlined above be used for the management of national disasters. Such events will continue to be managed in accordance with the National Disaster Management Plan 2017-2020, which is comprehensive, up-to-date, and effective.

37. However, one feature of that plan warrants further consideration in light of the establishment of the Government's new national security machinery. At present the National Disaster Management Plan covers natural disasters and other events such as fires, chemical spills, public health crises, agricultural crises, and lifeline utility failures. Notably, the Plan also covers civil emergencies (both external and internal) and terrorist attacks, which have very direct




national security implications. Once the new national security mechanisms are in place, or in parallel to their establishment, it is important that a policy is developed for the handling of civil emergencies and terrorism. Such a policy should assign responsibility and commensurate authority for the management of such matters to the national security mechanisms.

C. SUGGESTED WORK PROGRAM FOR THE NATIONAL SECURITY COMMITTEE

Agenda Items

38. The issues identified in the National Security Policy, and Samoa's security interests more broadly, suggest that the work program for the first year or so of regular NSC meetings could include the following:

- (1) Commission a review of border agencies (as set out in paragraph 40 below).
- (2) Develop a security plan for the 2019 Pacific Games.
- (3) Devise measures to strengthen collaboration with American Samoa on border security and related issues, within the framework of the 2 Samoa Talks.
- (4) Examine the role of the patrol boat, the Nafanua (and its future replacement), with a view to maximizing the protection of Samoa's waters.
- (5) Review policy on deportees, in particular scope for: closer consultation with external stakeholders; a regional approach to this issue; and closer engagement with internal stakeholders.
- (6) Following release of the Ombudsman's Report on Family Violence, examine the options for strengthening whole-of-government actions on gender-based violence (GBV).
- (7) Conduct a review of the state of the NCD epidemic and challenges to treatment, including the overseas treatment scheme.
- (8) Formulate a plan for selected NSC members to meet with representatives of communities, churches, civil society and the private sector, to discuss the NSP and national security issues, and obtain feedback.
- (9) Review the scope for Samoa to engage more closely with regional partners on security, including professional development opportunities (for example with the proposed Australia Pacific Regional Security College, and other regional bodies).
- (10) Develop a standardized means for the collection of national security-related data and the monitoring of relevant external developments; build the capacity for the analysis of such data; and establish procedures for the identification of policy-worthy security matters.

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- (11) Designate clearly the responsibilities and authority for security matters across government and according to agency, and measures that provide for the accountability of government agencies in relation to their security responsibilities.

39. In addition the NSC agenda should include:


- (1) Discussion of lessons learnt reviews (paragraph 33 above)
- (2) Presentation by each agency of their annual report to the NSC (paragraph 20 above)
- (3) Reports by members of developments in their portfolio of wider interest to members. Examples include the outcome of the forthcoming Pacific Islands Forum on the “Biketawa Plus” declaration on regional security; the outcomes of major meetings of regional bodies relevant to Samoa’s security interests such as PIDC, PILON, Pacific Islands Chiefs of Police, Oceania Customs Organization, and other Pacific Islands Forum deliberations of relevance.
- (4) On-going updates to the Committee by agencies of significant developments that could have security ramifications - this is a high priority, given the need to improve the sharing of information between agencies.

Suggested Follow-up Work by Government once the NSP has been established.

(1) Review of Border Agencies

40. Demands on border agencies keep increasing. Such demands include the growth in tourism and other arrivals; the prospect of direct flights into Samoa from non-traditional points of origin in Asia and elsewhere; the increasing risk regionally of trans-national crime; and the increasingly sophistication of technology and border systems. Border agencies must be resourced accordingly, with skilled staff and up-to-date equipment and technology, and they must be well-managed.

41. The performance of Samoa’s border agencies has been good in a number of respects, and front-line agencies generally work well together on the ground. In addition, in recent years there have been significant improvements including: updates to legislation (for example the Immigration Act); development of standard operating procedures to cover new contingencies (for example human trafficking and people smuggling); upgrades of equipment at the border (for example the new scanners at the international airport, the proposed new scanner for containers at Apia Port); and the organization of some joint training activities. Staffing reviews are underway in several agencies.



42. However significant areas remain to be addressed, including gaps in standard operating procedures, legislation, and in inter-agency MOUs; staffing structures, remuneration and retention of staff; and the need for further modern, cost-effective equipment. It would also be timely to examine scope for more joint training (including at the planned new police college), and exercises between agencies, and the scope for agencies to share more equipment and facilities.

43. It is proposed that a review be commissioned to examine these issues, to report to the NSC in the first instance. Development partners may be prepared to assist.

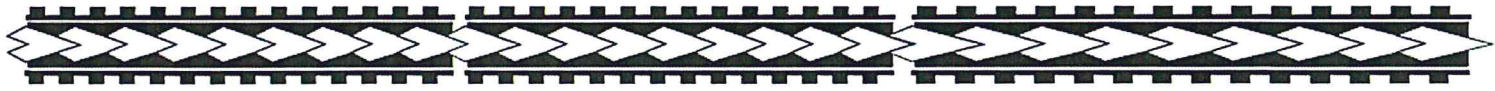
(2) Establish a Secretariat for the NSC

44. Until now, Samoa has not had a national security system. Quite appropriately, it has no armed forces, and no intelligence agency (apart from criminal intelligence).

45. However there are areas where government resourcing of national security could be increased. At present, there are no personnel specifically assigned to cover national security issues. Nor does the Government have its own capability to assess national security issues. It is proposed that, when resources permit, the Government take measures to address these gaps.

46. A small secretariat within MPMC would be valuable to support the work of the NSC and to provide a focal point within government on national security issues. The secretariat's prime role would be assisting with NSC meetings - scheduling, preparing and presenting security briefs, identifying issues, record-keeping, and follow-up; and in assisting the NSC with any work flowing from the suggested NSC work plan. In addition the secretariat could develop an operations manual to guide the work of the NSC and its responses to security incidents. Depending on resources and level, the Secretariat could undertake other tasks, including assisting in building relations on security issues with relevant regional organizations and bilateral partners. A valuable step would be the establishment of the proposed Principal National Security Officer position in MPMC and the appointment of someone to fill the post.

47. A further role for the secretariat, although involving more resources, would be to develop a unique Samoan assessment product on national security issues. It is important in this volatile world to understand the forces driving change, in order to be able to influence events and advance national interests. A secretariat could play a useful role in collecting data and other



information, from open source materials and from regional and bilateral partners, using that as a basis for tailored briefs for senior policy makers. The focus would be on trends and other developments of the most direct relevance to Samoa.

48. Development partners may be prepared to assist in the establishment of such a secretariat.

NATIONAL SECURITY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

1.1. Samoa has developed its first National Security Policy, approved by Cabinet on 2018.

1.2. Under the Policy, the principal body to advise and support the Prime Minister and Cabinet on national security matters will be the National Security Committee (NSC). The NSC will manage inter-agency cooperation and coordination of government policy and operations on national security issues, oversee monitoring and evaluation of the Policy and compliance with it, and make recommendations to government on appropriate follow-up actions.

1.3. The NSC expands the scope and membership the National Border Committee (NBC), which it replaces. Over a period of years the NBC has proved effective in coordinating the Government agencies operating at the border, and its expansion is the most suitable option to provide oversight and management of the broader range of issues encompassed by the NSP.

2. MEMBERSHIP

2.1. The NSC will comprise:

(A) CEO, Ministry of the Prime Minister and Cabinet

(B) Attorney General

(C) Governor, Central Bank of Samoa

(D) Police Commissioner, Ministry of Police

(E) CEO, Ministry of Foreign Affairs and Trade

(F) CEO, Ministry of Finance



(G) CEO, Ministry of Revenue (Customs)

(H) CEO, Ministry of Agriculture and Fisheries (Quarantine)

(I) CEO, Ministry of Health

(J) CEO, Ministry of Communications and Information Technology

(K) CEO, Ministry of Women and Community Development

(L) CEO, Ministry of Natural Resources and Environment

(M) ACEO Disaster Management

(N) General Manager, Samoa Airport Authority

(O) CEO, Samoa Fire and Emergency Services Authority


(P) CEO, Samoa Ports Authority

(Q) Transnational Crime Unit.

2.2. In addition the NSC may invite representatives from other government agencies or organizations outside government to attend a meeting, to provide expert advice or express the views of other stakeholders.

MEETINGS OF THE NSC

3.1. The Prime Minister will be invited to chair meetings of the NSC approximately every six months. On other occasions, meetings of the NSC will be convened and chaired by the CEO of the Ministry of Prime Minister and Cabinet, or in his or her absence, the member seen by the membership of the NSC as most suitable in light of the agenda items for that meeting.



3.2. Consistency of representation will be required from each agency. Representation must be at CEO level, or in his or her absence, by the ACEO or equivalent officer with responsibility for NSP issues in that agency.

3.3. The Secretary of the NSC shall be the ACEO of the Ministry of Prime Minister and Cabinet responsible for national security matters, who shall be responsible for the preparation and circulation of the agenda and supporting papers and the minutes of each meeting.

3.4. Meetings will be held approximately every two months, at a location determined by the chairperson. If required, meetings will be convened outside these times to deal with more urgent issues.

3.5. Normally, decisions will be taken by consensus. However, where agreement cannot be reached and where, at the sole discretion of the chairperson, the situation warrants it, decisions will be made by simple majority and the chairperson will hold a casting vote.


AGENCY LIAISON OFFICERS

4.1. Agencies represented on the NSC shall appoint a liaison officer, at ACEO level or equivalent. The role of a liaison officer will be to assist his or her CEO in the preparation for meetings, to accompany the CEO to NSC meetings, and to assist in any follow-up to meetings. The liaison officer will normally be the person representing the agency when the CEO is absent. In addition, liaison officers will be the point of contact in the agency for all matters concerning the National Security Policy not requiring the CEO's direct involvement.

ROLE OF THE NSC

5.1. In relation to national security matters, the NSC shall:

- (a) Advice and support the Prime Minister and Cabinet on major operational and policy issues
- (b) Take decisions on issues where Cabinet consultation is not required
- (c) Oversee the implementation of decisions taken by Cabinet and by the NSC itself
- (d) Identify national security risks, and ensure appropriate systems are in place to mitigate and manage those threats
- (e) Facilitate cooperation and the flow of information between member agencies, both during emergencies and on a day-to-day basis

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- (f) Oversee the whole of government performance of operational agencies, their resourcing and training, and the findings of “lessons learnt” reviews.
 - (g) Propose to Cabinet any project work or other high priority tasks it considers necessary to advance implementation of the NSP.
 - (h) Designate the responsibilities and authority for national security matters across government and according to agency, and put in place and oversee measures that provide for the accountability of government agencies in relation to their national security responsibilities.
 - (i) Report to Cabinet annually on the performance of the NSC in carrying out its work plan and its role as set out in these Terms of Reference.

5.2. Where any member agency of the NSC becomes aware of an urgent threat to national security, that agency shall provide immediate advice to all members of the NSC and to the chairperson, who shall immediately convene a meeting of the NSC.

AMENDMENT TO THE TERMS OF REFERENCE

6.1. These Terms of Reference may be amended if members of the NSC agree.




ANNEX 2

HOW THE NATIONAL SECURITY MACHINERY OPERATES - some examples.

A. SCHEDULED MEETINGS OF THE NATIONAL SECURITY COUNCIL: business-as-usual.

1. Scheduled meetings of the NSC shall be held in accordance with normal practice for regular inter-agency meetings.
2. An agenda will be circulated well in advance, giving agencies time to prepare.
3. Agencies may suggest new items for the agenda, subject to the agreement of the Chair (CEO MPMC). Agencies should be pro-active in bringing to the attention of the Chair emerging security issues.
4. The lead agency/agencies will be identified. In most cases the lead agency will circulate a paper in advance, outlining the issues. In some cases it will be advisable for the agency preparing the paper to consult with other agencies.
5. Normally all members of the NSC will attend scheduled meetings. Exceptionally, other agencies or representatives may be invited to participate where that would add value - for example on issues of broad community concern such as gender-based violence.
6. Items on the agenda may be for information only, or for decision. The meeting shall decide which matters should be referred to Cabinet for decision through normal processes. In any event, a report of outcomes of all regular meetings of the NSC shall be sent promptly to the Prime Minister and Cabinet.

Example

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7. TCU and the police service become aware of reports of a growing threat level of terrorism in the wider region. There is no information Samoa has been targeted but the reports are of concern.
 8. CEO MPMC agrees to include an item on this on the agenda for the next NSC meeting, with the Police Service as the lead. In consultation with TCU, MFAT, Immigration, and Customs, they prepare a paper, with recommendations, which is circulated in advance.
 9. Discussion of the item at the NSC leads to agreement to propose to Cabinet several steps, including closer liaison with regional partners on the issue; strengthened security measures at the border; and a revision of consular travel advisories alerting Samoan nationals of the heightened risk in certain countries.

B: INCIDENT RESPONSES

10. While each incident is different and flexibility and judgment are required, normally the response to a crisis or other national security event that requires rapid action should flow along the following lines:
 - . Detection of incident
 - . CEO MPMC and focal points informed
 - . NSC or (more likely) a Sub-Committee of NSC convened
 - . NSC oversees management of incident
 - . NSC reconvenes as necessary.
 - . Follow-up action by agencies.
 - . After conclusion, lessons-learnt review presented to NSC

Note:


11. Front-line officers must have up-to-date contact lists for all relevant agencies. They also need to be well-versed in the relevant standard operating procedures.
12. In most cases which call for a rapid response it will not be necessary to convene the full NSC. CEO MPMC as Chair will decide, in agreement with the lead agency, which members should attend.



EXAMPLE 1

13. Patrol Boat Nafanua detains a foreign fishing vessel suspected of fishing illegally in Samoan waters.
14. CEO MPMC and focal points informed by the police. Relevant regional maritime surveillance authorities including Forum Fisheries Agency are also informed. TCU initiates contacts with regional partners including PTCCC.
15. NSC Sub-committee meeting convened, with membership covering all relevant issues, including:
 - . Police - detention, investigation
 - . MAF - Fisheries interests
 - . MFAT - issues concerning nationality of crew members, flag of vessel, bilateral implications
 - . Immigration - status of crew
 - . Customs - status of items on board
 - . Attorney General's Office - legal advice including on prosecution, deportation.
 - . Samoa Ports Authority - harboring of detained vessel.
 - . Ministry of Works, Transport and Infrastructure - vessel registry.
16. NSC Sub-committee meets several times as follow-up action proceeds, possibly including prosecution or deportation. Bilateral relations with country involved managed.
17. Media managed by MPMC, in consultation with Prime Minister.
18. Prime Minister and Cabinet members consulted on major decisions, and kept fully informed throughout incident.
19. At conclusion, lessons learnt review carried out.

EXAMPLE 2



20. Relevant Samoan diplomatic mission advises MFAT that a Samoan national has been kidnapped abroad. Samoan mission urgently seeks further information and support from host government.

21. MFAT informs CEO MPMC.

22. NSC sub-Committee convened, with members including:

MFAT - continued contact with Samoan Embassy, authorities of host government, and third countries who have had a similar experience and may be able to assist/advise.

Police/TCU - use linkages with international police and other sources to seek information on likely kidnappers.

23. Liaison with family members of victim in Samoa carried out by MPMC and MFAT.

24. Prime Minister (and Cabinet where possible) regularly consulted on significant decisions, and kept fully informed throughout.

25. Media managed by MPMC, in consultation with MFAT and Prime Minister.

26. At conclusion, lessons learnt review carried out.



ANNEX 3

ACRONYMS

ACEO	Assistant Chief Executive Officer
CEO	Chief Executive Officer
GBV	Gender-Based Violence
MFAT	Ministry of Foreign Affairs and Trade
MPMC	Ministry of the Prime Minister and Cabinet
NCDs	Non-Communicable Diseases
NSC	National Security Committee
NSP	National Security Policy
OCO	Oceania Customs Organization
PIDC	Pacific Immigration Directors' Conference
PILON	Pacific Islands Law Officers' Network
PTCCC	Pacific Transnational Crime Coordination Centre