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VANUATU

In many ways, 2014 in Vanuatu was much like any other year: periods of political instability with rumored votes of no confidence, one leading to a change of government; accusations of fraud and corruption; and court challenges. At the same time, there were periods of relative calm and moments of proud achievement with the introduction of a new system to elect municipal councils that guarantees women a third of the seats and the smooth election of Vanuatu's eighth president, and celebration when Vanuatu was finally connected to the Southern Cross undersea cable, providing a new level of communication to the rest of the world.

Compared to previous years, the population of Port Vila woke up a bit

earlier in 2014 after the usual quiet Christmas/New Year holiday period, due to the election of a new Municipal Council, scheduled for 7 January. The vote was significant, since it was to be based on an amendment to the Municipalities Act (Municipalities [Amendment] Act 11 of 2013), approved by Parliament the previous year, which guaranteed that 30 to 34 percent of municipal council seats were to be reserved for women (Van Trease 2014, 545). The new law applies to the two existing municipal councils in Vanuatu—Port Vila and Luganville—and any future municipal councils that might be established. The procedure subsequently approved by the Council of Ministers allows voters in each municipal ward (five in Port Vila, for a total of seventeen seats) two votes—one for a general list consisting of both male and female candidates and a second for a list reserved for female candidates only.

While interest seemed high, voter turnout was low, common for municipal elections in Vanuatu, with only 35 percent of the 28,691 registered voters casting their ballots. The counting of votes for the general seats is based on a system of proportional representation reflecting the number of candidates fielded by the different parties, while the seats reserved for women are determined by first past the post—one seat for each of the five wards. The results reflected those of the Port Vila constituency in the 2012 general election, when the parties then in Opposition—now the current government—dominated. The Vanua'aku Pati (VP) won 5 seats, Green Confederation 5, Union of Moderate Parties (UMP) 4, Graon mo Jastis Pati (GJP) 2,

and there was one independent (*VDP*, 18 Jan 2014; Republic of Vanuatu, Official Gazette).

The UMP, VP, and GJP signed a memorandum of understanding to run the Municipal Council (*VDP*, 20 Jan 2014). One of the UMP councilors, Ulrich Sumptoh, defeated a Green candidate for the position of mayor. This was not surprising given the failure of the Greens (led by then Prime Minister and Member of Parliament [MP] for Port Vila Moana Carcasses) to follow through on a preelection agreement whereby the GJP would forgo running candidates for the general seats in the southern ward in return for the Greens not running a candidate for the woman's reserved seat. The Greens, in fact, ran an independent candidate on the general list, who won the seat, costing the GJP an expected victory (Republic of Vanuatu, Official Results). The failure of the Green Confederation to honor this agreement with GJP on municipal-level politics had a carry-over effect nationally. It signaled the perception that the leaders of these two parties were no longer as close as they once appeared to be.

There was no evidence of any reluctance to accept the new voting system, and therefore, for the first time in Vanuatu's electoral history, thousands of both men and women voted for and elected multiple female candidates to political office. It should be noted that women do not use their numerical power to unite in support of female candidates but rather seem to follow the men in their families. As a result, since independence, only five women have been elected to Parliament and a similar number to the municipal councils of Port Vila and Luganville.

The election was indeed revolutionary in Vanuatu's electoral history and a first among Pacific Island countries as a whole.

Except for the National United Party (NUP), the Opposition did not get involved in the municipal election, but it had not gone to sleep. By mid-February, rumors began to surface of an impending motion of no confidence against the Carcasses government (*VDP*, 17 Feb 2014). The last such motion had occurred in July 2013—tabled by the then leader of the Opposition, Ham Lini—but was dismissed on technical grounds relating to the validity of signatures (Van Trease 2014, 548). With a reported 27 out of 52 MPs having signed the motion for an extraordinary session to be convened, the government appeared to be under threat with only 24 MPs on its side (*VDP*, 18 Feb 2014). (Note that the Speaker, who is an elected MP, does not vote unless there is a tie or in the case of the actual election of prime minister.)

Up to this time, government support had been quite solid with a total of 36 MPs out of 52, comprising basically two blocs—the Carcasses group and a group led by Edward Natapei, deputy prime minister and leader of the Vanua'aku Pati. In addition to the VP, the Natapei group consisted of MPs from the GJP, UMP, and Melanesian Progressive Party (MPP), none of whom, it was reported in a press release, had signed the motion of no confidence.

The problem for the government arose when 11 MPs who had been part of the Carcasses group switched sides and formally reconciled with the Opposition. Included were mem-

bers representing the Iauko Group, Nagriamel, Natatok, and the Vanuatu Republican Party, as well as an independent. The Opposition at that point had comprised 16 members and was led by Ham Lini, leader of the National United Party, as well as MPs from the People's Progressive Party, Reunification of Movement for Change, Vanuatu Liberal Democratic Party, and an independent.

It was reported that the eleven disaffected MPs had decided to move against the government because Carcasses had failed to follow through on undertakings he made the previous year. He had not supported a promised increase of MP allocations from 4 million vatu to 10 million (US\$1.00 averaged around 96.8 vatu [VT] in 2014), given to MPs to fund projects in their own constituencies, which he later denied, and had not fairly distributed roofing iron given by the Chinese government to Carcasses's Green Confederation (*VDP*, 26 Feb 2014).

Realizing they did not have the numbers to survive a no-confidence vote, the government boycotted the extraordinary session of Parliament that was scheduled for 24 February. At a press conference on the same day, Prime Minister Carcasses made an offer of four ministerial portfolios to members of the Opposition bloc, which was initially rejected but accepted a few days later, returning the government to a majority of 28 with the Opposition at 23. Realizing they no longer had the numbers, the Opposition withdrew the motion of no confidence (*VDP*, 27 Feb 2014). A total of nine political parties remained united in opposition: the National

United Party, Reunification of Movement for Change, Vanuatu Republican Party, Vanuatu Progressive Party, Nagriamel, People's Progressive Party, Iauko Group, Hope, and Natatok (*VDP*, 3 March 2014).

Rumors of yet another move against the government became reality when a motion of no confidence was tabled during the second week of May, lodged by the leader of the Opposition, Ham Lini, and the deputy leader of the Opposition, Sato Kilman. It was signed by thirteen MPs, all from the Opposition, and was scheduled for debate on the afternoon of 15 May. Six reasons were given for the motion, which accused the prime minister of reckless financial policies "with the potential to destroy the country's foreign reserves and import cover in the near future . . . [that he] is gambling the future of the country on questionable schemes . . . without the required due diligence," such as the CIIP scheme [Capital Investment Immigration Plan, designed to sell permanent residence visas to wealthy Chinese], real estate deals and the proposed international airport. He was also accused of allowing the "deterioration of the health services throughout the rural areas" and of becoming "dictatorial" toward key government institutions and "interfering with the Public Service Commission to promote his political supporters" (*VDP*, 10 May 2014).

In a press conference on the day before the impending vote, Carcasses rejected all the allegations leveled against him, and Deputy Prime Minister Edward Natapei attempted to assuage rumors that his own Vanua'aku Pati was backing the

motion. Natapei pledged his support and that of the bloc of parties he headed, totaling 18 MPs out of the 35 who made up the coalition—the VP, GJP, and UMP—and confirmed that he had not received any indication from the other two parties that they were contemplating a move in support of the Opposition’s motion. Furthermore, he assured the prime minister that he would inform him, as required under the coalition agreement, if he heard anything. When quizzed by a reporter “if he would be the sole VP MP sticking with the PM while all the other VP MPs would be moving to support the motion,” he made the point that “it is important for the future and the solidarity of the party [VP] for all of us to remain with the Government” (*VDP*, 15 May 2014).

Nevertheless, when the motion was voted on the following day, 35 MPs, including those from the VP and the GJP, joined the opposition to remove Carcasses. He was replaced by veteran VP politician Joe Natuman from the island of Tanna, who was the sole nominee and who received an unprecedented 40 votes out of the total of 52 MPs, with 9 voting against and 3 abstaining. More MPs voted for Natuman than had crossed the floor to vote to censure Carcasses.

There were reports that the move against Carcasses stemmed from his successful attempt at removing Natapei as prime minister in 2010 and that Natapei had been aware of the plot all along. While there may be an element of truth in the “revenge” theory, growing concern over a number of the prime minister’s policies as outlined in the motion—but, in particular, his promotion since 2013 of a US\$350

million guarantee for the construction of a new airport by a Singapore company best known for tobacco production—appears to be the most compelling reason uniting the 35 MPs from the Opposition and within the government coalition to vote to replace Carcasses (Van Trease 2014, 549–550).

Carcasses himself would have been surprised by the outcome of the motion, since those plotting against him did not have to reveal the full degree of their support until the actual day of the debate. They only needed nine signatures to table a motion of no confidence, since Parliament was in session (Parliamentary Standing Orders, Para 14 [1]). If Parliament is not in session, a motion presented to the Speaker must be accompanied by a request to call an extraordinary session, which requires the support of a majority of MPs, or 27 signatures. Since the motion in May was tabled during an ordinary session of Parliament, there was no need to recall Parliament and, therefore, no need to demonstrate support beyond the required 9 MPs who signed the motion, though 13 actually signed. Carcasses, therefore, seems to have been unaware of the substantial backing for the motion and would have been moderately confident of surviving the no-confidence vote, having been assured by Natapei of the support of the largest party grouping in his governing coalition. It was reported that on the day the motion was debated, the VP and GJP symbolically “crossed the floor”—accompanied by Deputy Speaker Edward Natapei—to join with the Opposition to bring him down. This brought to an early end

the one-year leadership of the nation by Carcasses, whose accession to the position, as the first naturalized citizen to do so, was controversial. He may now be a spent force in Vanuatu national politics.

The new government moved quickly to demonstrate a new course. Prime Minister Natuman aligned himself and his new government with the “core values” of the founding fathers of the country—“honesty, respect, transparent and accountable, and proper” management of government “not to live beyond your means” (*VDP*, 22 May 2014). The prime minister also announced that portfolios would not be offered to MPs who perpetually crossed the floor in Parliament and contributed to ongoing political instability. Members of the Iauko Group, in particular, were mentioned. At the same time, the government gave notice that it intended to introduce a leadership integrity bill to ban MPs from crossing the floor in Parliament (*VDP*, 21 May 2014). As a result of these decisions, it soon became clear that the government would not be able to sustain the very large degree of parliamentary support it had enjoyed in the vote of no confidence and election of Natuman as prime minister. However, while rumors of votes of no confidence surfaced almost immediately, the government was never seriously threatened for the rest of the year.

Just one week after Natuman took over as prime minister, his position was strengthened beyond doubt when the Supreme Court announced that it had dismissed election petition case 3, relating back to the national election in 2012, involving all seven seats in the prime minister’s home constitu-

ency of Tanna. The election had been challenged on broad grounds relating to the use of unauthorized envelopes for casting votes, proxy voting, and allegations of bribery. The petition was one of twenty-four lodged after the election, all of which were ultimately dismissed. In the Tanna case, the Supreme Court found that the petitioners had failed to establish grounds for overturning the election results, thus eliminating any doubt as to Natuman’s position and authority (*VDP*, 24 May 2014). The inordinate delay in resolving the election petitions brought to light a weakness in the overall voting system, which needs to be resolved in the future.

The two coalitions of parties that emerged to form the new government and the Opposition revealed what may become an increasingly important trend in Vanuatu politics—the attempt to reconstitute the old party groupings from the time of independence. During the 1980s, Vanuatu politics was dominated by just two parties: the Vanua‘aku Pati, which held government throughout the decade, and the Union of Moderate Parties. However, both parties eventually splintered due to internal leadership rivalries.

In 1987, following a failed attempt to unseat Father Walter Lini as president, Barak Sope left the VP and set up his own Melanesian Progressive Party (MPP). The most significant split occurred in 1991, when Lini was forced out of the VP in a power struggle and established his own National United Party (NUP), led today by his brother Ham Lini. Sato Kilman broke away from the MPP in 2001 and established the People’s Progressive Party (PPP). Having divided

their followers, neither the VP nor NUP was able to win a majority in the 1991 national election, allowing the Union of Moderate parties (UMP), led by Maxime Carlot Korman, to form a coalition with NUP—a chance for Lini to get revenge on his former VP allies who had maneuvered his demise (Van Trease 1995, 73–163). Within a few years, however, the UMP also began to have leadership problems. By 1995, Serge Vohor had forced Korman out of the UMP, the latter establishing his own Vanuatu Republican Party (VRP), and in 2012 Charlot Salwai broke away and established what he now calls Reunification of Movement for Change (RMC). Not long after, Korman lost control of the VRP and formed the Vanuatu Democratic Party, and his nephew, Alfred Carlot, reconstituted the Natatok Party (Van Trease 2014, 531–532).

Earlier in 2014, the leaders of both the VP and the UMP announced their intention to attempt to reconcile the breakaway political groups from their respective parties. UMP organized a meeting of “Moderates” in Luganville, where then Minister Serge Vohor (leader of the UMP) correctly argued that the total number of votes for moderate candidates was not reflected in the number of MPs elected. Those invited to the meeting included Prime Minister Moana Carcasses (Green Confederation), Vincent Boulekone (former Tan Union), MPs Stephen Kalsakau and Charlot Salwai (Reunification of Movement for Change), MP Paul Telukluk (Namaki Aute), MP Willie Jimmy (Liberal Democratic Party), Nagriamel leaders, and moderate leaders from Tanna (eg, John Frum, Kapiel). Salwai, claiming to also

speak on behalf of Nagriamel, John Frum, and Kapiel, rejected the UMP call for unity (VDP, 4 Feb, 6 Feb 2014). It should be noted that Salwai joined with the VP, NUP, and GJP to topple Carcasses, who with Vohor (UMP) formed the new Opposition in May.

The Vanua‘aku Pati, which has recently been identified as representing the “Nationalists”—harkening back to its role as leader of the group that led the struggle for independence—has announced its intention to reconcile with its former political allies but has not found the process any easier to achieve than that of the UMP. While informal discussions have been underway for some time with Ham Lini and NUP, and with Barak Sope’s MPP, the outcome of VP’s 38th party congress in August demonstrated that political rivalries among top leaders—both within and breakaway—were far from being resolved.

Particularly difficult were relations with the Iauko Group, headed by Pascal Iauko (son of VP breakaway Harry Iauko from the island of Tanna), whose quest for leadership at the Tongoa congress in 2010 split the party, leaving Edward Natapei as president. Iauko was forced eventually to adopt the name “Iauko Group” in order to contest the 2012 election, in which he was returned as MP for Tanna (Van Trease 2014, 532). The fact that Harry Iauko had been one of Natapei’s strongest supporters in 1999, when he was elected party president (see below), demonstrates how fickle big party politics can be in Vanuatu. Following Iauko’s death under mysterious circumstances in December 2012 in Santo—suspected to be linked to the presence of the

mega yacht *Phoea*, which was anchored in Port Vila harbor for ten months during 2012 and 2013—his son, Pascal Sebastien Iauko, won a by-election in May 2013 to replace his father (Van Trease 2014, 547).

Election of the party executive turned out to be the most divisive problem facing the VP at the August 2014 congress. Traditionally, though it is not specifically stated in the party by-laws, the senior leadership role (president of the party) should hold the senior position in Parliament—that is, prime minister or leader of the Opposition—should the possibility present itself. This fundamental issue, however, has never been fully addressed and has led to tension between rival leaders on at least one other occasion. In 1999, the newly elected party president, Edward Natapei, stepped aside to allow MP Donald Kalpokas to take the leading role as prime minister. Within two years, rivalry between the two men and their supporters had developed to the point that in a snap election in 2002, Kalpokas was forced to run as part of a separate VP faction, called the Vanua-K Group, and lost the election when opposition VP—Natapei supporters—ran rival candidates in his constituency of Efate. Natapei, therefore, continued as president of the party.

When the 2014 congress convened in Port Vila, the VP again faced the situation of two strong leaders vying for the top party position—both Natuman and Natapei were nominated for the position of president—creating tension among the delegates. At one point, balloting was suspended for a time and some votes were declared invalid. In the end, Natapei

was elected president of the Vanua‘aku Pati, while Natuman retained his position as vice president and, of course, prime minister of the republic. Both men assured the congress that they would respect the outcome (VDP, 26 Aug, 28 Aug, 29 Aug 2014).

The day prior to the start of the congress, the four “nationalist parties” (the VP, NUP, MPP, and PPP) signed an agreement that they hoped would lead to their reunification (VDP, 25 Aug 2014). It is significant to note that the Iauko Group was not included in the signing, despite the fact that they had helped topple Carcasses in May and had formally reconciled with the VP in a ceremony in June (VDP, 25 June 2014). This was most likely due to lingering discontent from the fact that the Iauko Group had not been included in the distribution of portfolios following the ouster of the Carcasses government, making a permanent reconciliation difficult. The outcome of the congress clearly indicates that the VP still has work to do to produce a functioning party that reunites all its breakaway parts.

Making the issue more problematic is the fact that over the years, but particularly since 1991, increasing numbers of independents have been elected—some taking on party names and others remaining as independents. They usually disappear after one election, but an exception has been the Graon mo Jastis Pati, led by Ralph Regenvanu, who was first elected in 2008 as an independent and, after the foundation of his own party in 2010, succeeded in getting four MPs elected (including himself) in the 2012 election. He is known for taking principled positions based on issues

of good governance and has served in the Kilman, Carcasses, and, at present, Natuman governments. Regenvanu has become very influential in politics today, having spearheaded significant reform legislation as minister of lands in 2013 and emerging as a driving force in the toppling of the Carcasses government in May. His style of politics has begun to attract considerable support, and not only in his own electorate of Port Vila, where in the 2012 election he received the highest total vote ever by a candidate in Vanuatu's electoral history. The issue worth watching is whether Vanuatu voters will be attracted to the call of the old parties to reunite on the basis of past history or turn to the likes of the new Graon mo Jastis Pati, which focuses much more clearly on dealing with the challenges of today.

Indeed, one wonders if the two groups—Nationalists and Moderates—are really serious about reviving past glories as the basis for modern parties today, especially since an increasing majority of voters were not even born at the time of independence in 1980 and would not be aware of the events, let alone the policies of the two major parties. It is never discussed, but the Moderates and Nationalists reflect the old Anglo/French divide, which made the achievement of independence for Vanuatu extremely difficult. Will the two sides want to debate each other again over the old issue of the need for immediate or delayed independence? Do they really want to fight over which systems of education, local government, or law are better, or which language is more important—English or French? And, of course, there is the rebellion. On

which side do the party groupings stand today? The astounding thing is that these issues are hardly ever spoken about—they are taboo subjects, which everyone seems to want to forget—and yet they lie just below the surface and silently affect relationships far more than the two groups are willing to admit to themselves, let alone to each other. The desire to reduce instability is an admirable goal, and the leaders of the old parties should be praised for focusing on the problem. Knowing and acknowledging one's history is essential for understanding the present, but as the old saying goes: "You can't move forward by just staring in the rearview mirror!"

Perhaps sensing the opportune moment, on 29 August, the Carcasses-led opposition tabled a new motion of no confidence and request to call Parliament into session, signed by 27 MPs, with the backing of some government backbenchers (VDP, 30 Aug 2014). Subsequently, the Speaker ruled that the motion was not in order due to the fact that several of the government backbenchers claimed they had withdrawn their signatures prior to or after the motion was actually tabled (VDP, 1 Sept, 2 Sept 2014). The dispute finally ended up in court, confirming the Speaker's decision to reject the motion (VDP, 9 Sept 2014).

In the midst of this unsettled political situation, Parliament turned to the important task of electing a new president to replace His Excellency President Iolu Johnson Abbil, whose five-year term in office was about to expire. It was obvious to most political leaders that this would be a difficult task, as Parliament was narrowly divided, making it highly unlikely that

either side of politics—the Nationalists or the Moderates—would have the numbers to elect one of their own candidates without support from another party.

According to the Vanuatu Constitution, “the election of the President of the Republic shall take place within 3 weeks of the end of the term of office of the previous President. . . . any indigenous Vanuatu citizen qualified to be elected to Parliament shall be eligible for election as President of the Republic” (Constitution, chapter 6, article 34, schedule 1 and article 35). Following on, “every citizen of Vanuatu who is at least 25 years of age shall be eligible to stand for election to Parliament” (Constitution, chapter 4, article 17 [2]). In other words, the office of president is open only to “indigenous” citizens of at least twenty-five years of age.

The president is elected by a two-thirds majority of a 58-seat Electoral College—39 votes—consisting of the 52 MPs plus the presidents of the 6 provincial governments. At the time, the government controlled only two of the provinces (Malampa and Penama) and the Opposition four (Banks/Torres, Sanma, Shefa and Tafea), which gave the government an estimated 32 votes and the opposition 26; it is difficult to be more precise because of the wavering support of certain MPs.

A total of 23 individuals expressed to the Electoral Office their intention to apply for the vacant position. Two were women, but they did not proceed to fill out the forms. Likewise, several of the remaining men did not submit completed forms, leaving only 13 names, which were duly screened by the Electoral Office; all of them

were approved and submitted to the Electoral College for consideration. The 13 candidates included mostly former politicians: two prime ministers (Barak Tame Sope and Maxime Carlot Korman), several ministers and elected MPs, a clerk to Parliament, and one clergyman. Six of the candidates would have been identified with the government side, while four were associated with the Opposition. The remaining three had not been actively involved in politics (*VDP*, 10 Sept, 15 Sept 2014).

While experience, reputation, and political affiliation are important considerations, island of origin was also clearly a factor in the selection process. Of the seven previous presidents, one was from Efate and one from Emae (Shefa Province); one from Aneityum and one from Tanna (Tafea Province); one from Pentecost (Penama Province); and one from Ambrym (Malampa Province). It was suggested in the press that the new president would most likely come from one of the islands or provinces that had yet to produce a head of state, and this was reflected in the number of candidates who had applied: the islands of Malakula (4), Santo (3), Torba (1), and Ambae (1). There were no candidates from Tafea Province, which had already produced two presidents, including the current president, Iolu Abbil, from the island of Tanna. One local journalist described how the Nationalists (the government coalition) were keen that someone be elected who had been associated with the independence struggle. The Opposition moderates were thought to be focusing on someone from the Nagriamel

movement, which was on the other side of independence politics (*VDP*, 17 Sept 2014).

The Electoral College convened on 16 September with Chief Justice Vincent Lunabek presiding. Not surprising, given the political atmosphere at the time, reaching a decision was extremely difficult. The Electoral College had to meet on seven separate days before one candidate received the required two-thirds of the votes. Baldwin Jackson Lonsdale, from the island of Motalava in the Banks Islands (Torba Province), was elected with 46 votes—7 more than the minimum 39 required under the constitution. His election was surprising for some, as he was one of the least political of the candidates, but this may actually explain his election, given the political divisions at the time. He began employment in 1968, before independence, working as an officer in the British National Service, and he had subsequently trained to become an Anglican priest, attaining tertiary level qualifications in New Zealand. He later taught at several different educational institutions and served as the secretary-general of Torba Province from 1998 to 2006 (*VDP*, 23 Sept 2014).

In mid-July, students at the Emalus Campus of the University of the South Pacific in Port Vila staged a peaceful demonstration in support of West Papua's struggle for independence from Indonesia—not a new issue in Vanuatu, which is the only country in the Pacific in which an international issue has taken on political significance and is openly supported by most political parties, from both the government and Opposition. This

demonstration marked the start of a new round of activities, which culminated in a gathering of West Papuan political leaders in mid-December. The purpose of the conference was to allow all pro-independence groupings inside and outside West Papua to unite under one umbrella in preparation for submitting an application to the Melanesian Spearhead Group to join the subregional group as a full member (*VDP*, 17 Sept 2014). The Vanuatu government pledged financial backing for the conference, and Prime Minister Natuman made an impassioned plea in late September at the United Nations General Assembly in support of the West Papuan cause (*VDP*, 19 Sept, 1 Oct 2014).

The Indonesian government, through its embassy in Canberra, expressed its displeasure at the Vanuatu government's intended support for the West Papuan conference (*VDP*, 1 Dec 2014). Prime Minister Natuman responded that he "would consider altering the Vanuatu-Indonesia Bilateral Agreement, if Indonesia continues to interfere in Vanuatu's stand on West Papua issues" (*VDP*, 9 Dec 2014). On 6 December, the leaders of the three major pro-independence groups (the Federal Republic of West Papua, the National Parliament of West Papua, and the National Coalition for Liberation) deliberated in the Chiefs' Nakamal in Port Vila and signed an agreement to establish a new body called the United Liberation Movement for West Papua (*VDP*, 8 Dec 2014). Carcasses joined the government in expressing his support for the meeting and congratulated the West Papuans for their achievement in obtaining unity (*VDP*, 12 Dec 2014).

In early November, the prime minister requested that the Speaker call Parliament for a regular session, scheduled for 18 and 19 December, to consider the 2015 budget (*VDP*, 5 Nov 2014). Not surprising, rumors of the possible tabling of a new motion of no confidence surfaced, but with the puzzling news in the local press that amounts of money between VT500,000 and VT1 million, totaling VT14.5 million, had allegedly been paid into the accounts of a number of MPs (*VDP*, 11 Nov 2014). Ten days later, it was announced that the prime minister and the deputy prime minister had lodged a motion in Parliament to suspend sixteen Opposition MPs for alleged bribery. The motion contained the facts, verified by the police, that the leader of the Opposition, Moana Carcasses, had deposited a check for VT35 million in his personal account at a local bank and subsequently transferred money to Opposition MPs as described above, which he claimed were loans. It was alleged in the newspaper that Carcasses had not denied these facts and had openly stated that he was offering the money as loans “to any MP of either the Opposition or the Government sides who will pledge their allegiance to him” (*VDP*, 21 Nov 2014).

The basis of the motion for suspension was chapter 10 of the Vanuatu Constitution (article 66 [1 and 2]), which establishes the Leadership Code and requires leaders in government to conduct themselves so as to avoid any activity that might demean their office or the integrity of the Republic of Vanuatu. In particular, leaders should not engage in any activity involving a conflict of interest or for personal gain

(Constitution, chapter 10, article 66 [1 and 2]).

It came as no surprise that the next day, the leader of the Opposition tabled a motion of no confidence in the prime minister, giving five reasons: that the prime minister (1) was causing harm to the country for refusing to enforce the airport concession, risking damages expected to total more than 3 billion vatu; (2) had interfered in the function of the Public Service by removing the chairman and members of the Citizenship Commission; (3) had failed to act on the e-visa scheme in China and to deal with alleged misuse of funds; (4) had stopped the decentralization of council of ministers’ meetings in the provinces; and (5) was leading the country in the wrong direction by favoritism and focusing on the past rather than the future.

The Speaker pointed out that the motion of no confidence in the prime minister had come two days after the motion to suspend sixteen MPs and would, therefore, be dealt with after that of the prime minister. Under Parliamentary Standing Orders, three days is required before a written motion can be debated. He also pointed out that the two movers of the second motion were among those listed in the motion of the prime minister for suspension, which could have an impact on the final outcome (*VDP*, 22 Nov 2014).

Indeed, when the motion was debated, the leader of the Opposition, Moana Carcasses, and his deputy, Serge Vohor, were suspended, along with fourteen other MPs. The motion claimed that by accepting the “loans,” the accused MPs had broken the

Leadership Code, which stipulates that “a leader must not accept a loan (other than on commercial terms from a recognised lending institution) and only if the leader satisfies the lending institution’s usual business criteria” (Supreme Court, Leadership Code Act [CAP 240], part 3—Breaches of Leadership, section 21).

Carcasses’s response was that he would seek redress in the court, arguing that the rights of the suspended MPs had been infringed, “as only the court has the right to punish anyone and not the parliament” (VDP, 26 Nov 2014). When asked about the source of the money he had distributed, Carcasses claimed that “the money belonged to me. I sold my properties” (VDP, 27 Nov 2014). The sixteen MPs left Parliament and remained absent for the remainder of the session.

The Supreme Court, however, decided that the suspension of the MPs “had breached the petitioners’ constitutional rights under various Articles of the Constitution specified in their petition”; therefore, “the suspension was invalid, void, and of no effect” (VDP, 3 Dec 2014). In response, the Speaker called for a judicial review, expressing his concern that the court decision had intruded in the affairs of Parliament—that is, that it interfered with the “separation of powers between the legislature and the judiciary under the constitution of the country . . . and that Parliament had a duty to act to protect its integrity by deciding to discipline those members concerned” (VDP, 4 Dec 2014).

Following the court decision, the sixteen MPs removed the motion of no confidence due to a lack of numbers to pass it. However, Prime Minister

Natuman responded strongly to the accusations against him. He labeled the airport concession agreement signed by the Carcasses-led government as a “scam” and noted that in July, Parliament, including Carcasses, had voted to allow the agreement to lapse after receiving the report of an Ad Hoc Committee engaged to investigate the project, which reported that “99% of the contract did not favor the government, the people and Vanuatu but ‘only foreigners and it could cause a catastrophe.’” The prime minister also cautioned that “there were people around trying to get the Opposition to return to government to reopen the agreement.” He noted as well that although the sixteen MPs were officially back in Parliament, the police were resuming their investigation against them relating to the complaint of alleged bribery (VDP, 5 Dec 2014).

With the closure of Parliament, the political tension in the air subsided. However, the serious allegations of bribery against the sixteen MPs remained to be resolved, with the Public Prosecutor’s office preparing a case that was expected to be presented in court around mid-March 2015. The impact of a conviction would be substantial, with the possibility of either a “fine not exceeding VT5,000,000” or “imprisonment for a period not exceeding 10 years” (Supreme Court, Leadership Code Act [CAP 240], part 6—Punishment of Leaders, section 41[a] and [b]). This was the first time that accusations of bribery against elected government officials had reached this stage of investigation and possible prosecution, though the suspicion of money changing hands during votes of no confidence and

coalition formation is constant and widespread. Whatever the result, the publicity surrounding the potential court case raised the consciousness among the public, at least in Port Vila, as to the seriousness of the allegations. There seemed to be little awareness, however, of the significance that a negative court judgment could have: the potential for sixteen MPs (30% of Parliament) to lose their seats. Politics in the first few months of 2015 are sure to be of great interest.

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