

Political Reviews

The Region in Review: International Issues and Events, 2011

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Melanesia in Review: Issues and Events, 2011

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FIJI

The year 2011 was the first since the December 2006 coup to occur without a major political crisis in Fiji. In every previous year, the regime faced stiff tests that potentially threatened its very survival: public sector strikes in 2007, the rupture with Mahendra Chaudhry's Fiji Labour Party in 2008, a ruling on the unconstitutionality of the government followed by the abrogation of the constitution in 2009, and schisms among the military top command in late 2010. By contrast, 2011 passed without major domestic challenges, although harassment of trade unionists, the Essential National Industries (Employment) Decree 2011, and cuts in pensions encouraged a significant reconfiguration and internationalization of the opposition. Fueled by the silencing of domestic critics, the foreign sympathizers of the Frank Bainimarama-led government became more outspoken but carefully couched their urging of overseas "reengagement" as a sensible strategy for protecting Australia's sphere of influence from Chinese encroachment. By the end of the year, the Fiji interim government had hired Washington DC-based spin-doctoring firm Qorvis to bombard the world's media with positive news stories about Fiji.

The fifth year since the 2006 coup initially commenced, as 2010 had finished, with more signs of

top-level schisms. Two of the most senior officers in the Republic of Fiji Military Forces—Land Forces Commander Brigadier General Pita Driti and Third Battalion, Fiji Infantry Regiment Commander Roko Tevita Uluilakeba Mara—had been, without official explanation, told to use up outstanding leave in October 2010. In February 2011, they were replaced in their substantive positions, respectively, by Colonel Mosese Tikoitoga and Lieutenant Colonel Jone Logavatu Kalouniwai. Tevita Mara, the youngest son of the late Ratu Sir Kamisese Mara, Fiji's former president, had until 2008 been a strong backer of the 2006 coup and a loyal ally of Bainimarama. He was the officer who urged the military's case at Fiji's Great Council of Chiefs at the time of the December 2006 coup, and he later carried out a mini-coup to secure for himself chairmanship of the Lau Provincial Council. In 2010, he had been overheard denouncing the regime while overseas, in transit through South Korea, and the matter was reported back to Bainimarama. Mara and Driti were brought before the Suva Magistrates Court in May 2011 on charges of sedition and incitement to mutiny, but they were released on bail. Coming close on the heels of the November 2010 resignation of Defence Minister Ratu Epeli Ganilau, Ratu Sir Kamisese Mara's son-in-law, the new dismissals signaled a broader breach with a once-powerful dynasty. Yet the president, Ratu Epeli Naila-

tikau—who like Ganilau is married to one of Ratu Mara’s daughters—remained at his post. Rumors spread of an impending showdown, which even extended to draft presidential decrees dismissing the prime minister, circulated on the feverishly anti-Bainimarama weblogs.

Nailatikau’s predecessor as president, Tui Vuda Ratu Josefa Iloilo, died in February, and was given a full state funeral in recognition of his almost consistent willingness to follow a script written for him by military officers. Traditional presentations (*i-reguregu*) honoring Ratu Iloilo at Vuda were made by both Bainimarama and his senior military officers as well as by their arch-adversary, Tui Cakau Ratu Naiqama Lalabalavu, whose family is closely tied to that of Ratu Josefa (FijiLive, 15 Feb 2011). This was one of many events, as required by protocol in Fiji society, during which fierce opponents came together in ceremonial contexts, despite the bitterness occasioned by the 2006 coup and its aftermath.

Bainimarama’s indigenous opponents were less vociferous in 2011 than in earlier years, but tensions still festered just beneath the surface. In February and again in March, international human rights watchdog Amnesty International reported that “the human rights situation in Fiji is worsening,” pointing to a new spate of arbitrary detentions and beatings of trade unionists, politicians, and youth activists (Amnesty International 2011). Sam Speight, brother of 2000 coup leader George Speight, was badly beaten for distributing a video denouncing Bainimarama’s government. Other forms of intimidat-

tion were subtler. Economist Wadan Narsey, one of the few coup opponents to continue to publicly denounce the regime, was terminated from his post at the University of the South Pacific after a government threat to withdraw funding to the regional institution (RNZI, 19 Aug 2011). Repression drove protest underground. In August, the clandestine “Viti Revolutionary Forces” was scrawling anti-regime graffiti across the capital and setting fire to remote bus shelters. Later in the year, villagers in Namosi openly protested against the planned Newcrest mining project, but with placards cautiously indicating that the message was “pro-government” but “anti-mining” (PNG Mine Watch 2012).

The Methodist Church had been prohibited from holding its annual meeting in 2009 and 2010, but in 2011 the conference was scheduled to go ahead in August. Military spokesman Lieutenant Colonel Neumi Leweni insisted that church leaders take the opportunity to address “anomalies within its hierarchy” (*Fiji Times*, 12 Aug 2011). Despite harassment by soldiers at the Queen Elizabeth Barracks, church leaders refused to comply with demands that the agenda for the conference include the removal of General Secretary Tui-kilakila Waqairatu and President Ame Tugae. As a result, the three-day convention was reduced to a single day and the choir and *sol*i (fund-raising) competition canceled. Land Forces Commander Moses Tikoitoga said at a press briefing that some ministers were “disrupting the forward movement of the church” while others were “working very hard to bridge this gap” (*Fiji Times*, 24 Aug 2011). At

the scaled-down gathering, Waqairatu and Tugaue were reelected, signaling that Bainimarama's triumph was not yet complete, despite all the carefully choreographed apologies for past resistance he was able to obtain across rural Fiji.

In May, Tevita Mara dramatically escaped from Fiji to Tonga. He claimed—unconvincingly but presumably to protect the identities of those who had assisted—that he had been out fishing in waters off Kadavu but had run into difficulties near the island of Ono-i-Lau, where he had by chance been picked up by a patrolling Tongan naval vessel. He was taken to the Tongan capital, Nuku'alofa, and placed under the protection of King George Tupou V, a distant relative. From Nuku'alofa, Mara denounced the “hateful dictatorship” in Fiji. He said that he had “believed in Bainimarama, in what he was doing” until late 2007, but that Attorney General Aiyaz Sayed-Khaiyum was subsequently brought aboard the, until-then, powerful military council and had subverted the original heroic objectives of the coup (*Matangi Tonga*, 27 May 2011; *The Age*, 17 May 2011). The escape sparked a diplomatic spat between Fiji and Tonga over demands for the extradition of Mara, potentially to be heard before the new Tongan Chief Justice Michael Scott, himself ironically a fugitive from the coup-related fallout in the Fiji judiciary. The Mara episode also renewed an ancient Tonga-Fiji dispute over the Minerva Reefs, located close to the maritime border between the two nations. Tonga reconstructed a navigation beacon on the reef, claiming that the earlier beacon had been destroyed by the Fiji navy

(RNZI, 25 May 2011). Samoan Prime Minister Tuilaepa Sailele Malielegaoi said in jest that Commodore Bainimarama should be grateful to Tonga for rescuing at sea his senior army officer: “Perhaps that’s what happens when their admiral spends all his time in politics leaving the navy headless” (Malielegaoi 2011). Tuilaepa said it was all a “Togafiti,” a squabble between friends, fully understood only by those few who knew that in Samoan “Togafiti” also means a sneaky trick.

Now possessing a Tongan passport, Mara traveled to Australia, allowed to enter despite travel bans against senior Fiji military officers because—according to Foreign Minister Kevin Rudd—he had been “decommissioned from the military and [had] disassociated himself from the regime” (ABC, 16 June 2011). In a series of speeches broadcast on the Internet, Mara alleged rampant corruption in the coup-spawned government. He claimed that Bainimarama and his attorney general were surreptitiously paying themselves multiple salaries, one for each of their many ministerial portfolios, through an accounting firm owned by Sayed-Khaiyum’s aunt Nur Bano Ali, and that both were taking “kickbacks on their Asian infrastructure deals” (Mara 2011b). Mara also blamed Bainimarama for personally beating pro-democracy activists at the barracks (Mara 2011a), a claim at least partially denied by some of those concerned, who insisted that Mara and Driti themselves had been key perpetrators of human rights violations in the aftermath of the 2006 coup. Mara was also cagey about key parts of his story, such as the composition of the

military council (ABC Pacific Beat, 31 May 2011), generating doubts about the credibility of many of his statements. Bainimarama retorted angrily, calling Mara a “fugitive” and “political opportunist” (FijiLive, 10 June 2011). New Zealand Foreign Minister Murray McCully said he had reports of growing tensions within the regime (FijiLive, 26 May 2011; RNZI, 16 May 2011). From Mara’s home on Lakeba, a letter was written forbidding Bainimarama from ever again setting foot on the island (FBCL, 30 May 2011). Yet, echoing a well-established pattern, the tensions soon blew over, and Bainimarama traveled to the Lau islands to receive another choreographed traditional apology from more pragmatic members of the Mara clan (*Fiji Times*, 15 June 2011; FBCL, 17 June 2011).

The diplomatic stalemate over Fiji continued through 2011. In February, the Pacific Island Forum’s Ministerial Contact Group (MCG) on Fiji met in Vanuatu and “reaffirmed” its concerns about “the respect for democracy, good governance and the rule of law” in Fiji and about the continued extension of the public emergency regulations (MCG 2011). Fiji’s interim Foreign Minister Ratu Inoke Kubuabola invited the Ministerial Contact Group to visit Fiji to observe steps being taken toward democracy. His New Zealand counterpart, McCully, welcomed the invitation as a “constructive and positive sign,” despite rejecting the Fiji government’s insistence on the delay of elections until 2014. Australian Parliamentary Secretary for Pacific Island Affairs Richard Marles insisted that no visit to Fiji was possible unless the Ministerial

Contact Group was allowed to meet freely with political parties, civil society, and church leaders (ABC Pacific Beat, 14 Feb 2011)—something that had been denied to Commonwealth and United Nations visiting missions. Kevin Rudd told TV New Zealand in March that “Bainimarama is the one who must change here” (*Islands Business*, 28 March 2011). The Australian opposition foreign affairs spokesperson, Julie Bishop, took a contrary line, saying that the core issue was to support electoral reform ahead of the scheduled 2014 polls (ABC Pacific Beat, 31 March 2011). McCully too was pragmatic and kept up mobile telephone communication with Foreign Minister Kubuabola, hoping to use full Fiji participation in New Zealand’s rugby world cup as a carrot to entice Bainimarama into accepting early elections (*New Zealand Herald*, 29 March 2011).

The Fiji government’s response was to work instead on cementing ties with the Melanesian Spearhead Group (MSG). In December 2010, Bainimarama took over as MSG chair and, in March 2011, he hosted the organization’s annual summit. In August, Melanesian leaders gathered for Bainimarama’s second “Engaging the Pacific” summit, again scheduled just ahead of the annual meeting of the Pacific Islands Forum (PIF), from which Fiji remained suspended. Also in attendance were some of Fiji’s small Micronesian neighbors, who are dependent on links to the outside world through Fiji’s Nadi airport. Kiribati’s Aote Tong urged that Fiji’s suspension be lifted. Melanesian leaders called for PIF Secretary-General Tuiloma Neroni Slade to be

replaced (*Islands Business*, 1 Sept 2011). As it happened, the Auckland PIF summit did neither, with leaders instead expressing “their continuing deep concern at the deteriorating human rights situation” (PIF 2011). Both inside and outside the region, attitudes toward Bainimarama varied markedly. Sāmoa’s Tuilaepa regularly abused Bainimarama in a jocular fashion and in November held the first summit of a new Polynesian Leaders Group (*Savali*, 28 Nov 2011), aimed at countering the Fiji government’s Melanesian diplomacy. Some Australian commentators lionized Fiji’s coup leader as the “King of the Pacific” (Davis 2011), while others demonized him as “the incipient Colonel Gaddafi of the Pacific” (Hughes 2011).

Bainimarama’s government also sought to build ties further afield. Embassies were set up in South Africa and Brazil, and diplomatic links were forged or strengthened with Georgia, Russia, the United Arab Emirates, and the Non-Aligned Movement. Soft loans from Beijing positioned Chinese companies for expansion into infrastructure and mining projects, particularly in manganese and bauxite. The China Railway First Group was awarded contracts for road and bridge building around eastern Viti Levu (*Xinhua News* 2011). Xinfu Aurum Exploration (Fiji) obtained a license to mine bauxite in Nawailevu in Bua Province, with plans for a F\$3.5 million jetty for export direct to China (*Fiji Times*, 6 Nov 2011).

Release by WikiLeaks of a US cable dating back to June 2009 revealed something about Chinese attitudes toward Fiji. Chinese Ministry of Foreign Affairs Department of North

American and Oceanian Affairs Deputy Director Zhou Jian had told the Americans that China valued Fiji as a “useful transition point and for its proximity to important shipping lanes.” Like the resource-rich African nations, Fiji was a “valuable destination for economic engagement but of marginal and possibly declining political utility.” Fiji’s culture, he said, resembled China’s in its focus on “consensus-building” and because both were “not fit” for competitive politics. Countering exaggerated reports about a vast increase in Chinese assistance, Zhou Jian pointed out that the big rise in Chinese assistance dated from before the coup in 2006 and said that “no new projects had been begun since” (US Government 2009).

Another secret US cable exposed by WikiLeaks showed that the United States had at the time of the coup strongly countered Australian pressure to halt recruitment of Fiji soldiers on United Nations peacekeeping missions and had even resisted calling that takeover a “coup” due to the “importance of Fiji to UN peacekeeping operations in Baghdad and elsewhere” (US Government 2006). In May 2011, Rudd announced a policy switch, saying that Australia would no longer object to new Fiji troops being deployed to Baghdad (*ABC Pacific Beat*, 11 May 2011). Behind the scenes, Australian travel sanctions were gradually being eased and contacts with the ministries restored, signaling a steady drift toward pragmatism. In November, Rudd announced a doubling of bilateral aid to Fiji, from A\$18 million to A\$36 million in 2013–14 (Rudd 2011). Oddly,

these concessions were barely noticed by those urging an accommodation with Bainimarama. Australian think tanks had called for “re-engagement” on the grounds that a policy switch would deliver significant concessions, but there was no sign of any reciprocal movement from the Fiji interim government during 2011. The think tanks focused on bilateral Australia-Fiji relations, as if this were the key driver of events, disregarding the domestic dynamics within Fiji.

At the Auckland PIF meeting, the Lowy Institute released an opinion poll conducted within Fiji by market research firm Tebbutt Research and funded by Fiji-born businessman Mark Johnson (Hayward-Jones 2011). This was based on interviews with 1,032 adults in urban areas of Fiji’s largest island, Viti Levu, in August 2011. It found that Bainimarama had a 66 percent approval rating and was used to reinforce pressure both from the Lowy Institute and the ANZ Bank for a policy switch toward Fiji. The poll was much criticized by civil society activists within Fiji, who pointed to the prevailing climate of fear and intimidation and asked how Tebbutt had gained permission to carry out its poll (ABC Pacific Beat, 7 Sept 2011). Former *Fiji Times* editor Russell Hunter had been responsible for commissioning occasional opinion polls from Tebbutt Research until he was deported by Bainimarama in 2008. He said that, “When the Tebbutt-Times poll was still operating, Caz [Tebbutt] several times declined to conduct a poll on contentious issues, fearing that the powers that be would shoot the messenger” (Lal and Hunter 2011). Standard practice for polling

organizations is to initially conduct pilot surveys, so Tebbutt would have known the likely findings before carrying out the poll.

Others criticized the poll on the grounds that the sample was too small and pointed to the urban bias, claiming that opposition to Bainimarama would have been stronger in rural Fiji (Narsey 2011). Yet, internationally, approval ratings surveys are regularly conducted with similarly small samples, and there was no good reason to think that the opposition would be weaker in urban Fiji. There were stronger reasons for questioning the Tebbutt methodology. A *Fiji Times*–Tebbutt survey conducted in February 2009 had asked respondents the open-ended question as to whom they preferred as prime minister: 31 percent had favored deposed Prime Minister Laisenia Qarase, and 27 percent Bainimarama (see Fraenkel 2010). The 2011 poll asked instead a highly loaded question: “How good a job do you personally think Commodore Voreqe Bainimarama is doing as Prime Minister?” Not only was the full military title used, but the more normal polling formulation would have been to ask “how good or bad” a job Bainimarama was doing. That the survey designers were possibly aware of this unbalanced phrasing was suggested by another question, which did use the positive and negative options: “Do you think Fiji is moving in the right or wrong direction?” To this question, 65 percent of respondents responded “the right direction,” but the exact meaning of “right” or “wrong” in this context was highly uncertain. Even coup critics might reasonably hope that Fiji was moving in the right direction. The

Tebbutt poll was used brazenly by the Fiji government to blow its trumpet throughout the rest of 2011, with the Ministry of Information's Sharon Smith-Johns crowing that Bainimarama was "almost three times more popular with the people of Fiji than the Prime Minister Gillard is with the people of Australia" (Fiji Government 2011).

More broadly, approval ratings may be reasonably indicative of shifts in popular sentiment in the mass industrial democracies, but they are of questionable value in a country like Fiji, particularly in a climate of severe censorship and intimidation. Indigenous anger against government had visibly subsided by 2011, but acquiescence remained limited. Several prominent chiefs had publicly made their peace with Bainimarama, but Rewa's Ro Teimumu Kepa, among others, still publicly opposed the government, and the Methodist Church had rejected strong incentives to buckle. With five years having passed since the military takeover, there was less focus on the rights or wrongs of the coup but more concern with present difficulties and options for the future. Fiji Indian support for the government remained strong. Veteran National Federation Party leader and Australian émigré Karam Ramrakha expressed relief that, unlike in the aftermath of the 1987 and 2000 coups, "for once no one is cursing the Indo-Fijians for Fiji's problems" (Ramrakha 2011). The real test would be a general election, but this was to be delayed until 2014, and there was little confidence within Fiji that those polls, if they happened at all, would be free and fair.

Gross domestic product grew by

2 percent in 2011, according to the International Monetary Fund (IMF), after posting an increase of only 0.3 percent in 2010 and shrinking by 1.3 percent in 2009 (IMF 2012). Tourism was the mainstay of the recovery. After a 7.4 percent contraction in visitor arrivals in 2009, 16.6 percent growth was witnessed in 2010 and strong growth continued in 2011. Arrivals from Australia during 2011 were over three times the level of a decade earlier. Previously, the Asian Development Bank had argued that earnings were failing to keep pace with raw visitor numbers, but by 2011 earnings too were clearly on the increase (ADB 2011). Performance in other sectors was less impressive, and investment remained stagnant while the banks were swimming in cash. The sugar industry was in steep decline. In 2009 and 2010, there were signs that the government would abandon efforts to save the troubled industry, which was delisted on the Suva stock exchange in 2010. However, in January 2011, new Fiji Sugar Corporation Chairman Abdul Khan said that the Rarawai Mill (the weakest of Fiji's four mills) was in "too strategic a position to be closed down" (*Fiji Times*, 27 Jan 2011). The British-based company Tate & Lyle, the major purchaser of Fiji sugar, promised some assistance. The best that could be hoped for, said Khan, was a "cash-neutral" position (ABC Pacific Beat, 18 April 2011). Bainimarama blamed the troubles on the politicization of the industry (*Fiji Sun*, 22 February 2011). The Fiji Labour Party's Lekh Ram Vayeshnoi responded that huge falls in productivity had occurred during 2008–2010, during a "time when there was 'no

politics” (Vayeshnoi 2011). In March, after claiming that the government was “fooling the farmers by not telling them the real situation of the mills,” National Farmers Union President Gaffar Ahmed was allegedly beaten during a visit by Bainimarama to the Ba Sugar Mill (Coups Four Point Five, 7 March 2011). In June, military officers allegedly assaulted Mohammed Khalil, president of the Ba branch of the Fiji Sugar and General Workers Union (RNZI 28 June 2011; ABC Pacific Beat, 4 Aug 2011).

A major hurdle for Bainimarama’s government was a F\$300 (US\$150) million bond due for repayment in September 2011, anticipated by some economists as likely to generate a financial crisis sufficient to sink the regime. Negotiations for a standby loan from the International Monetary Fund to cover that debt repayment were abandoned in 2010. The 2011 budget speech indicated instead an intention to raise the necessary finance on the private money markets. This fiscal optimism was to prove well founded. In March, the ANZ Bank brokered a new loan, obtaining F\$500 million mainly from European, American, and Asian investors at a 9 percent interest rate. Ratings agency Standard & Poor’s gave the bond a B-grade, reflecting a view that “the country’s persistent fiscal and current account deficits leave it vulnerable to default” (S&P 2011). By late 2010, government debt had reached 57.7 percent of gross domestic product, or 91.2 percent if government guaranteed debt is included, according to Asian Development Bank data (ADB 2011).

The IMF standby loan, reportedly available at a much lower interest rate,

had been offered with strings attached. Despite rejecting IMF assistance, Fiji’s government did embrace some of the supranational organization’s proposals for civil service and land reform. Reforms to the Fiji National Provident Fund, which holds 80 percent of long-term government bonds and 48 percent of treasury bills, had been urged. In May, the provident fund reduced its pension rate from 15 percent to 9 percent, generating outcry from senior citizens. A case brought before the courts on the issue by pensioner David Burness, with the assistance of former Fiji Human Rights Commissioner Shaista Shameem, was dismissed by the court. It was another sign of how subservient the courts had become, although Attorney General Sayed-Khaiyum vigorously protested that the judiciary was independent and not subject to government interference. One of the judges who had delivered the verdict declaring the Bainimarama government unconstitutional in April 2009, Randall Powell, said in August 2011 that “the Fiji military regime’s idea of an independent judiciary is one that does the government’s bidding.” Constant interference was unnecessary, he continued, because the judges appointed “would know that if they start pursuing an independent line there can be consequences” (ABC Pacific Beat, 18 Aug 2011).

Another IMF proposal had been for land reform. In February, a Land Use Bank was established to administer deposits of native and crown land (*Fiji Times*, 17 Feb 2011). The i-Taukei Land Trust Board (formerly the Native Land Trust Board)—which administers the renting of communally owned land—was directed to change

its formula for distribution of lease money and lifted rents to 10 percent of unimproved capital value (FijiLive, 4 Feb, 19 Jan 2011). A majority of rent income was formerly distributed to Fiji's customary chiefs, with the residual going to ordinary members of the *mataqali* (clan). Under the new regulations, rent was to be distributed equally among *mataqali* members. The change removed key income sources for the chiefs, particularly in the western part of Viti Levu, where traditional leaders obtain large rents from agriculture and tourism. Ironically, one impact of the change was to double the number of new indigenous Fijians signing up on the Vola ni Kawa Bula (Register of Native Births), a tool of racial coding much despised by sympathizers of the Bainimarama government (FijiLive, 27 July 2011).

The government was less keen to accept IMF proposals in other areas. A blizzard of tax regulations alienated even sympathizers within the private sector, and new rules—immune from judicial review—were regularly devised to retrospectively remedy belatedly apparent defects in earlier decrees. The Prices and Incomes Board, under Dr Mahendra Reddy, continued to regulate markets, supposedly in the interests of the less well off. The government introduced an across-the-board 10 percent minimum wage increase in May, undermining the long-standing efforts of Wages Council Chairman Father Kevin Barr to set distinct minimum wage levels for nine separate industries. Father Barr threatened to resign in February, criticizing the government for regularly caving in to employers (RNZI, 9 Feb 2011). He claimed that, despite

measures to alleviate hardship for the poor, poverty had been increasing in Fiji, largely because the government had followed the advice of international financial institutions like the International Monetary Fund and the World Bank (Barr 2011). Signs that poverty was indeed worsening around the country included reports of an increase in begging in Suva (ABC Pacific Beat, 27 April 2011) and of rising incidences of the theft of marine beacons, road signs, manhole covers, and bridge railings by scrap metal collectors (ABC Pacific Beat, 11 May 2011; FBCL, June 24 2011; *Fiji Sun*, 25 June 2011). Meat consumption was becoming less affordable. In August, the Suva and Nadi branches of Kentucky Fried Chicken announced their closure due to “rising costs and deteriorating sales” (*Sydney Morning Herald* 2011).

During the first half of 2011, several prominent trade unionists associated with the Fiji Trade Union Congress (FTUC) were harassed and beaten by military officers. National Secretary Felix Anthony was taken into custody in February and President Daniel Urai—together with FTUC staffer Dinesh Gounder—was arrested in August (ABC Pacific Beat, 4 Aug 2011). In response, the Australian and New Zealand unions threatened to halt in-bound flights to Fiji but desisted after concerns about the legality of such action. General Secretary of the International Trade Union Confederation Sharan Burrow said the unions would nevertheless escalate action against the Fiji regime (RNZI, 8 Aug 2011).

Efforts to curtail the activities of trade unions also occurred in

the legislative sphere. The Essential National Industries (Employment) Decree 2011 was introduced in July. It applied to eleven designated corporations in the banking, telecommunications, civil aviation, and public utility industries. Existing collective agreements were voided, and trade unions were required to reregister. Strike action was curtailed, and the jurisdiction of the wages councils was removed. Union leaders were required to be employees of the industries they represented, effectively ruling out most of the existing professional trade union leadership. The likely fate of those trade unionists who were state employees was vividly illustrated by the fate of Tevita Koroi, president of the Fiji Teachers Association. An investigation by the International Labour Office (ILO) found that, after speaking out against the interim government, Mr Koroi was suspended as a school principal in December 2008 and terminated in April 2009. The ILO declared this a “clear violation of his right to exercise his legitimate duties as a trade union leader” and called for his reinstatement (ILO 2011). An ILO delegation to Fiji in August was tasked with investigating broader allegations of violations of trade union freedom of association. On the very weekend that the delegation arrived, police broke up an FTUC meeting in Nadi on the grounds that the required and granted police permit for the meeting had been suddenly revoked.

Other legislation also weakened the position of the trade unions. The Employment Relations Amendment Decree of 2011 removed protections for 15,000 civil servants. In August, an amendment to the Civil Service Act

abolished the automatic deduction of union dues for public employees, a reform previously introduced in the sugar industry to weaken the position of the National Farmers Union. Bainimarama and Sayed-Khaiyum claimed that union leaders were politically motivated and corrupt, pointing to large directors’ fees allegedly taken by Mr Anthony and Mr Urai as directors of the Fiji National Provident Fund during 2007–2009 (FijiLive, July 21 2011; FBCL, 22 July 2011). In September, ILO Director-General Juan Somavia called for the rescinding of the Essential National Industries Decree and “a return to dialogue with trades unions and employers, an end to assaults on and harassment of trade unionists, and the immediate restoration of basic civil liberties” (Somavia 2011).

Throughout 2011 there were few major speeches by Bainimarama and no major interviews. With domestic resistance mostly crushed, there perhaps seemed less urgent need to justify government policy, and the commodore’s off-the-cuff remarks in the past had generated major difficulties for spin-doctors at the Ministry of Information. The danger of the government edging toward a personalist dictatorship was revealed by the outcome of a Fiji TV phone-in popularity contest at the end of 2011. Apparently, officials got wind of the fact that Bainimarama was unlikely to win the contest and arranged a barrage of last-minute phone calls so as to lift the prime minister’s rating above that of Consumer Council Chair Premila Kumar (Coups Four Point Five, 14 Jan 2012; Field 2012). By mistake, Fiji TV closed the poll on 30 December rather than

31 December, so Premila Kumar was announced the winner. Bainimarama's backers across the government cried foul. The Commerce Commission's Mahendra Reddy launched an investigation, querying the early closure of the poll (Reddy 2012). Fiji TV apologized and quickly reversed the result, with Bainimarama proclaimed the victor. Such reactions, even to the outcome of a minor telephone survey, left little confidence that a future nationwide election would be free or fair.

The year 2011 was a relatively quiet one in Fiji, though it was not without incident. Much of the focus was on 2012, when talks were due to commence toward a new constitution, paving the way for elections in September 2014. The Public Emergency Regulations were to be removed, but when this was done in January 2012, accompanied by a global press blitz by Qorvis, new public order legislation was immediately slapped into place that effectively entailed little change from the earlier arrangements. That public relations exercise therefore ultimately backfired, only reinforcing the perception that the Bainimarama government's promises were in bad faith. In fact, that Janus-faced character of the new order reflected conflicting pressures, emanating from opportunists connected with Sayed-Khaiyum (who were reluctant to see the emergency regulations lifted) and from a more liberal grouping within the military senior command (which resented the ever-increasing influence of the attorney-general). Little more was said publicly about Commodore Bainimarama's professed interest in a presidential system, expressed in April to visiting Indonesian election officials

(*Fiji Times*, 9 April 2011). For several years, Bainimarama had regularly indicated that opponents would not be allowed to contest future elections, but speaking on New Zealand television in June, Sayed-Khaiyum insisted that "absolutely anybody" would be allowed to stand, except those in jail (FijiLive, 26 June 2011). In preparation for those exceptions, both Qarase and Chaudhry appeared before the courts during 2011, charged with corruption (FijiVillage, 13 Sept 2011). Thus 2011 was a year when any lingering hopes for a restoration of the old order—with Qarase and Chaudhry as key players—steadily vanished, but it was also a year of anxiety about the future and disquiet about the present.

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NEW CALEDONIA

Political tensions in early 2011 came close to unraveling the “col-legial” institutions put in place by the Noumea Accord of 1998, as the governing cabinet fell four times, until a new alliance emerged between leading loyalist and pro-independence parties. When local governance had seemed to stabilize, tragic intercom-

munal violence erupted on the island of Maré just before the Pacific Games began in Noumea. The year finished with heated controversy over a cinematic representation of the dramatic battle on Ouvéa in 1988, which had resulted in the negotiated Matignon peace accord that same year. 2011 was a year of testing and reflection, but at the territorial level, centrist loyalists and leftist independence supporters found themselves outmaneuvered by a “national” coalition that aimed to negotiate its way toward a consensual end of the Noumea Accord era, with or without a successful referendum on independence in 2014. The autonomous, sui generis country still lacks an official status in the French system of overseas territories.

Last year, as a committee was deliberating about local identity symbols, key political leaders decided to raise two flags over public buildings in preparation for the 2011 Pacific Games: that of France and that of Kanaky (the country name preferred by the pro-independence movement). Many people saw this conciliatory gesture as a breakthrough because loyalists had regarded the Kanaky flag as a “terrorist” emblem in the violent 1980s. Ironically, Pierre Frogier of the right-wing loyalist Rassemblement party had proposed it, and Paris and several Kanak nationalist parties (most notably the Union Calédonienne, or UC) supported the idea. But four local mayors—most of whom were connected to the reigning centrist loyalist party, Calédonie Ensemble (Caledonia Together, or CE)—refused to raise both flags together. The fourth mayor, on the outer island of Maré, resented the dominant independence coalition, the

Front de Libération Nationale Kanak et Socialiste (FLNKS). Tempers rose particularly after the La Foa municipal council voted 15–2 not to raise the Kanaky flag on 12 January 2011, a day when independence supporters commemorated the killing by French police snipers of FLNKS hero Eloi Machoro in 1985 near La Foa (NC, 13 Jan 2011). The CE had taken a stand in 2010 in favor of creating a single flag for the country, in accordance with its reading of the Noumea Accord, so it refused to accept the Kanaky flag as a collective symbol. Palika (Parti de Libération Kanak)—the second largest pro-independence party, which is a leftist rival of the church- and chief-based UC—agreed with the single flag quest (NC, 31 Jan 2011), having already flown the two flags together in the Northern Province since 1988.

UC President Charles Pidjot issued an ultimatum to the four recalcitrant mayors to raise the Kanaky flag alongside the French tricolor, or else he and his party colleagues in the congressional executive (referred to locally as the government) would resign, thereby triggering a new cabinet election. This provision in the 1999 organic laws that had enacted the Noumea Accord had been used several times before when minority members felt that the majority was not respecting collegial consensus. But the current cabinet president, Philippe Gomès of the CE, said that if the UC forced the issue, his party too would resign as soon as a new government was formed in order to defend the democratic right of municipal councils to refuse to raise the Kanaky flag. Critics saw the flag issue as a pretext to enable the

Rassemblement and the UC to displace the CE and Palika from dominating the government (NC, 15 Feb 2011). On 18 February, the UC duly resigned from the cabinet, forcing a new election of the executive by Congress within fifteen days. Frogier and Pidjot both described their parties as “historical signers” of the peace accords of 1988 and 1998, whereas Gomès and most of his followers were not (though Palika was). The RUMP (Rassemblement–Union pour un Mouvement Populaire, the UMP being the metropolitan party of French President Nicolas Sarkozy) and the UC said they wanted to work together to “turn a page of history” by negotiating the approaching exit from the Noumea Accord era. Frogier declared, “For 23 years . . . we have always known not to go too far. We have sufficiently suffered to know that there is a yellow line not to cross. To cross it, is to risk returning to unhappy episodes.” But Gomès called the new alliance a conspiracy to impose an outcome “behind the backs” of the voters, and he began street demonstrations in favor of a single, new country flag (NC, 20 Feb 2011). Palika too criticized the “exclusive” RUMP–UC alliance for being “against nature,” since the Rassemblement and the UC had been staunch political opponents in the late 1970s and 1980s (NC, 28 Feb 2011).

In early March, Congress elected a new cabinet, with Harold Martin of the small Avenir Ensemble (Future Together, or AE) party as president; like the RUMP, the AE is tied to Sarkozy’s metropolitan Gaullist party. The UC won the vice presidency from Palika, and altogether pro-independence parties won five out of eleven

ministries, the most ever, as the two largest parties voted in tandem. But Gomès’s CE immediately resigned, calling the RUMP–UC coalition a political and institutional “putsch” against the Noumea Accord’s proposal of seeking a consensual “common destiny.” He demanded a new election of the entire Congress. Frogier replied, “We must find, with our pro-independence partners, a solution accepted by the largest number [ie, a majority], to build a New Caledonia largely autonomous, with its personality, in the bosom of the French Republic . . . the French flag is our flag and no one can replace it” (NC, 3 March 2011). His proposal to fly both flags clearly validated, in his mind, not only Kanak identity but also a continuing French presence, whereas Gomès wanted to nurture a distinctive Caledonian citizenry that fused French, Asian, and Polynesian settlers with Kanak through social-democratic programs that aimed to overcome colonial inequities by better managing the country’s resources. The UC, however, called Gomès “capricious” and dictatorial and asked Paris not to allow another cabinet election. Critics compared the cabinet crisis to the frequent presidential elections in French Polynesia since 2004, as two or three party leaders rotated through the presidency there whenever a few assembly members switched sides to obtain better administrative posts (NC, 5 March 2011; PIR, 2 June 2011). The UC suddenly proposed that the Kanaky flag be made, by default, the new country flag, since non-Kanak lacked one of their own, though the CE had created a website for suggestions. Frogier’s RUMP declined this UC gambit but also condemned pro-single-flag

street demonstrations for “crossing the yellow line” into disorder (NC, 15 March 2011).

A second Martin-led cabinet was elected that same month, retaining the same 6–5 ratio of loyalists to independence parties, but the CE resigned yet again (NC, 18 March 2011). Sylvain Pabouty of Palika (which in the populous, multiethnic Southern Province is allied with the UC) said that the indigenous Kanak people had endured a French imperialist flag for 150 years, so why not have the Kanaky flag for the same amount of time? (MNP, 26 March 2011). Rock Wamytan of the UC-South accused Gomès of flirting with extremist malcontents, including the former National Front, which had lost all its seats in Congress in the 2009 election due to restrictions on voting rights to long-term residents. The small Labor Party (Parti Travailleiste, linked to the leftist, pro-independence Union Syndicaliste des Travailleurs Kanak et Exploités, or USTKE), which works with the UC in coordination with the RUMP, called Gomès’s tactics a “pied-noirization” of local politics (Gomès is descended from former European settlers of Algeria known as *pieds noirs*, or black feet). The French high commissioner banned street protests for the time being, because the flag issue was arousing deep emotions among settler and Kanak factions (NC, 27 March, 31 March 2011).

Meanwhile, Wamytan, a former president of the UC and the FLNKS, was elected president of the Congress in April, the first Kanak independence supporter to hold that office in thirty-four years (MNP, 3 April 2011). His winning 32 of 54 votes was a clear

RUMP-UC attempt at reconciliation and coordination, though the CE and Palika both boycotted the meeting. As Congress president, Wamytan would shepherd bills through commissions to the floor for voting, and he could delay a new cabinet election. The French government was pushing through its own Parliament a change to the New Caledonian organic laws that would create an eighteen-month grace period for cabinets. In negotiation with local party leaders, France also agreed to expand the membership of the annual Signers Committee meetings to include minority parties, thus recognizing the CE as a legitimate participant. When Gomès contested the first Martin cabinet election on procedural grounds, the French Council of State called for another vote. In June, a third Martin-led cabinet was elected, this time with only 4 seats allocated to pro-independence parties and 3 (rather than 2) to the CE (NC, 2 June 2011). Paul Néaoutyine of Palika and Nidoish Naisseline of the small Libération Kanak Socialiste party (LKS) warned Paris against the “occult dealings” of the RUMP-UC that risked bypassing collegial dialogue with a majority exclusiveness, as in pre-2004 RUMP-led coalition cabinets (NC, 22 May 2011, 2 June 2011). Since 2004, however, the RUMP (and the UC) has complained about CE- and Palika-dominated cabinets, so consensus is elusive.

In August, Wamytan was reelected as Congress president because the Council of State had also invalidated his first election on a technicality (MNP, 23 Aug 2011). As former head of the UC and FLNKS, he was a major actor in the 1998 Noumea Accord

negotiations and shared the cover of *Pacific Islands Monthly* with the late Jacques Lafleur of the Rassemblement as regional Man of the Year. Internal Kanak rivalries then reduced him to a lesser role in the settler-dominated south, though he did serve a term as head of the Melanesian Spearhead Group and remained active in local conflict mediation and environmental protests. Wamytan is the grandson of the last pro-independence leader to lead the territorial assembly, Rock Pidjot, whose chiefly title he inherited. In a country whose indigenous people are today a slight minority, Wamytan countered criticisms of alliance with the RUMP: "We have attained an objective of the FLNKS, to be associated with responsibilities at the highest institutional level of the country. We have always thought that sharing was necessary, because we signed together the Matignon Accord, which was confirmed by the Noumea Accord. We awaited a gesture. . . . But I'm not bound by any contract with [Frogier] . . . Everyone keeps his own convictions, his visions. . . . We do not form a caste, we do not close the door to others" (NC, 4 April 2011). In his first acceptance speech, Wamytan gave a local history lesson and stressed the need to balance "rational" Western thinking with "mythic" indigenous perspectives in pursuit of a holistic, Oceanian consensus: "We're making the necessary effort to mine the depth of what constitutes our Caledonian soul in its diverse origins, whose sources will permit a promising, better future for our children" (MNP, 3 April 2011). He defended "the independence option," but, as in Kanak cultural tradition, "opposing groups,

they always managed after conflicts to reach compromises, consensus, paths of cooperation" (MNP, 18 July 2011). Yet the CE, Palika, and LKS boycotts of his own election showed that some parties felt left out.

In July, the now-expanded Signers Committee met in Paris, where French Prime Minister François Fillon assured the local political leaders that both flags would remain alongside each other until a single country flag could be agreed on later. The meeting became more technical after that because the ongoing extrication of Paris from New Caledonia's governance, as prescribed by the Noumea Accord, involves increasingly complicated institutional details. In fact, participants agreed that French scholarly experts should assist them in planning for better management of the nickel mining and processing industry, transferring specific administrative authority in matters such as education or the judiciary, generating future development contracts using French financial aid, and enhancing the international status of New Caledonia. Of high priority were increased training opportunities in many fields for local residents, better coordination between the local government and the multinational firms that were constructing new processing plants, and efforts to achieve full membership in the Pacific Islands Forum (NC, 11 July 2011). In March, France paid for an academic conference in Noumea, where scholars from around the world described diverse forms of self-government in former colonies, and Martin and Wamytan welcomed such advice for comparative perspectives. In particular, two speakers recommended that

the “reserved” powers still controlled by France, such as defense, foreign relations, currency, police, and the courts, which a successful referendum on sovereignty could delegate to the country, should not be treated as sacred, fixed pillars (as many settlers wanted for security) but rather as broad concepts that needed negotiated specificity. Such concrete details might well precede *a priori* labels of associated state or sovereign independence in a globalized world. Thanks to two negotiated accords after the tragic 1980s, every leader in New Caledonia today is at least an autonomist, favoring a flexible form of self-government whose exact limits long-term residents can decide together (Faberon, Fayard, and Regnault 2011).

In August, a dispute in the Islands Province over airfares to the main island led to organized protests that blockaded outer-island airports and erupted into intercommunal violence on Maré. Nidoish Naisseline, president of the domestic carrier, Aircal, was also high chief of Guahma district, which has often been at odds over land disputes and other issues with people of the La Roche district, which had shut down the local airport. At a wedding between a couple drawn from each of the opposing groups, alcohol brought out deep antagonisms, so an armed attempt to reopen the airport caused shootings and pillage in Tadine. Four people died and two dozen were wounded, so the French flew in more than a hundred police and soldiers to stop looting, lift roadblocks, and make arrests, while church and customary leaders pursued peace-making mediation (NC, 9 Aug 2011). Ten days later, a negoti-

ated protocol addressed what Islands Province residents felt was a need for rebalancing, since they needed affordable transportation to the main island, where most jobs were located because of the nickel industry. Aircal faced financial and management problems and tried to raise fares by 30 percent to enable it to restructure, but outer islanders wanted subsidized airfares. One elder compared the new protocol to the Matignon and Noumea peace accords because it provided for representatives of Aircal passengers on its administrative board (NC, 18 Aug 2011). Naisseline, who had wanted more provincial control over Aircal (New Caledonia is the majority shareholder) but had already clashed with labor unions, was removed from the congressional transport commission and from the presidency of the provincial economic development commission. In response, he said, “You don’t need to bring a guillotine to cut off my head” (NC, 21 Oct 2011).

Later that month, French President Sarkozy visited Noumea, in part to help open the Pacific Games. He met with local leaders and condemned the Maré violence as going against all the progress toward consensual solutions in the country. He promised to enforce security: “New Caledonia has often provided the best, and sometimes the worst, example.” He vowed that France would remain “a loyal partner, nonpartisan and ready to accompany the territory in its emancipation, technically and financially.” The future status of the country was for local people to decide, though he personally preferred to keep them in the republic. He was pleased that the two former oppositional blocs

were changing and praised Lafleur and Jean-Marie Tjibaou for “opening a path” in their Matignon Accord handshake a generation earlier. He supported the “affirmative action” of “rebalancing” economic development among the three provinces, supported the two flags temporarily as a gesture of reconciliation, agreed with Gomès that remaining social inequalities still needed addressing, hoped with Wamy-tan that New Caledonia could obtain full Forum membership, and accepted the idea of a local Caledonian citizenship, since France had both its own citizenship and that within the European Union (NC, 27 Aug 2011).

New Caledonia won the most medals at the Games, including 120 golds compared to 59 for Tahiti and 49 for Papua New Guinea, thus continuing its domination of the south Pacific in many sports (PIR, 12 Sept 2011). But an interesting subtext arose when the symbolic flame was brought ashore on Ouvea in the Islands Province. A Samoan carried it to the local chief, reenacting what his ancestors had done when they migrated there in ancient times and married into a local clan. Some Ouvea residents felt it also reopened relations with the anglophone Pacific, which dated back to the arrival of Polynesian missionaries in the 1840s but had been cut off by French colonialism and especially by the 1988 battle for independence (NC, 18 July 2011; Waddell 2008). In other regional relations, the FLNKS traveled to a Suva meeting of the Melanesian Spearhead Group, of which it has been a member since 1991, to discuss lingering social inequalities and the Kanak Customary Senate’s need for a real political voice (NC, 31 March

2011). New Caledonia also asked to be a full member of the Pacific Islands Forum, after becoming the first French territory to become an observer in 1999 and then an associate member in 2006, but its request was denied again until more progress is made toward self-government (PIR, 25 May 2011; NC, 10 Sept 2011). French officials traveled to Tonga to examine its state institutions and to Fiji to study ways to combine traditional land tenure with development (PIR, 25 July, 27 Sept 2011). James Anaya of the United Nations Decolonization Committee praised the devolution of governing powers to the country under the Noumea Accord, but he criticized socioeconomic inequalities, underrepresentation of Kanak in institutions, and slow progress toward an act of self-determination (MNP, 15 Feb, 27 June 2011).

In September, elections for two seats in the French Senate in Paris (New Caledonia was formerly allocated only one seat) resulted in victories after two rounds of voting for Frogier and Hilarion Vendegou, the mayor of the Isle of Pines, whose chief was the first to sign a treaty of French annexation in 1853. The election results perpetuated the monopoly of legislative representation in Paris by the RUMP. The UC and Palika would not ally in the second round to support an FLNKS candidate, but Frogier attributed his success to the gesture of raising both flags that brought his party and the UC together. The CE failed to win a seat, repeating its frustration in the 2007 elections for deputies to the French National Assembly, despite its hope to compete with the RUMP in Paris. Its candidates

blamed the senatorial election system, which instead of universal suffrage empowers a small group of urban “great electors,” at least until a reform planned for 2013 (NC, 26 Sept 2011). But Gomès continued to rally smaller parties around the CE, which together claimed to represent 25,000 voters (NC, 21 Dec 2011).

In November, government President Martin applauded the end of cabinet instability, which he said enabled a calm quest for a consensual outcome of the Noumea Accord process, though the CE boycotted his speech. New cooperation among loyalists and independence supporters had made Wamytan president of Congress, he argued, and cabinet Vice President Gilbert Tyuienon of the UC had been able to tell the United Nations, “New Caledonia, leaving aside majority-minority logic, has decided to go beyond ideological oppositions by installing a new method of governance based on a sharing of power in the country’s institutions.” Martin stated three main goals: reducing inequalities, combating the high cost of living (which unions have protested about), and improving job access for local citizens through a combination of government regulation and business competition. The French state would help enforce security against rising juvenile delinquency and increase New Caledonian ownership of mining projects, while local government would improve access to affordable housing to counter rising squatter camps (NC, 29 Nov 2011). In December, the government, employers, and labor unions finally agreed on criteria to promote local hiring as much as possible, a key measure of local citizenship, along

with restricting voting rights in referendums and provincial elections to long-term residents.

In New Caledonia, 84 percent of employees have resided in the country for at least ten years, but half of the types of jobs that exist may be given to an applicant of shorter residence—the required duration depending on specialization—with approval from a government commission if a local search has not succeeded. Significant efforts will also be made to provide local aspirants with needed skills, including scholarships for study abroad (NC, 24 June, 17 Dec 2011). One of the major undertakings of the Gomès presidency was a country-wide “great debate” about improving education, but under the Martin cabinet, the resulting recommendations were discussed in-house rather than in public (NC, 11 April 2011). The need for reform is serious, because 42 percent of local job applicants lack sufficient qualifications, and almost 30 percent are younger than twenty-six years old (NC, 28 April 2011). This has resulted in rising problems of delinquency and alcohol or marijuana abuse. By province, the populous, multiethnic South still commands 68.6 percent of employment offers, though in the Kanak-ruled North, the Koniambo nickel project has helped to raise job offers to 31.1 percent, while the resource-poor, Kanak-ruled Islands offer less than 1 percent of jobs (NC, 25 Feb 2011). Half the population receives only one-fifth of the total income, and great disparities occur in Noumea, the capital, between “Oceanian” and “white” neighborhoods. So many people migrate to the South that it now contains 75 percent

of the total population, and it has switched from building more housing to providing water and electricity to squatter camps (NC, 25 March, 30 Aug, 21 Nov 2011).

Kanaky/New Caledonia's political leadership has shifted power to its two largest, once opposing, parties for the final push to self-government, but other parties remain in the Congress and the provincial assemblies and are proportionally represented in the cabinet. Pro-independence groups hold 43 percent of the seats in Congress, while an ethnic poll shows that Kanak remain the largest self-identified community at 40 percent. Europeans are 30 percent, and another 30 percent are "others," including Polynesians, Asians, mixtures of the races, and 5 percent who declared themselves simply "Caledonian" (NC, 20 Feb 2011). But old memories continue to haunt them, even as a younger generation that never experienced the violent 1980s or earlier decolonization struggles seeks to understand why history matters in the would-be country. In July, new information surfaced about the location of the skull of Chief Atai, the leader of the largest Kanak revolt in 1878, who was killed by indigenous allies of the French and decapitated. After years of official evasion, the skull and a casting of its face are apparently in a Paris museum after all, and descendants of Atai organized to have the artifacts returned as an act of reconciliation (NC, 7 July, 24 Dec 2011). Emmanuel Tjibaou, son of martyred UC-FLNKS leader Jean-Marie, became head of the Jean-Marie Tjibaou Cultural Center (NC, 15 July 2011), and in September, family and friends of UC Secretary-

General Pierre Declercq commemorated the thirtieth anniversary of his still unsolved murder in 1981 (NC, 19 Sept 2011). Most controversial was the showing of Mathieu Kassovitz's film *L'Ordre et la Morale* (translated in English as *Rebellion*), which depicts the Ouvea battle of 1988, whose bloodshed finally led to the Matignon Accord. Since its inception, the cinematic project has had both support and opposition from various groups in New Caledonia, such that it had to be filmed in French Polynesia instead of Ouvea even though local actors, including family members, from that island participated. Competing polemics about the film began even before it was released, and at first a local cinema chain canceled its showings after threats (Maclellan 2011). But in December, spectators packed various venues to see it. They emerged with differing opinions, as some had even refused to watch it, but younger people especially seemed to be glad it was made. One said, "It makes us want to know more, to speak with others, to see it again." Another said, "The common destiny, it's a very nice word, but the young generation who doesn't know their history cannot move forward" (NC, 16 Dec 2011).

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PAPUA

The year 2011 in the provinces of Papua and West Papua was politically noisy. Papua occupied the headlines of a number of national electronic and print media sources more often than in the previous year. First, the cycle of violence conducted by both the state apparatus and non-state armed groups predominated. On one side, the management of politics and security in the provinces was still colored by state repression and alleged human rights violations. Impunity was maintained and laws could not be enforced, as law enforcers often failed to indicate the perpetrators' identity, calling them "unknown actors." When perpetrators who are members of state security institutions have been identified and known publicly, the court has tended to punish them with light sentences. On the other side, the non-state armed groups became more aggressive. The year saw more members of the police and military becoming victims of attacks by the Free Papua Movement

(Organisasi Papua Merdeka [OPM])–National Liberation Army (Tentara Pembebasan Nasional [TPN]).

Second, the political impasse caused by mutual mistrust between the government and the pro-independence Papuans continued. The special autonomy law implemented in 2001 has failed to restore trust. The impasse is mainly due to independence demands being approached from the perspective of a security framework (securitization). Most of the government's recent policies were also influenced by the securitization policy, which further undermined the spirit of reconciliation embedded in the special autonomy law.

Third, industrial relations conflicts between workers and the Freeport Indonesia mine intensified. The root of the conflict is wages, which are considered the lowest in relation to other Freeport companies outside Indonesia. A phenomenal strike of the workers' association lasted roughly six months, and the company was forced to halt its operations for about one month. The strike began in July, and negotiations for a new wage structure were concluded at the end of December 2011. The strike ended and the workers enjoyed a wage increase of 37 percent. It was a Christmas gift for both sides.

Fourth, the political will of the government to employ peaceful means of solving the Papua conflict appeared more clearly at the end of the year. On 9 November 2011, Indonesian President Susilo Bambang Yudhoyono stated that the government was prepared to hold open dialogue with Papuan leaders. This statement confirmed the previous policy in which the president appointed special envoys

for Papua and a special unit under the president to handle the political and economic problems of Papua. Overall the new approach has not yet had a positive impact on the political situation in Papua, primarily because the old approaches have not been terminated.

The Papua People's Assembly (Majelis Rakyat Papua [MRP]) also remained a protracted problem in Papua. The official term of MRP members should have ended in 2010, but the selection of new members for the 2011–2016 term did not start until April 2011. To make matters worse, the central government intervened by rejecting the appointments of Agus Alua and Hana Hikoyabi who had already been selected as members of MRP by the provincial committee. Alua and Hikoyabi were labeled “separatist” by Jakarta. As a matter of fact, these two Papuan leaders had an important role in facilitating the demonstration “returning” the special autonomy law to the central government in 2010. As a result of this, the inauguration was delayed. On 7 April, Agus Alua passed away after a long illness.

On 12 April, 73 members of MRP (40 Papua and 33 West Papua) were inaugurated by the Minister of Home Affairs Gamawan Fauzi in Jayapura. On 30 May, members of the MRP agreed to maintain only one MRP for both provinces. However, on 6–7 June the members of West Papua MRP, led by Vitalis Yumte, Z Abidin Bay, and Anike Sabami, decided to establish a separate MRP for West Papua province. Surprisingly this separate body was supported by all members of West Papuan origin. Despite the

refusal of Papuan members of Parliament in Jakarta, the separation was encouraged by Jakarta as well as by the governor of West Papua. The newly established West Papua People's Assembly was re-inaugurated by the governor of West Papua on 15 June. As a consequence, a number of MRP members who wanted to retain one MRP filed suit against the West Papua provincial government in the State Administration Court. As of this writing, the outcome of the lawsuit is unclear but two MRPs remain.

On 12 September, Timotius Murib was selected as MRP spokesperson and Hofni Simbiak and Engelberta Kotorok as his deputies for the 2011–2016 term. Members of MRP were inaugurated on 15 September by Acting Governor of Papua Syamsul Arif Rivai. On that occasion the governor said, “MRP is not a political body but a particular institution whose competence is to pursue goals related to affirmative action policy, and the protection and empowerment of indigenous Papuans.” As of this inauguration Papua now has two provincial MRPs, Papua and West Papua.

Around 8,000 workers of PT Freeport Indonesia (PTFI) and its contractors went on strike over a wage hike from 4 July to 25 December 2011. Their wages of US\$1.50 per hour were considered the lowest among Freeport's companies outside Indonesia, which reached as high as US\$15.00 per hour. Tribal leaders and elders of seven Papuan tribal groups living in Timika and the Freeport area supported the strike by threatening the chief executive officer of Freeport McMoran that if the company did not comply with workers' demands,

the leaders would stop Freeport's operations.

At the first negotiation on 12 July 2011, it was agreed that the dismissal of six leaders of the workers' union (SPSI PTFI) would be rescinded and further negotiations on 20 July would turn to wage issues. That negotiation failed and resulted in the continuation of the strike. Two efforts at mediation ended in an impasse. The third involved officials from the Ministry of Manpower and Transmigration in Jakarta on 22 September. The meeting was also attended by workers' representatives, Freeport management, and the labor departments of Papua province and Mimika district. The main issue was wages and compensation for workers' well-being. It soon became clear that, even with the involvement of the government, the negotiations would continue to be difficult. The strike had halted the operation of the mining company—whose daily production was 3,000,000 pounds of copper and 5,000 pounds of gold—resulting in the loss of millions of dollars per day.

On 12 December, the chief executive officer of Freeport Indonesia, Armando Mahler, and SPSI—represented by Sudiro—signed an agreement that raised wages to the equivalent of US\$2.90 per hour, an increase of 37 percent—24 percent the first year and 13 percent the following year. Freeport also promised to improve housing, educational, and retirement allowances. However, as of 22 December workers had still not returned to work because there was not yet a guarantee that contractor companies would rehire workers they had fired. On 25 December the remaining prob-

lems were resolved, the blockade was dismissed, and the strike ended.

The long strike resulted in two workers losing their lives. On 10 October, police troops tried to stop thousands of workers who insisted on entering the mining area. A clash was unavoidable. One worker, Petrus Ayamiseba, was shot dead on the spot. Another worker, Leo Wandagau, was shot in the back; he passed away five days later. It was reported that eight workers and six police agents were injured. The death of Wandagau provoked more anger among workers. Thousands of them held a long march and carried his body to the local legislative building in Mimika.

Apart from the workers' strike, mysterious shootings also took place in and around the sprawling Grasberg mine site. In 2011 at least nine different shootings occurred. There were eight casualties including Freeport employees and security agents on duty. The perpetrators were labeled as "unknown armed groups." Some suspected OPM/TPN and others suspected an internal rivalry between the police and the army. By the end of 2011 no perpetrator of the shootings had been identified.

Due to the failure of the police to discover the perpetrators of the above-mentioned shootings and the violence it conducted against the striking workers, the police force's relationship with Freeport Indonesia was questioned. It was reported that PTFI had allocated a budget of US\$79.1 million for security agents for the period 2001–2010. The police headquarters' spokesperson, Inspector General Saud Usman Nasution, explained that members of the Papua police received from Freeport

US\$4.50 per day in addition to their official daily allowance US\$6.00 per day. The police argued that the money it had received was legal according to Presidential Decree 63 Year 2004.

A number of civil society organizations, mainly Indonesian Corruption Watch, stated that the money Freeport had provided to the police was illegal. Some human rights organizations claimed that because of the money paid to the police, police agents tended to take the side of the company and to engage in abuses.

Jayapura, the capital of Papua province, experienced a degree of tension during July and August, when sixteen politically motivated incidents of violence occurred. Eleven people were killed—seven non-Papuans and four Papuans—and twenty-one people were wounded. Some non-Papuan associations threatened the government, “Should the police fail to arrest the perpetrator, we would do justice by our own hands.” Examples of the violence included a 6 July incident in the Skyline area in which a car was burned and the non-Papuan driver killed. The perpetrators were seven unidentified people. In August, an ambush took place in Nafri. Four non-Papuans were killed (including one army soldier) and eight other people were wounded. In another place, a Papuan of highland origin and two coastal Papuans were killed.

In the cases in which victims were non-Papuans, suspicion in Jayapura went to OPM/TPN. However, the local OPM commander, Lambert Pkikir, denied responsibility. He accused another OPM fighter, Dani Kogoya, who had links with the Indonesian National Armed Forces (Tentara Nasi-

onal Indonesia [TNI]). This man had around fifty fighters and at least five guns, including an SS1, an M-16, an AK-47, and an airsoft gun. After the incident in Nafri, the police and military swept villages and searched for the perpetrators in the forest around Jayapura. Some said inhabitants complained that during the operation houses were burned and the residents felt intimidated.

After some investigation, the police suspected a group of Papuan highlanders living in Kotaraja. On 31 August a joint operation of police and military was conducted to arrest the perpetrators of the Skyline and Nafri incidents. The operation resulted in fifteen suspects being taken into custody, of whom thirteen were later released. The remaining two, Ekimari Kogoya and Panius Kogoya, would soon face trial. Baptist church leaders complained that the police violated standard operating procedures, conducted torture, and detained a child seven or eight years old. When the head of Jayapura Police Resort was brought to court for a pretrial hearing, the police were accused of a criminal code violation by arresting citizens without a warrant. However, the judge rejected the charges.

The Paniai highlands, where the Mee ethnic groups live, has been a site of OPM struggle for a long time. While it had been quiet for a while this year, some clashes did take place between the OPM fighters and the police. Tensions started in February in Nabire where the police arrested two locals—suspected as OPM/TPN members—who had a bag containing a revolver, military helmet, and IDR80 million (10,000 Indonesian Rupiah) equals

approximately US\$1.10). On 13–14 April in Moanemani, local Papuans clashed with local police and set fire to a police post because the police had confiscated a sum of gambling money. As a consequence two local Papuans, Otniel Yobe and Agus Pigay, were injured. A month later another Papuan, Derek Adii, was allegedly tortured to death after having argued with a military member. Hundreds of Papuans organized a march and occupied the port of Nabire in protest.

Real armed contact between Brimob (police unit) and the OPM/TPN took place at the end of July. When Brimob conducted operations in Madi village, Enarotali, of Paniai district, they confiscated 40,000 bullets, IDR 50 million in cash, twelve mobile phones, ten bows and arrows, and a motorbike. A month later Deiyai, Dogiyai, and Nabire districts were on high alert. On 15 August the situation was exacerbated when the OPM/TPN fighters under John Yogi seized two rifles belonging to a local police post in Komopa. On the night before Indonesian Independence Day, 17 August, armed contact occurred in Madi subdistrict. The police did not succeed in getting their rifles back. After the violence, the Independence Day ceremony became quite tense.

In the beginning of September 2011, Paniai Police Resort ordered John Yogi's fighters to return the two rifles that had been seized before 7 September or the police would launch a sweeping operation through the Madi area. This threat was criticized by Kingmi church leader Benny Giay, provincial Parliament member Ruben Magay, and Matius Murib of the Papuan human rights commission.

The critics were concerned about the possibility of excessive force being used in the sweep, victimizing innocent civilians. It was suggested that the police give religious leaders a chance to negotiate with John Yogi.

At the end of the year, the police lost their patience. On 13 December, Brimob troops under Matoa Task Force 2011 launched an operation targeting the headquarters of John and Salmon Yogi's OPM in Eduda, Dagouto, and Komopa. Those three villages had been under Yogi control for years, a legacy of John and Salmon's father Tadius Yogi, who had started the resistance in 1982. According to the police estimate, Yogi's group had 800 men and fifty weapons. The police were sure that Yogi was responsible for seizing the rifles, burning two bridges, and confiscating villagers' stocks. At the end of December the villages were still occupied by the police. No OPM fighter was reported in detainment. During the attack two alleged OPM members were killed, and a number of houses were burned.

The cycle of violence in Puncak Jaya did not stop either, as OPM/TPN guerillas became more aggressive. More police/TNI members were victimized without significant retaliation. On 11 May, a TNI post in Gurage was shot at a few times, but there were no casualties. Five attackers ambushed a police post at Mulia airport on 24 June and a policeman on duty, Briptu M Yazin, was shot dead after the attacker seized his revolver. On 12 July in the Kalome subdistrict of Tingginambut, two army soldiers and a civilian were shot by an unknown person, and on 4 August an army helicopter was sprayed with bullets.

A wounded soldier who was being evacuated in the helicopter was killed instantly.

During the celebration of Indonesian Independence Day on 17 August, shooting exchanges took place outside Mulia between TNI and the OPM/TPN. The attack, conducted by Goliat Tabuni (who is thought to control a hundred men), was meant to disturb the celebration. As TNI commander Major General Erfi Triassunu put it, "After the sweeping, one revolver was found." Two months later, on 24 October, a police post chief, Dominggu Awes, was shot dead in the forehead with his own gun. The attackers seized his gun and escaped. After the investigation, Police Resort Chief Alex Korwa said that this raid was conducted by a new OPM group of about sixty men, equipped with six rifles and two revolvers.

The powerlessness of the police continued and on 2 December two members of Brimob, Bripda Ferly and Bripda Eko, were shot dead. Another Brimob member who was trying to pick up a wounded fellow officer was also shot in the thigh. The shooting incident happened in Wandigobak village of the Mulia subdistrict. A civilian was also victimized. On 18 December, a motorbike taxi rider, Abdul Kolik (a migrant from East Java), was shot six times and killed in Usir village, Mulia subdistrict.

During 2011, eight local elections (two provinces, five districts, and one municipality) were supposed to be held in Papua and West Papua provinces. Despite many difficulties, disputes, and violent clashes (especially in Lanny Jaya district), four elections (Jayapura municipality, Sarmi district,

Lanny Jaya district, and West Papua province) were held and new leaders were successfully elected. Compared to 2010, more violence occurred at this year's local elections. Maybrat district, Puncak district, and Papua province failed to hold elections, mostly due to the incompetence of the Local Election Committee (KPU) and poor preparation. There was a legal question about whether one of the strongest gubernatorial candidates, the incumbent Barnabas Suebu (who had also been governor of Papua province in the 1980s), was eligible to run. Governors are only allowed to serve a maximum of two terms, but Suebu argued that his term in the 1980s had been under a different political system. The Supreme Court found in Suebu's favor, clearing the way for his candidacy, but most of the other candidates were understandably opposed to the ruling. In Papua province, apart from this legal limbo, there was long debate about the criteria to determine which indigenous Papuans were eligible. The worst election process was that in Puncak district, where more than twenty-seven people were killed and a number of government buildings damaged during clashes between supporters of various candidates. By the end of the year the district head of Jayapura was yet to be determined, as a second round of voting was scheduled in 2012.

The Papua Peace Conference (KPP) was organized by the Papua Peace Network (PPN) from 5 to 7 July in Abepura, Jayapura. The conference, which ran smoothly, was organized as a way for Papuans to discuss prospects for a dialogue process as the best way to solve the Papua conflict. About

eight hundred participants came from different districts all over Papua, with the PPN providing transport and accommodation. Both parties to the conflict were present, including pro-independence leaders such as Socratez Sofyan Yoman and Forkorus Yaboisembut and the Indonesian coordinating minister of political and legal affairs accompanied by ten high officials. Moreover, Papua Governor Bas Suebu, Papua Military Commander Erfi Triassunu, and Papua Police Chief Bekto Suprpto each contributed a speech. The conference succeeded in formulating indicators of peace in Papua.

KPP participants, who were mostly supporters of independence, also announced a “peace declaration.” The declaration emphasized that dialogue was the best means to end the Papua conflict. However, stark differences of opinion over the meaning of “dialogue” were apparent. On one side, in the mind of Papuans, dialogue meant negotiation, which would be mediated by a neutral third party outside Indonesia. On the other hand, the central government viewed dialogue as a series of “constructive communications” between Papuan leaders and the government in order to improve policies for Papua and West Papua provinces.

Since the beginning, the Indonesian government has insisted that the Papua problem is a domestic affair and has rejected internationalization. This position was underlined by Indonesian Foreign Affairs Minister Marty Natalegawa when he said, “Concerns about human rights violations are being handled by the Jakarta Government and do not

require an external party to resolve the issue.” Despite differences regarding the meaning of “dialogue,” the PPN succeeded in widening the dialogue discourse, not only among civil society and religious organizations, but also in government and military institutions. Talk about dialogue became common after President Yudhoyono himself stated on 9 November that his government was prepared to hold open dialogue with Papuan leaders.

US Secretary of State Hillary Clinton raised the issue of the Papua problem, especially the protection of human rights, and showed her support for open dialogue before Foreign Affairs Minister Natalegawa in a speech at the East-West Center in Hawai‘i. The statement interestingly incited many rumors in Papua, spread among Papuans via short messages, concerning US involvement in the cause. It was rumored that the US government had discussed the Papua People Congress III and the future of Papua independence in the White House and that the US military had deployed ships to one of the ports in Papua in order to help Papua pursue its independence from Indonesia.

In September, while the media published a lot of commentary about the Jakarta-Papua dialogue, a number of pro-Independence Papuan leaders declared themselves the “Papua Collective Leadership” and announced their plan to organize the Papua People Congress III on 16–19 October 2011. The collective leadership consisted of Forkorus Yaboisembut (Papua Customary Council [DAP]), Edison Waromi (West Papua National Authority), Albert Kailele, and Eliezer Awom (Tapol/Napol). The plan saw

both supporters and detractors within pro-independence groups. The West Papua National Committee (KNPB), the Papua Presidium Council (PDP), and various factions of OPM/TPN, especially those under the leadership of Lambert Pkikir (Jayapura) and Salmon Yogi (Paniai), openly rejected the congress, while the DAP, with Forkorus acting as chairman, also formally rejected the plan. The DAP, whose chairman Forkorus unilaterally supported the congress but did not have the support of the council as a whole, also formally rejected the plan. It was evident that the legitimacy of the congress among the pro-independence groups was very low.

The congress failed to get a permit from the police and did not have a large enough budget to rent the venue. However, the congress went ahead, using Zakheus field instead of a big building at Universitas Cenderawasih and planned for around 5,000 participants. On the first day, 17 October, the Morning Star flag (the controversial symbol of an independent Papua) had already been hoisted but the police did not react. Approximately 2,200 security forces (police and military) watched the event. Previously the organizing committee had stated that the agenda of the congress would focus on special autonomy and that a number of Indonesian high officials would be invited. But on the contrary, the congress stated that Papuans rejected the sovereignty of Indonesia over Papua and proclaimed the Federal State of West Papua on 19 October 2011. This verbal statement was taken as a subversive act by the police, who then finally disrupted the congress by force.

The police and military action provoked a violent clash and took six Papuan lives. About 250 Papuans were interrogated and released, with only five suspects being arrested; Forkorus Yaboisembut (president of the newly proclaimed state), Edison Waromi (prime minister), August Kraar, Dominikus Surabut, and Selfius Bobii were charged with subversive acts under Article 106.

Law 21/2001 on Papua special autonomy has been in place since 2001, but implementation of it is considered to have failed. Realizing the problem, in 2007 the president issued Presidential Decree 5/2007, which sought to accelerate development in Papua. The decree, however, did not have any significant effect on the implementation of special autonomy. This year the government realized that one of the most important problems not being addressed is the political one. With this in mind, the president launched Presidential Regulations 65 and 66/2011, which established the Unit for Acceleration of Development in Papua and West Papua (UP4B) and included political policies (human rights, reconciliation, and dialogue).

The main task of UP4B is to help the president coordinate and synchronize plans in an effort to facilitate and control the implementation of accelerated development in Papua and West Papua provinces in the 2011–2014 period. It is intended to coordinate, synchronize, and evaluate plans for budget and program implementation among ministries, government institutions, private companies, funding agencies, and other sectors referred to in various action plans. It is also supposed to assure the implementation

of sustainable development, improved institutional capacity building, and increasing the synergy among local government officials and customary associations, nongovernmental organizations, and religious organizations. Finally, it is to develop constructive communication with Papuan communities.

The president appointed Bambang Darmono to head up the UP4B unit, which was given an initial term of only three years. This retired army general was Operation Commander in Aceh during Aceh martial law 2002–2003. He was also a representative of Indonesia in the Aceh Monitoring Mission in 2005. Besides addressing social and economic issues, the unit is tasked with a political target—preparing “dialogue” between the government and the leaders of Papua. The president also appointed Farid Husain, a well-known peacemaker during the Aceh peace process, to help with this peace agenda. Husain was assigned to make approaches to pro-independence leaders.

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SOLOMON ISLANDS

Like the preceding year, 2011 was politically intense for Solomon Islands, marred by political instability and the actions of citizens frustrated over leadership neglect of pertinent issues. The year's most dramatic events were related to the ongoing and never-ending "musical-chairs politics" of National Parliament. Moreover, there was a change in the leadership of the ruling government. Also notable were the activities of nongovernment organizations and civil society groups in pursuit of a better life and services for Solomon Islanders. Some encour-

aging events and decisions are highlighted in this review as well. Political developments throughout 2011 again confirmed the adage that in Solomon Islands politics "anything is possible."

After the national general elections and the election of the prime minister in late 2010, the ruling National Coalition for Rural Advancement (NCRA) and the official Opposition were closely matched in terms of membership strength. For instance, at one point in February 2011, then-Opposition leader Steve Abana claimed that the two sides were even, at 24–24 (SIBC, 3 Feb 2011), but there were uncertainties over the real allegiances of some members of Parliament. Prime Minister Danny Philip and his advisers were very tactful in maneuvering through this volatile environment after the 2010 elections. Even as citizens anticipated an immediate fall of government, new ministers from the Opposition side of the House were sworn in to replace those who defected.

The first sign of a crack in the Philip-led NCRA government appeared when Minister for Forestry Bodo Dettke was relieved of his portfolio. It was alleged that Dettke was overseas when his sacking was announced, and he protested, asserting that he had been sacked for ordering the seizure of logs from MV *Pacific Banghu* in the Western Province a few months earlier. Despite that assertion, people felt that his initial appointment as minister for forestry had bordered on a conflict of interest, as he owns the Success Logging Company (*The Age*, 1 Sept 2010). Nevertheless his ministerial appointment had gone through, along with those of some

other newly elected members of Parliament of questionable character. These included Jimmy Lusibaea, a former militant who was then facing murder charges; Mark Kemakeza, who has an unresolved case of abuse of funds for fisheries projects in his constituency; and Snyder Rini, the short-lived prime minister ousted by popular riots in 2006 over corruption allegations. Their appointments as ministers made the initial formation of NCRA somewhat unpopular.

The “musical chairs” in Parliament continued into the first half of 2011. While the government and Opposition were matched in numerical strength, Prime Minister Philip kept the country in suspense and delayed the parliamentary sitting until March. Meanwhile, the prime minister seemed to have been having difficulties in appointing ministers to head vacant ministries. His special secretary, Andrew Muaki, responded to this and the delayed sitting by saying that “the four vacant ministries have already been filled up by acting ministers” (PINA, 3 Feb 2011). When six government ministers moved to the Opposition, the Philip-led government nearly collapsed, but the insecurity was rectified by a countermovement of six Opposition members of Parliament to the government camp. By April 2011 Prime Minister Philip had a majority to rule at least for a little longer.

Besides having to live with numerical uncertainty, a string of allegations of corruption and use of insider information did not improve the NCRA’s negative image. For instance, there was the so-called Intel Report by the prime minister’s press secretary and veteran journalist Alfred Sasako,

which was highly controversial and received an immediate rebuttal from the Australian government. This “secret intelligence report” suggested that the Australian Labor Government was behind moves to topple the NCRA and that their choice for prime minister was Opposition member Matthew Wale. It further alleged that Australia promised a reward of SI\$200,000 to each government member of Parliament who would cross the floor. Moreover, it claimed that Australia had set aside SI\$20 million in in-kind and monetary support to the Opposition for this cause (*ISN*, 8 Feb 2011). The Australian government and the coordinator of the Regional Assistance Mission to Solomon Islands (RAMSI), who were both implicated in the report, strongly denied the allegations, and in Canberra, the Solomon Islands high commissioner was summoned to explain the basis of the report (*STO*, 9 Feb 2011). Wale ultimately sued Sasako; the court held him partly accountable for the report, and on 24 November 2011 he was ordered to pay SI\$5,000 in nominal damage plus costs to Wale (*SSN*, 28 Nov 2011).

Security continued to be a national concern throughout the year, especially when the government and RAMSI broached the topic of a transitional phase for the regional intervention project. Rumors about RAMSI’s eventual exit have been floating around for a number of years, but in December 2011, the cabinet endorsed a plan that laid the foundations for what will be the gradual drawdown of RAMSI’s presence in the country. Tasks regarded as outstanding from the work of RAMSI will be redesigned and channeled through normal Aus-

AID and NZAid activities. Ultimately, funding that comes under RAMSI will decrease, since tasks will now be handled under bilateral arrangements (STO, 6 Dec 2011). Earlier in the year, a leaked cable revealed the United States diplomatic assessment that RAMSI had failed to establish stability in the country and had wasted at least a billion dollars of Australian taxpayers' money. The cable claimed that Solomon Islands would relapse into turmoil as soon as RAMSI left (STO, 30 Aug 2011). Despite this negative view, many Solomon Islanders have appreciated the efforts of RAMSI so far, and there was an air of unease on the announcement of RAMSI's transition and ultimate withdrawal.

Another major issue that drew public debate was that of rearming the police force. This debate has been ongoing since RAMSI's intervention began in 2003. Police rearmament is a national security concern because the police force was compromised during the Guadalcanal tensions. In 2007, then-Prime Minister Manasseh Sogavare had to back down from his plans to rearm police because of heavy criticism from trade unions, churches, and Australia (SIBC, 26 Feb 2011). In a recent statement after riots on the day of his election as prime minister, Gordon Darcy Lilo announced that rearmament of the police would take place but that it would be approached cautiously (STO, 16 Jan 2012). Sogavare welcomed the announcement, as it confirmed his earlier attempt, but another former member of Parliament, Peter Boyers, expressed the opinion that police officers would not be ready for rearmament for another six to ten years (STO, 13 Jan 2012). Neverthe-

less, the cabinet has authorized the Police Response Team to use nonlethal weapons to practice and deal with public disorder situations (SIBC, 8 March 2012).

Constitutional reform efforts and processes also featured throughout 2011. The Constitutional Congress and the Eminent Persons Advisory Council, who are responsible for ensuring that the draft constitution undergoes a thorough consultative process, met during the year. Reports coming from the Prime Minister's Office indicated that the process for the draft to reach Parliament is on schedule. Since the consultations involve a lot of money in the form of imprests (ie, advances or loans of money), the Ministry of Finance offered a workshop in July to educate provincial and Honiara City Council team leaders on the financial processes regarding the standing imprest arrangements. This is to ensure that team leaders properly account for money they use to carry out the last stages of their constitutional reform consultations (ISN, 13 July 2011). Choiseul province held its Provincial Convention on the draft constitution late in 2011, and the other nine provinces and Honiara city will do the same in 2012. It is anticipated that a national convention on the draft constitution will take place in the latter part of 2012 before a final draft is submitted to the cabinet for endorsement and to Parliament for a decision at the end of 2012.

Women in leadership, especially the idea of reserved parliamentary seats for women, also gained prominence in 2011. Although an attempt by female candidates in 2010 to gain seats in

the national Parliament was unsuccessful, women leaders felt that they learned something from that experience. Permanent Secretary for Women, Youth, Children and Family Affairs Ethel Sigimanu commented that women should have reached as many people as possible in the country who understood and supported Temporary Special Measures (TSM). She argued that “the TSM submission could not be taken to Cabinet because the voices against it were stronger than the voices for it” (SIBC, 23 July 2011). She also complained by raising this question: “While we pride ourselves for having a democratic system of government why has there been only one woman in parliament since this country gained independence and why so much opposition during the campaign for ten reserve seats for women in parliament?” (SSN, 21 March 2011). Even National Parliament Speaker Sir Allan Kemakeza observed that women were unfairly represented in “Parliament, Cabinet and the Judiciary, and something must be done about it now” (SIBC, 29 Sept 2011). Since taking over the helm from Danny Philip, Prime Minister Gordon Lilo announced that ten reserved seats will be allocated for women, who will contest these seats during national elections. He further explained that the plan is to allocate “one reserved seat per province with the seat rotating amongst the province’s constituencies each election” (SIBC, 2 March 2012).

On the diplomatic front, Solomon Islands made some notable progress in the year. First and foremost was the establishment in December of

Dec 2011). Although nothing special was mentioned about this new relationship, the respective countries’ ambassadors to the United Nations expressed optimism that the relationship will grow from strength to strength and evolve for mutual benefit. Another diplomatic relationship being explored was that with Russia. Russia’s recent interest in the small Pacific Island countries has drawn comment from scholars such as Michael O’Keefe, who explained it as “a larger global geopolitical contest being played out in the Pacific” (2012, 27). Initial talks between Solomon Islands and Russia took place in 2011 on the sidelines of the UN General Assembly in New York. The proposal was further deliberated in early 2012 in Nadi, Fiji, by Russian Foreign Minister Sergey Lavrov and his Solomon Islands counterpart, Peter Shanel Agovaka (STO, 7 Feb 2012). Unfortunately, the potential diplomatic relationship came to a halt after Shanel was sacked for taking it on himself to discuss the possibility of ties with Russia, when affiliations with other countries are the responsibility of the cabinet collectively (SSN, 23 Feb 2012). Shanel has since been replaced by Clay Forau as minister for foreign affairs and external trade.

There were also positive developments in 2011. In terms of economic development, Solomon Islands progressed well, albeit slowly. In its quarterly review of June 2010, the Central Bank of Solomon Islands (CBSI) anticipated a modest recovery in the economy. According to the Central Bank, the positive forecast is “attributed to improvements in the capital and financial accounts, including the

increase in donor and investment inflows, and a rise in export receipts which contributed to this strong performance” (CBSI 2010). In late 2011, the commercial banks were also commended for lowering their lending rates by almost 2 percentage points, allowing local investors to access cheaper funds for capital. Congratulating the commercial banks on that move, the CBSI governor emphasized, “It is an indication that the risk profile of Solomon Islands, especially the risk of doing business in the country is improving” (STO, 13 Oct 2011). The International Monetary Fund predicted a growth in gross domestic product of 5.6 percent in 2011 and 6.1 percent in 2012, although other sources anticipated more sluggish growth (Pritchard 2012, 69).

Certain developments in the areas of currency valuation and credit facility arrangements also took place during the year. In November, then-Minister for Finance and Treasury Gordon Darcy Lilo revealed that NCRA had reached an agreement with the International Monetary Fund on a reform program to be supported by a precautionary Standby Credit Facility. He stated that “the agreement focused on the policy mix that could help the Solomon Islands improve its resilience to external shocks and achieve sustainable and inclusive growth in the medium term” (SIBC, 4 Nov 2011). In another controversial move, the Philip-led government appreciated the Solomon dollar by 5 percent. According to the then-minister for finance, the action would alleviate inflationary pressures affecting the rural populace (STO, 14 June 2011). This government move raised a few questions

from economists and the Opposition. Former Prime Minister and Finance Minister Manasseh Sogavare voiced concerns on how this move could affect investment and donor support. He stressed that this dollar appreciation has direct implications for the budget and asked the attorney general to advise on the legal implications of this sudden change in government policy for signed contracts (STO, 15 June 2011). Dr Sunil Kumar, a senior lecturer of economics at the University of the South Pacific, also advised that such a move needs proper guidance from the government. He explained that “apart from negative export if not guided properly, the capital inflow into the country could decline which is a serious problem as the country needs more capital inflow to improve its infrastructure, which may then diminish investor confidence in the country” (STO, 22 June 2011).

Throughout the year, several other decisions were made and arrangements entered into that could have important implications for people’s livelihoods. These included the government’s income tax reform, the rehabilitation of the cattle industry, and the opening up of Australia’s Pacific Seasonal Workers Scheme to complement that of New Zealand. The new NCRA government under the leadership of Prime Minister Lilo announced some changes to the Pay as You Earn (PAYE) tax in December 2011. Minister for Finance Rick Hou announced an increase in the income tax exemption threshold from S1\$7,800 dollars to S1\$15,080 dollars (SSN, 2 Dec 2011), which was implemented in January 2012. Minister Hou explained the move, stating that “if any tax payer

earns \$580 dollars per fortnight income and below [, his/her] income will be exempt from paying Pay As You Earn (PAYE) tax” (STO, 2 Dec 2011). There were positive reactions to this announcement from all sectors of the working community.

The cattle industry was a prominent industry in Solomon Islands until the 1998–2003 tensions destroyed the cattle-breeding ground at Tenavatu on Guadalcanal. Earlier attempts to rehabilitate the cattle industry were hampered by allegations of corruption, as a S\$10 million grant for that purpose was poorly administered (SSN, 15 March 2010). The current regime was successful in its bid to rehabilitate this industry, as in late 2011 the minister for agriculture and livestock, with the cabinet’s approval, imported 400 head of cattle from Vanuatu (SIBC, 7 Nov 2011). There have also been budgetary allocations targeting the improvement of cocoa and coconut plantations, which, if implemented, could improve income and livelihoods in the rural areas.

Although the initiative was outside their control, the NCRA entered into and signed a deal with the Australian government in December 2011 for a Pacific Seasonal Workers Scheme. The Solomon Islands government responded quickly and positively to an invitation by the Australian government to participate. Other Pacific Island nations who are already in the scheme are Nauru, Sāmoa, and Tuvalu. Compared to people in other countries in Polynesia and Micronesia, Solomon Islanders do not have access to labor markets in other metropolitan countries, and this opportunity, if properly

managed, could assist some Solomon Islanders in terms of remittances to their families back home. The scheme expects to recruit up to 2,500 workers from the participating countries in a given year (SSN, 14 Dec 2011).

Despite these positive developments, the year was also marred with allegations of official corruption and maladministration by political leaders. For instance, the awarding of the contract to construct the PNG chancery building and directives by then-Prime Minister Danny Philip for the Solomon Islands Electricity Authority (SIEA) to be lenient with a company with outstanding electricity bills were both controversial. These decisions tarnished the public image of the Philip-led NCRA government. In August 2011, Douglas Ete, member of Parliament for East Honiara, revealed that Philip had engaged in “wantokism” (ie, nepotism) by directing the chair of the SIEA Board to reconnect the supply of power to X-field Confectionery Limited, a private company owned by his close relative. The company owed something like S\$2.8 million and Philip promised to meet part of that with funding from Taiwan (STO, 17 Aug 2011). A similar story was told about the granting of a contract to Transworld Construction to renovate the prime minister’s official residence, commonly known as the “Red House.” It was alleged that Transworld was given the contract without a formal bid. This was despite the fact that Transworld had messed up the construction of the PNG chancery building. On closer assessment, the owner Johnson Turueke is a relative of Philip (ISN, 21

Oct 2011). These and other decisions made by the then-prime minister and his officers were not very helpful in easing the pressure on the government at a time when number politics was critical. The ultimate losers of course are citizens of Solomon Islands who do not benefit from better government services.

Despite a tumultuous year, Prime Minister Philip managed to hold on until serious allegations regarding his competency and tendency toward nepotism forced him to resign. Before his resignation, he had fired his finance minister, Gordon Darcy Lilo, and Rick Hou, who had been minister for public service. This was after another three of his ministers resigned, citing allegations of abuse of the prime minister's discretionary funds (SSN, 11 November 2011). The sacking of Lilo and Hou was said to be over their part in orchestrating a plan to overthrow Philip's leadership, an allegation they both denied (STO, 11 Nov 2011).

The resignation of Prime Minister Philip saw the regrouping of NCRA and the subsequent election of Gordon Darcy Lilo as the new prime minister of Solomon Islands on 16 November 2011. He appointed Rick Hou, a former governor of the Central Bank, as his minister for finance. All other ministerial portfolios were retained by ministers who had either resigned under Philip's reign or had remained with him till his resignation. In effect, the former captain was allowed to leave while the old crew remained, with Lilo now at the helm.

Miscalculated decisions from previous administrations are now haunting the NCRA. For instance, the high court determined that the 2007

deportation of Julian Moti from Solomon Islands was illegal and Moti said he plans to sue the Solomon Islands government (STO, 12 Dec 2011). In a similar fashion, the 2005 government ban imposed on the export of dolphins was also found illegal in 2011, and the government was required to pay the dolphin exporter S\$10 million for damages (STO, 17 Jan 2012). The current government will have to sort out these and similar messes this year, as the sacking of ministers and the crossing of members of Parliament from the Opposition to the government and vice versa seem to be chronic. If the 2011 trend continues in 2012, then little progress will be made on the highly publicized programs of the Lilo-led NCRA government.

GORDON LEUA NANAU

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STO, Solomon Times Online. Daily Internet news service, Honiara. <http://www.solomontimes.com/>

VANUATU

The relative political calm during the early weeks of 2011 was deceiving, given the controversy surrounding the change of government that had taken place the previous December (see Van Trease 2011). Having survived in office since the last national election in September 2008, a period that included several changes to coalition partners, the Vanuaʻaku Pati (VP)–led government under Prime Minister Edward Natapei was ousted in a vote of no confidence and replaced by his deputy, Alliance Group leader Sato Kilman on the afternoon of 2 December 2010, shortly after Natapei left the country, having received assurances from Kilman that the pending no-confidence motion was under control. That afternoon, however, once Parliament had convened, the Speaker took the unusual step of banning all media and the public from the chamber. At that point, Kilman and his Alliance Group crossed the floor to join the Opposition. The vote of no confidence was carried with 30 votes in favor, 15 against, and 7 abstentions.

On first impression, Kilman

appeared to have misled Natapei on his departure from Vila into believing that he could be trusted to defend their existing partnership in the face of the ouster motion. Several months later, however, Kilman revealed to the press that the turn of events in early December had not simply happened out of the blue but was the result of Natapei's failure to live up to an early promise to redistribute ministerial portfolios within the coalition more equitably. Several letters sent to the prime minister requesting action had been ignored. Kilman was obviously under pressure from his own people to act, and Natapei's intended absence at the moment a vote of no confidence had been tabled obviously provided the opportunity to resolve the problem (VDP, 28 April 2011). The events that followed would seem to indicate that there had been prior planning, and it is therefore understandable that Natapei and the VP leadership felt betrayed and deceived by Kilman's final words to Natapei on his departure that December morning. Political betrayal is not uncommon in Vanuatu politics, but the fact that this had occurred on such a personal level created an obvious desire for revenge that would lead to an unprecedented period of political instability in the months that followed.

Rumors began to surface in January that moves were afoot to table a motion of no confidence against the new Kilman government, but the Opposition did not have the numbers to act, and the Union of Moderate Parties (UMP) dismissed the rumor that it would be leaving the government (VDP, 15 Jan 2011). However, the decision by the Council of Ministers

to postpone the first sitting of Parliament, which was to take place on 21 January, indicated growing concern that certain backbenchers could be looking for new opportunities and might be susceptible to offers from the Opposition (VDP, 20 Jan 2011).

This was indeed the case. On 12 February, the two UMP ministers in the government, Serge Vohor and Charlot Salwai, resigned to join the Opposition, taking their members with them and complaining that the sharing of the thirteen ministerial portfolios permitted under the Vanuatu Constitution had not been done fairly. The UMP, with eight members of Parliament, the single biggest party in government, had been given only two ministries. The Alliance, the largest bloc (made up of Kilman's People's Progressive Party [PPP] with three members of Parliament and various other small parties and independents) had ten members in total and five portfolios. Ham Lini's National United Party (NUP), with only three members of Parliament, had two ministries—the same number as the UMP—and the Vanuatu Republican Party (VRP) had one ministry plus the position of Speaker. The Harry Iauko faction of the VP, with only three members of Parliament, had two ministries, and a group of independents had one (VDP, 12 Feb 2011). Kilman responded by hinting that he might seek a dissolution of Parliament rather than allow a new round of political instability (VDP, 14 Feb 2011).

In anticipation of a successful challenge, Serge Vohor (UMP), Edward Natapei (VP), and Maxime Carlot Korman (VRP) signed an agreement that would see Vohor take over as

prime minister, and Natapei got assurances from the president, Iolu Abbil, that he would not dissolve Parliament unless the situation became serious (VDP, 15 Feb 2011). The prime minister's public relations officer, Richard Kaltongga, protested that the visit by the leader of the Opposition to the president was inappropriate at this time, as the Constitution of the Republic of Vanuatu states clearly, "The President of the Republic may, on the advice of the Council of Ministers, dissolve Parliament" (article 28[3])—*not* on the advice of the Leader of the Opposition (VDP, 17 Feb 2011). In the meantime, Kilman sought to salvage the situation by quickly filling the two vacant ministerial positions: one went to a VRP member, Marcellino Pipite, who was not prepared to follow Korman into the Opposition, thereby revealing a split in the VRP that had been brewing for some time (VDP, 19 Feb 2011). With the return of several other supporters to the government camp, Kilman was able to secure the requisite numbers, and the Opposition withdrew the motion of no confidence (VDP, 22 Feb 2011).

Kilman's struggle to maintain his majority in Parliament was made even more difficult by an incident involving Harry Iauko, minister of public works and leader of the VP break-away faction. On 4 March, Iauko led a group of men to the office of the *Vanuatu Daily Post*, assaulted the publisher, Marc Neil-Jones, and threatened the editor and other staff over articles published in the newspaper. The articles were critical of Iauko's handling of land issues while he was minister of lands and of his

suspending the board of Air Vanuatu while he was minister of public works and infrastructure. The *Daily Post* had also published critical articles by Transparency Vanuatu as well as anti-Iauko letters to the editor (VDP, 5 March 2011). Indeed, on the day of the assault, Transparency Vanuatu specifically mentioned Iauko's alleged "corrupt land dealings" and a recommendation by the Ombudsman that the "Public Prosecutor investigate criminal proceedings" against him (VDP, 4 March 2011).

Response to the assault was immediate. Neil-Jones vowed to pursue the assault case in court, stating that "Iauko should be sacked" and that the case was an obvious "criminal offense" and a "serious breach of the leadership code" (VDP, 7 March 2011). In a letter to the prime minister, printed in the *Daily Post*, the chairman of the Pasifika Media Association (PMA), Savea Sano Malifa, expressed how "deeply disturbed and saddened" the PMA was about the "unjustified acts of violence" perpetrated by a minister of the Vanuatu government and others against the *Daily Post* publisher and urged him to allow "justice to prevail" (VDP, 9 March 2011). The response from the prime minister's office was that the government was aware of concerns about the assault from media organizations in the region, but it was up to the publisher to take the case to court. The prime minister's public relations officer also cautioned that "the public have their right and freedom to write or say what they want but they also must be prepared to answer their critics or face any consequences that may arise from those they upset" (VDP, 11 March

2011). This was a shocking response, to say the least.

Criticism of the government's failure to deal with Iauko continued to appear in the paper until late June when the case was brought before a senior magistrate. Iauko and his supporters were found guilty of assault and received fines ranging between 15,000 and 85,000 vatu—roughly US\$175 to \$900. Iauko was fined 5,000 vatu (US\$60) for aiding and abetting damage to property and 10,000 vatu (US\$110) for aiding and abetting intentional assault. Neil-Jones expressed his disappointment at the result, noting that the fines were small given the gravity of the offenses and that he would likely appeal the sentences (VDP, 30 June 2011). Neil-Jones's disgust with the outcome of the case is understandable, as he had also suffered an assault in 2009 by members of the Correctional Services over articles published in the *Daily Post* that revealed their alleged poor performance. To this day, the courts have not dealt with that case (Van Trease 2009, 474).

Attacks on the media are an ongoing issue in Vanuatu, and the decision by Prime Minister Kilman not to discipline a minister involved in an alleged criminal act—not uncommon in the country's political history—demonstrates the damage done by years of political instability and coalition governments. When it came to taking a clear stand in support of media freedom by disciplining a member of his coalition, the prime minister could at least have suspended him pending an investigation and court action, but he chose not to risk his majority. While this move secured political power in

the short term, it has the clear potential of undermining one of the key pillars of Vanuatu's democracy.

In the midst of the controversy over the attack on Neil-Jones, the prime minister moved to shore up his majority by replacing the Labor Party in his coalition with the VRP. Kilman removed Labor Party Minister for Justice and Community Services Ioan Simon (from Epi); moved Ralph Regenvanu, president of the Graon mo Jastis Party (GMJ) from the Ministry of Lands to the Ministry of Justice; and installed the VRP member from Efate, Alfred Carlot (nephew of the party's president, Maxime Carlot Korman) in Regenvanu's place at the lands ministry. The reason given for dropping Labor from the coalition—there were two additional members of Parliament associated with Simon—was that they had signed the recent failed motion of no confidence. The *Daily Post* reported, however, that the three sacked members of Parliament, including the party president, Joshua Kalsakau, were dissatisfied with an attempt by Regenvanu as minister of lands to put in place various land reforms. On 18 February, he had imposed a temporary hold on the registration of all land dealings to allow for the introduction of new administrative procedures. Three weeks later he was reshuffled out of the Ministry of Lands, at which point the temporary hold he had instituted was lifted. (VDP, 12 March 2011).

A few days later, Kalsakau announced that he had placed his signature on an Opposition-sponsored motion of no confidence (VDP, 16 March 2011), and on the afternoon of 14 April, the Speaker of Parliament,

Maxime Carlot Korman, declared in order a motion of no confidence in Prime Minister Sato Kilman signed by twenty-seven members of Parliament. The parties behind the motion included the VP, UMP, National Community Association, Peoples Action Party, and Labor Party, but it appeared that some government supporters might have crossed the floor as well (VDP, 15 April 2011). Indeed, the VRP was in disarray, with several members of Parliament moving to the Opposition side, including Minister of Lands Carlot, who resigned from the Kilman coalition to sign the motion and then rejoined the government on the following day. The rumor going around was that he had been summoned by his uncle, the Speaker, to sign the motion but then rebelled and subsequently withdrew his signature. Indeed, Carlot filed a case in the Supreme Court on Saturday, 23 April 2011, claiming that he did not sign the motion as stated by Natapei. The Supreme Court, however, decided that the motion of no confidence in Prime Minister Kilman was in order (VDP, 25 April 2011).

With the tussle for numbers intensifying, the Opposition gathered its members at a local tourist resort in Port Vila to reduce the chance of their being enticed into joining the government side. The reason given by the Opposition for depositing the motion was that Kilman should not hold the office of prime minister because he had stabbed his predecessor Natapei in the back when he was out of the country, resulting in the successful vote of no confidence on 2 December 2010 (VDP, 16 April 2011).

Significantly, there was no men-

tion from the Opposition of Kilman's recent controversial decision to side with Fiji's strongman, Frank Bainimarama, in support of Indonesian observer status in the Melanesian Spearhead Group (MSG). It was reported in the *Daily Post* that the granting of observer status to Indonesia and Timor-Leste had been agreed to in an "out of session meeting" by foreign affairs officials from MSG countries two weeks earlier in Nadi, following the MSG meeting in Fiji on 30 March. Kilman's decision received significant criticism from the Vanuatu public and politicians on both sides, who saw it as undermining the West Papua position. The *Daily Post* asked why Prime Minister Kilman had not told his government colleagues earlier about the decision before the Council of Ministers voted to purposely instruct him to vote against any MSG decision to invite Indonesia to join (VDP, 1 April 2011). The fact that this was not given as a reason for the motion of no confidence is evidence of the dominance of the struggle for power over issues in Vanuatu politics.

Kilman expressed his concern about the continued political instability and claimed again that he might seek a dissolution of Parliament and an early election if the situation continued. When Parliament convened on Thursday, 21 April, the government members of Parliament were not present—an indication that they did not have the necessary twenty-seven votes to block passage of the motion. According to the Vanuatu Constitution (paragraph 21[4]), a quorum of two-thirds of the members of Parliament is required at the first sitting in any session, and, lacking a quorum,

Parliament will reconvene three days later, at which time a simple majority of members would then constitute a quorum. The Speaker, therefore, scheduled the next meeting for 24 April, which was Easter Sunday. By that time, it was confirmed that the VRP had split, with four members remaining on the government side and two others—MPs Dominique Morin and Jossie Masmás—siding with the Opposition. In addition, the Opposition at the time was comprised of 10 UMP members, 9 VRP, 3 Labor, 1 People's Alliance Party, and 2 National Community Association (VDP, 23 April 2011). Speaker Korman was also a member of the VRP and, as evidenced by his effort to get his nephew to sign the motion of no confidence, also supported the Opposition.

When Parliament convened on Easter Sunday, all 52 members of Parliament were present including the Speaker. The vote in favor of the motion of no confidence was 26 in favor and 25 against, with the Speaker declaring that Kilman had been deposed. (Note that the Speaker did not vote.) Parliament then broke and returned some time later to elect a new prime minister. Kilman and his cabinet and government backbenchers, however, boycotted the second session, and Speaker Korman and the remaining 26 members of Parliament proceeded to elect Serge Vohor (UMP) as the new prime minister. The vote was 27 in favor, including the Speaker, and none against (VDP, 25 April 2011).

On Monday, former Prime Minister Kilman announced that he did not accept that he had been defeated in the vote of no confidence because the motion had only been supported

by 26 members of Parliament, a simple majority, instead of an absolute majority of 27 in the 52-seat Parliament. Kilman claimed that according to the constitution (article 43 [2]), if a motion of no confidence is “supported by an absolute majority of the members of Parliament, the Prime Minister and other Ministers shall cease to hold office.” As it turned out, the Speaker’s decision not to vote meant that the Natapei motion against Kilman only had the support of 26 members of Parliament—a simple majority. It was this fact that had led the Kilman group to boycott the second session of Parliament when a new prime minister was to be selected. As a result, the Kilman group lodged a constitutional case in the Supreme Court to seek clarification from the court as to the definition of “absolute majority” in the ousting of a prime minister as provided under the constitution (*VDP*, 26 April 2011). Chief Justice Vincent Lunabek declared the 24 April 2011 motion of no confidence against Kilman to be “valid” and “legally effective” (Supreme Court 2011a; *VDP*, 2 May 2011).

Kilman appealed the decision, and nineteen days later, on 13 May 2011, the Court of Appeal overturned the judgment of the chief justice, ruling that the vote of no confidence against Kilman on 24 April 2011 was invalid, as 26 votes did not constitute an absolute majority of the members of Parliament. Likewise, the ruling declared, “The Kilman government is to be considered as if it remained in office [including all ministers] and the Vohor government as if it never came to office.” The judgment explained its decision by making specific reference

to the two different voting regimes spelled out in the constitution, which include both “simple” and “absolute” majorities. The court also clarified the position of the Speaker in its ruling, rejecting what had become the traditional practice in Vanuatu’s Parliament that, in order to maintain his neutrality, the Speaker hardly ever votes. The judgment noted that, “We cannot find anything in the Constitution, Standing Order No. 10 or elsewhere that prevents the Speaker from voting on any motion or general resolution before Parliament.” In other words, the Speaker counts as one of the 52 members of Parliament, so 27 votes, an “absolute” majority, are required to remove a prime minister (Court of Appeal 2011a; *VDP*, 14 May 2011).

Serge Vohor’s response to the Court of Appeal’s declaration that his election as prime minister was invalid reflects a positive aspect of politics in Vanuatu—the usual unequivocal acceptance by most political leaders of judgments handed down through the court system. On his return to Port Vila (he had been overseas on official business when the decision had been received), Vohor accepted that an error in procedure had been made and declared, “Vanuatu must be appreciative that our judicial system is alive and well” (*VDP*, 17 May 2011). Indeed, when Kilman indicated in late April that he would be challenging the vote of no confidence that had unseated him, Prime Minister Vohor announced then, perhaps in anticipation of a negative outcome, that his government was considering the possibility of asking the court to rule on whether or not Kilman had, in fact, been elected in December 2010

according to the requirements of the constitution. He noted that then-Speaker George Wells had blocked the media from live coverage of the vote of no confidence against Natapei, in violation of the constitution (article 24), which requires that proceedings of Parliament be held in public. Likewise, he claimed that Kilman's actual election as prime minister also violated the constitution (article 41), since it had been conducted by show of hands instead, as required, "by secret ballot." The public was not aware of what had happened, due to the absence of the media, until those present subsequently related the chain of events (*VDP*, 29 April 2011).

Following the Court of Appeal decision (2011a), there was some confusion as to how to proceed. As part of the ruling, the court stated that Parliament should meet as soon as possible, and Kilman disclosed that he had written to the Speaker to convene Parliament on 23 May 2011 but had not received a reply. Speaker Korman subsequently sent out a notice calling for Parliament to meet on 20 May 2011 to review the ruling of the Court of Appeal and determine whether the government had a majority. To the surprise of many, the Speaker circulated another Opposition motion of no confidence in Prime Minister Kilman, which allegedly had been signed on 13 May 2011 after the Court of Appeal handed down its ruling. Meanwhile, the position of the Kilman government began to strengthen with the movement of several members of Parliament to its side and the reallocation of portfolios. By 18 May, the government looked to have secured the necessary 27 mem-

bers of Parliament to retain power. Nevertheless, Prime Minister Kilman indicated his desire for an early vote in order to end the political instability. He noted that when the Opposition had lodged the motion of no confidence the previous month, he had requested a dissolution of Parliament, which the president had declined to do (*VDP*, 18 May 2011).

On the morning of 20 May, amid continued controversy and confusion, Parliament met again to deal with the issue of its leadership. Following the Court of Appeal decision (2011a), the Speaker convened Parliament to ascertain whether the prime minister had the numbers to govern. A motion of no confidence had, in fact, been tabled by the Opposition. Kilman produced 27 members of Parliament at the start of the session, but that number was reduced to 26 when Speaker Korman evicted Port Vila MP Ralph Regenvanu over "degrading" comments leveled against him, allegedly circulated by Regenvanu on the Internet. Regenvanu insisted on his right to reply in Parliament, which Korman allowed him to do. He vehemently denied the accusation before being escorted out of the chamber (*VDP*, 21 May 2011). As a result of his eviction that day, Kilman's numbers were reduced to 26 (*VDP*, 25 May 2011). Realizing that he no longer had an absolute majority of 27, Kilman and the remaining government members of Parliament left Parliament before the vote of no confidence could take place. The Speaker wanted to proceed with the business at hand, but the Opposition asked for a break, during which a meeting took place between the Speaker, Prime Minister Kilman, and Opposition

Leader Natapei. It was agreed that Parliament would continue, allowing the return of the Kilman government with a 26 to 25 majority. The Speaker then ruled that Kilman did, indeed, have the numbers to govern, presumably because this was not an election of a new prime minister, which would have required an absolute majority of 27 (*Independent*, 21–27 May 2011).

The Kilman government therefore continued in office, but Natapei immediately lodged a constitutional case related to Prime Minister Kilman's original election as prime minister on 2 December 2010. Natapei's lawyers argued that the election was unconstitutional due to the Speaker's failure to follow procedures in Kilman's election after he had deposed him (VDP, 25 May 2011). Leader of the Opposition Natapei was listed as the first applicant in the case, and nineteen Opposition members of Parliament as the second applicants. Speaker Korman was designated first respondent, Prime Minister Kilman as the second respondent, and the Republic of Vanuatu as the third respondent (VDP, 15 June 2011).

Chief Justice Lunabek was scheduled to deliver his judgment on 15 June 2011 but postponed it until the next day—to be revealed just prior to the opening of the year's first ordinary session of Parliament. The fact that the opening had been delayed for four months demonstrates how disruptive the political wrangling had been to the process of governing Vanuatu (VDP, 16 June 2011). Expressing his "pain" in making the decision, Lunabek ruled in favor of the Opposition—that is, that the VP president, Edward Natapei, was to become "acting prime minis-

ter" and that the election of a substantive prime minister should take place as soon as possible (Supreme Court 2011b). What concerned Lunabek was that it had taken six months for the case to go before the courts, and he blamed Speaker Korman for not having properly conducted the election of Kilman as prime minister (VDP, 17 June 2011).

Natapei made his position clear, assuring the people of Vanuatu that he would facilitate the election of a new prime minister as soon as possible and that he would withdraw a tabled motion of no confidence against Kilman. He also announced that Serge Vohor (UMP) would be his coalition's candidate for prime minister, reflecting a renewed alliance between the VP and the UMP (VDP, 17 June 2011). However, the political crisis was not yet over. Natapei was still facing the problem of numbers, since Kilman had had a majority before he was removed as prime minister by the 16 June court ruling. Kilman realized that it was to his advantage for the election of the new prime minister to proceed quickly in order to keep his numbers intact. Now acting as the leader of the Opposition, Kilman lodged an urgent application in the Supreme Court requesting Parliament to meet as soon as possible. The court quashed the application on procedural grounds and because there was no evidence of any breach of the Supreme Court Orders dated 16 June 2011 (Supreme Court 2011b; VDP, 18 June 2011).

The new, Kilman-led Opposition then lodged another urgent application in the Supreme Court to prevent Natapei from replacing the Kilman-appointed state ministers, the argu-

ment being that the appointment of the ministers had not been at issue or ruled on by the Court. Indeed, it was argued that, based on the 13 May 2011 Court of Appeal judgment (2011A), which had seen Vohor removed and Kilman returned as prime minister, “all ministers holding office on 24 April 2011 as part of the Kilman government remain in office” (VDP, 21 June 2011). Chief Justice Lunabek, however, ruled against the Opposition, arguing that their appointments could not be considered valid because “they were appointed by a prime minister who was unconstitutionally elected.” Moreover, he confirmed that Natapei’s ministers who did not resign before the motion of no confidence on 2 December 2010 should “continue to exercise their functions until a new prime minister is elected” (Supreme Court 2011C; VDP, 23 June 2011).

On the morning of 23 June, Speaker Korman convened Parliament with the intention of electing a substantive prime minister. It had now been 204 days (since 2 December 2010) that Vanuatu had been without a legitimate government. Korman realized, however, that Kilman, as current Opposition leader, had 27 members of Parliament—an absolute majority—and therefore the government side decided to boycott the sitting (VDP, 24 June 2011).

In the meantime, Natapei began to try other tactics to deal with his weak position. He alleged, for example, that bribery had been used to persuade certain of his supporters to switch sides—not an unusual accusation during coalition formation in Vanuatu. Also, hoping perhaps to force

several members out of Parliament, Natapei accused four ministers in the former Kilman government (Kilman, Carcasses, Iauko, and Regenvanu) of having lied before the Supreme Court in the recent court case relating to the 2 December 2010 vote that had unseated him. He applied to the police to have the matter investigated—to find out if the four ministers had falsified their statements when asked whether the vote had occurred by secret ballot or show of hands (VDP, 20 June, 24 June 2011). Natapei pressed the police to take action, even though the constitution stipulates that “no member may, during a session of Parliament or of one of its committees, be arrested or prosecuted for any offence, except with the authorization of Parliament in exceptional circumstances” (article 27[2]), so the move would not seem to have benefited Natapei in the current situation. He also ordered the ministers who had served under Kilman and their political staff to immediately “refund to the Government treasury . . . the illegal salaries that they were paid from 2 December 2010 to 16 June 2011” (VDP, 25 June 2012).

Regenvanu issued a statement clarifying how the confusion in his earlier statement referring to the 2 December 2010 vote occurred. He noted that, in addition to the fact that he was being asked to account for something that had occurred six months earlier, there had been two votes taken at the time—one to remove Natapei as prime minister and another to elect Korman as Speaker. Given that the media had been prevented from broadcasting the session, Regenvanu stated that he realized that there was reasonable doubt

that he was voting to elect the prime minister, and that the vote might also have been either to support the motion against Natapei or to elect Korman as Speaker (*VDP*, 21 June 2011). The police investigation of the case has proved inconclusive to date.

On Friday morning, 24 June, the fourth extraordinary session of Parliament convened to elect the new prime minister. Kilman comfortably secured the position with 29 votes to 23 for Natapei. Most of the ministers who had served in his government prior to the court decision that declared his election in December 2010 unconstitutional returned to their same positions (*VDP*, 27 June 2011).

The final legal action related to the ill-fated 2 December 2010 vote of no confidence, which settled without doubt the legitimacy of Kilman's tenure as prime minister, was revealed in a judgment of the Court of Appeal handed down in late July. It noted that in the appeal by the then-Opposition to Kilman's election as prime minister, the chief justice unfortunately referred to the first respondent (Natapei) as "Acting Prime Minister at a time when he had ceased to hold office and [Prime Minister] Sato Kilman was fulfilling that role on a *de facto* basis." The judgment noted that the chief justice's ruling failed to take into account the principle of "*de facto* office," which would "retrospectively validate the acts and decisions of Prime Minister Kilman and his council of ministers between December 2, 2010 and June 16, 2011." This rule of the common law recognizes the powers and functions of public office of a person who has exercised them in the public interest, even when "there has been a

defect or irregularity in the due manner of the appointment of that person such that the appointment was not a valid one." In other words, despite the irregularity in voting (show of hands instead of secret ballot), Kilman rightfully held the office of prime minister, making the subsequent appeals irrelevant (Court of Appeal 2011b; *VDP*, 28 July 2011). It is remarkable that this final judgment was reached without incident, given the political chaos of the previous eight months, and it demonstrates the underlying strength of Vanuatu's legal system.

Having had his position as prime minister confirmed by the court, Kilman turned to the issue of the position of the Speaker. Rumor had it that the Kilman coalition was planning to replace Korman (*VRP*), the longest-serving member (having been elected in 1979) and Vanuatu's first Speaker of Parliament (*VDP*, 5 Aug 2011). A showdown was expected during the Parliament's fifth extraordinary session, which was scheduled to meet on 8 August to deal with several government motions, including one to remove the Speaker. Despite its large majority, the government boycotted the first meeting because it was rumored that Speaker Korman had added his own motion to discipline certain members of Parliament, which he had scheduled to be debated prior to the motion to remove him. Kilman's group was uncertain about what Korman was planning, especially as he would also be taking on the position of acting head of state with the departure of the president for medical treatment overseas (*VDP*, 6 Aug 2011).

Using Parliamentary Standing

Orders as a tool, the Speaker was indeed able to avoid dealing with the motion to replace him by simply closing the session. The government, in response, requested another parliamentary session to deal with their motion to remove the Speaker as well as with other bills (VDP, 16 Aug 2011). When the sixth extraordinary session convened, the Speaker ruled that the government bills, including the motion to remove him, were not in order. He made the point that the parliamentary budget only allowed for two extraordinary sessions—a veiled threat that further sessions would be difficult to finance—and again proceeded to close the session (VDP, 20 Aug, 22 Aug 2011). Kilman filed an urgent constitutional application challenging the Speaker's decision. The chief justice ruled in Kilman's favor, noting that the closing of the sixth extraordinary session while there was still business to be conducted was an infringement of the constitution, and ordered that Parliament resume immediately (Supreme Court 2011d; VDP, 22 Aug, 25 Aug 2011).

Convening Parliament on 26 August, the Speaker found his official chair and those of all members of Parliament covered with oil. He told members that he feared it was the work of *nakaemas* (witchcraft), but later discovered that one of the members of Parliament had brought a group from his church to Parliament to pray and sprinkle holy oil in the parliamentary chamber to ward off evil (VDP, 29 Aug 2011). Parliament went ahead, but the Kilman government was finding their effort to remove the Speaker far more difficult than they had expected. A crafty

politician, Korman would not give up his position without a fight. On 30 August, he again used Standing Orders to dismiss three different motions to remove him, which had been submitted by different members of the government, claiming that they were out of order, and demanded that all three be withdrawn and a new consolidated motion be tabled (VDP, 31 Aug 2011). Kilman successfully appealed to the Supreme Court regarding the Speaker's rulings. Chief Justice Lunabek ruled that two of the motions were not in order but that Parliament should meet forthwith and debate the one lodged by Moana Carcasses Kalosil and George Andre Wells, dated 25 August 2011 (Supreme Court 2011e).

When Parliament finally met on the evening that the chief justice gave his ruling, Speaker Korman was removed from office with 27 votes in favor and 14 against. As expected, he was replaced with MP Danstan Hilton (PPP), who represented the Banks and Torres islands in the north of the group (VDP, 7 Sept 2011). Two days later, the government passed a motion in Parliament that had the effect of punishing Korman for having allegedly made illegal decisions in Parliament that were overruled by the Supreme Court. Korman was suspended from Parliament and not permitted to hold any parliamentary posts for the remainder of the term of the ninth legislature—the next election is expected in late 2012. In addition, he was ordered to pay all the legal costs incurred by the State in five constitutional cases. The money was to be deducted by the Ministry of Finance from his salary and other financial entitlements until the total amount

had been recouped. It was estimated that the total legal costs amounted to around 60 million vatu (more than US\$600,000). The Opposition claimed in Parliament that this move by the government was not correct and walked out in protest (VDP, 10 Sept 2011).

Korman appealed the motion and received partial satisfaction. The chief justice ruled that Parliament was within its rights to suspend Korman for the remainder of the ninth legislature, but he disallowed the deduction of legal costs and ordered that Korman's salary and other entitlements—except for sitting allowances—be reinstated (Supreme Court 2011f). In a second judgment, the chief justice made clear that Korman's election as a member of Parliament had not been canceled; rather, he had only been suspended from attending Parliament (Supreme Court 2011g). In other words, Korman continued as an elected member of Parliament representing Port Vila, but he was not allowed to attend parliamentary sittings.

What followed next was classic Vanuatu politics. On 13 December, during the closing session of the long-delayed second ordinary session of Parliament, Deputy Leader of the Opposition Natapei took the floor and appealed to the government to "forgive and review the measures dealt on MP Korman." By this time, most of what was left of Korman's party, the VRP, had deserted the Opposition and returned to the government side. Following his suspension, Korman himself also officially left the Opposition, though he could not join his fellow party members in Parliament.

This made the VRP the largest political party in the government coalition, since the Alliance was a group of smaller parties and independents (VDP, 17 Dec 2011). Did he think the government would embrace the prodigal son? Only time and circumstances will tell.

Not surprisingly, the political haggling did not go down well with the public. Vanuatu had not had a real government for months, and the newspapers were full of articles and letters condemning the actions of the politicians and urging them to reconcile their differences for the good of the country. In addition, calls for constitutional reform to deal with the political instability grew louder with the revival of an idea for replacing Vanuatu's Westminster Parliament with a presidential system (VDP, 24 June, 25 June, 30 June 2011). The previous president, Kalkot Matas-Kelekele, had raised the issue on a number of occasions during his term, but there had been little support at the time (Van Trease 2009, 6).

In early June, before the short period during which Kilman was replaced by Natapei, new controversies developed—this time over foreign affairs, but with a local political perspective. The *Daily Post* reprinted a short *New York Times* article in which officials from the Black Sea region of Abkhazia, which considers itself to be independent but is claimed by Georgia, announced that it had been recognized by Vanuatu (VDP, 3 June 2011). Only four other countries had recognized the Abkhazia claim—Russia, Nicaragua, Venezuela, and Nauru—and thus the announcement of Vanuatu's new position seemed

rather peculiar. Three days later, it was reported that Vanuatu's ambassador at the United Nations in New York, Donald Kalpokas, said that he had been in touch with Foreign Affairs in Vanuatu where officials had "emphatically" denied that this was true (VDP, 6 June 2012). It was subsequently reported that negotiations between Vanuatu and Abkhazia had been going on quietly and had been finalized without informing Ambassador Kalpokas. Foreign Affairs Minister Carlot apologized for the confusion and reported that one of Vanuatu's roving ambassadors would be visiting Abkhazia soon, and it was expected that trade links would be established (VDP, 10 June 2011).

In a letter to the editor of the *Daily Post* in the same issue, former Vanuatu Secretary for Foreign Affairs and Roving Ambassador Nikenike Vurobaravu (VP) questioned the decision. He pointed out that the breakaway territory had little foreign recognition and that Vanuatu was therefore in danger of losing its credibility internationally (VDP, 10 June 2011). Minister Carlot's announcement the following day, confirming Vanuatu's recognition of Abkhazia, was received in New York by Ambassador Kalpokas with less than enthusiasm. At the same time, the Opposition urged Kilman to withdraw recognition (VDP, 11 June 2011). A week later—Kilman having been replaced temporarily by Natapei—it was announced that Vanuatu had now withdrawn recognition of Abkhazia (VDP, 18 June 2011). However, several weeks later, with Kilman back in power, it was reported that the prime minister had made it clear that while full recognition had not yet been

negotiated, it would be in the future (VDP, 15 July 2011).

In the meantime, it was first learned in Vanuatu through a Radio New Zealand report that the minister of foreign affairs had decided to recall Kalpokas as Vanuatu's ambassador to the United Nations due to his age and alleged poor performance. The ambassador reported that he had received nothing from the Ministry of Foreign Affairs notifying him of his recall or appraising his performance (VDP, 9 July 2012). It would seem that this move was linked to the rift that had developed over the Abkhazia affair and perhaps from the fact that the ambassador and the foreign affairs minister came from opposing political camps. In addition, it was suggested that there may have been a bit of "petty revenge" at play—Carlot had been a previous UN ambassador and was recalled during the time when Kalpokas headed the VP-led government (VDP, 29 July 2011). A number of letters to the editor appeared over the next few days, all criticizing the decision to remove Kalpokas and condemning the way in which it had been handled (VDP, 13, 16, 18, 19 July 2011). Kalpokas had been one of Vanuatu's leaders during the struggle for independence and a former VP prime minister. In any case, he was not in fact recalled and remains in office in New York to this day.

While the Abkhazia affair seemed to lack any real seriousness, the announcement by the minister of foreign affairs that Vanuatu intended to establish ties with Taiwan came as a shock to many. Minister Carlot explained that he planned to travel to Taiwan to negotiate the establishment

of a Vanuatu trade mission in Taipei with the possibility in the long term of establishing “full diplomatic relations” (VDP, 16 July 2011). Vanuatu had established diplomatic relations with the People’s Republic of China in 1982, just after independence, and had remained a staunch supporter of the One China Policy over the years, despite many changes of government. The single deviation from this position occurred in November 2004, when the UMP prime minister at the time, Serge Vohor, made an unannounced visit to Taiwan, where he secretly negotiated to shift Vanuatu’s recognition from the People’s Republic of China to the Republic of China. He did this without consulting any of his ministers, and politicians in both the Opposition and his own coalition were outraged. As a result he was ousted in a vote of no confidence in December (VDP, 4 Dec, 5 Dec 2004). Minister Carlot’s announcement, therefore, appeared to mark a significant shift in Vanuatu’s foreign policy.

The motivation for this abrupt change of policy can only be explained in one way—monetary blackmail. Three days after the announcement, Carlot issued a demand to the Chinese government for budgetary assistance amounting to three billion vatu—over US\$30 million (VDP, 19 July 2011). It was no secret that the government’s financial situation had deteriorated significantly compared to recent years, with reports that the shortfall in the budget for 2011 was expected to be two billion vatu—over US\$20 million (VDP, 28 June 2011). Sharing the front page of the *Daily Post* with the announcement of the change of policy was an article reporting that the Chi-

nese ambassador expected the Government of Vanuatu to remain loyal to the One China Policy and that China would oppose any minister going to Taiwan (VDP, 19 July 2011).

The next day, Prime Minister Kilman announced that Vanuatu would maintain its One China Policy (VDP, 20 July 2011), and the following day, the Chinese ambassador announced that the Government of China would pay part of the request but could not contribute the full three billion vatu due to China’s current financial situation (VDP, 21 July 2011). An appeal by Deputy Prime Minister Ham Lini (NUP) for the Vanuatu government to stick to its One China Policy (VDP, 22 July 2011) revealed the broad opposition to the move. In addition, it demonstrated an ongoing weakness in Vanuatu’s system of government policy formation, whereby individual ministers are able to push their own agendas without full cabinet discussion or agreement.

It was rumored that Kilman was not happy with Minister Carlot’s “China policy,” and at the same time there was disagreement over Internal Affairs Minister George Wells’s suspension of the Port Vila Municipality (discussed below). Rather than deal with the matters internally, which would logically contribute to the continued stability of the coalition, it was reported that Kilman had begun to negotiate with VP leaders about the possibility of their joining the government (VDP, 9 Aug 2011). The change did not happen, but the potential for further instability continued.

Indeed, it may not be mere coincidence that Minister Carlot decided to deviate significantly from the estab-

lished policy of successive Vanuatu governments with regard to China and to play a game on the international scene by recognizing Abkhazia. In both cases, he received quite significant media coverage just when he had decided to promote his own personal political agenda by announcing that he was reviving, and making his own, an old political party that had been around at the time of independence in the 1970s and 1980s—the Natatok Party. On 25 July 2011, he organized a celebration in his village of Erakor, located close to Port Vila, where he launched the party by unveiling a constitution and a flag (*VDP*, 19 July, 27 July 2011). It is clear that this was part of a process that had begun in April when he split with the Vanuatu Republican Party and with his uncle, Speaker Korman, and allied himself with Kilman.

One of the most hotly debated issues in 2011 concerned the Kilman government's decision to pursue membership for Vanuatu in the World Trade Organization (WTO). The Vanuatu government had first applied for membership in July 1995. An accession package was finalized in 2001, but the government sought more time to consider the terms and conditions. Work began again in 2008 but with no final agreement. In April 2011, another working group was convened, which included Deputy Prime Minister (NUP) and Minister for Trade, Industry and Tourism Ham Lini (*VDP*, 1 April 2011). Final agreement on an accession package sparked significant debate in Parliament and in the community at large over a number of issues: land, protection for local industry, the possibility for withdrawal, and

the need for further consultation to achieve better conditions (*VDP*, 3 Dec 2011).

The government faced a coalition of voices in opposition, including all the major bodies representing civil society: most nongovernmental organizations, the Malvatumauri (National Council of Chiefs), Chamber of Commerce, Vanuatu Christian Council, and Vanuatu National Workers Union. Those against saw joining the WTO “as a surrender to powerful global interests . . . [while supporters saw it] as a mature policy of engagement” (Pacific Institute of Public Policy 2011). The bill for the Protocol of Ratification on Vanuatu's accession to the WTO was carried by 25 votes in favor from the government, with one abstention and 20 votes against. Included among those who voted against was Minister of Justice Ralph Regenvanu. He explained his unprecedented vote against his own government as indicating not a lack of confidence in the prime minister but his concern that better conditions needed to be negotiated (*VDP*, 2 Dec 2011). Victory for the government, however, was not yet complete; as the New Year arrived, the president had yet to affix his signature to the bill.

Early in 2011, Kilman committed his government to tackling corruption (*VDP*, 1 Feb 2011), and several cases of fraud and mismanagement were investigated. However, as noted in this review, political conditions made dealing with alleged corrupt politicians very difficult. Due to political wrangling delays in the opening of both regular sessions of Parliament meant that legislation was delayed, in need of further consideration, or not dealt

with at all, and the country's growing culture of corruption continued unabated.

Allegations were made that the Citizenship Commission was prone to bribery, as evidenced by the awarding of citizenship to two Asian businessmen who had not lived in Vanuatu the required ten years but had made financial contributions to the refurbishment of Parliament (*VDP*, 8 July, 9 July 2011). Likewise, an amendment to the Public Service Act changed the procedure and removed control of the appointment and dismissal of director generals, as guaranteed under the constitution, from the Public Service Commission (PSC). Leader of the Opposition, Serge Vohor, expressed his concern, and VP Secretary-General Sela Molisa labeled the Bill "unconstitutional." The amendment allows the appointment of director generals by the prime minister on recommendation from the PSC on a four-year contract, renewable one time only. The concern by opponents was that the change introduced the possibility of political interference to the appointment process (*VDP*, 9 Aug 2011).

One of the most worrisome issues during the year was highlighted in a report to Prime Minister Kilman by former Director General of Lands Joe Ligo, who alleged widespread corruption in the Ministry and Department of Lands going back years and implicating former ministers and senior lands officials. Ligo warned that, in particular, tension was high among Ni-Vanuatu over land deals that had gone through without the proper consent of custom owners and warned of "civil unrest and conflict that could destroy our country" because of the

loss of land by some Ni-Vanuatu due to corrupt dealings. The Ligo report created a significant stir within the community, with articles touching on various issues appearing over the next several days in the newspaper (*VDP*, 20 Jan, 21 Jan, 23 Jan 2011). The response from some in the Lands Department was that the report was unbalanced, but Ligo backed up his allegations of massive corruption by detailing a number of cases. Moreover, throughout the year, the media published a continuous stream of reports of shady deals. The report, however, did not lead to any changes to regulations, except for an attempt by Ralph Regenvanu, during his short time as minister of lands, to put a hold on land dealings to allow for the introduction of new administrative procedures. His reward for trying to deal with the issue, as mentioned earlier, was to be shifted out of Lands to Justice.

After many complaints, Minister of Finance Moana Carcasses Kalosil finally moved to deal with another alleged case of corruption and mismanagement. He appointed a team to investigate the Northern Islands Stevedoring Company Limited (NISCOL), which is a company owned jointly by the four northern provinces (Sanma, Torba, Penama, and Malampa) and handles port operations at Luganville in the northern part of Vanuatu. There had been numerous complaints that NISCOL had not been paying its bills nor auditing its operations (*VDP*, 3 March 2011). In September, a report by a Commission of Inquiry authorized by the minister of finance revealed its results and alleged the misuse of 87 million

vatu (over US\$900,000) and that the company had debts of over 440 million vatu (nearly US\$5 million) (*VDP*, 7 Sept 2011). Resolution of the alleged fraud was still before the courts as the year ended.

In July, Minister of Internal Affairs George Wells suspended the Port Vila Municipal Council (PVMC) over alleged misuse of funds and general mismanagement (*VDP*, 21 July 2011) and threatened also to suspend provincial councils due to maladministration (*VDP*, 4 Aug 2011). Criticism among the citizenry of Port Vila has been continuous over the years that the services provided by the PVMC have been inadequate, and there was a widespread feeling that their taxes were not being properly spent. A Commission of Inquiry reported in December that the PVMC faced debts of over 1 billion vatu (over US\$10 million) due to poor decision making and mismanagement stretching back over the previous ten years (*VDP*, 24 Dec 2011).

Despite the year's troubles, Vanuatu ended 2011 with some optimism due the fact that 2012 would be an election year. For many, the national elections are seen as an opportunity to bring fresh faces into Parliament and move on from the recent disastrous period of political instability. The prognosis, however, may not be that positive, as the conditions that underlie Vanuatu's political culture and feed the instability do not appear to have changed but may indeed be getting worse. Political disunity overall, leading to an increasing number of political parties and independents who contest the election and split the vote, appears to be increasing.

The problem that divides the major

parties and, indeed, makes it difficult for independents to unite into single, stronger entities, is the continuing reemergence since independence of traditional bigman politics. What divides the parties is not disagreement over issues, but raw competition for power—a striking contrast from the period of Vanuatu's struggle for independence. Since the 1990s, no single party has ever been able to form a majority in Parliament, with the result that coalition governments and political instability have become the norm. Because parliamentary majorities are usually weak, prime ministers find it difficult to sustain solid policy programs, as individual ministers too often focus on their own personal agendas. Attempts to rein in rogue political partners run the risk of alienating individual ministers and their followers, leading to the collapse of the coalition altogether.

Several important political issues have emerged recently, which seem to have led to a coalescing of sizeable sections of the public—for example, the right to independence of West Papuans and Kanaks, Vanuatu membership in the WTO, and the call for a presidential system to replace Vanuatu's Westminster system of government. In the 2008 election, the victory of Ralph Regenvanu—who won a seat in Port Vila as an independent with the largest vote total ever received in the history of Vanuatu and who campaigned on the issues of political reform and an end to corruption in government—may indicate that the voting public is ready for change. It remains to be seen, however, whether broad public interest can be sustained in such issues and trans-

lated into platforms that can unite individual citizens and politicians into viable parties. It will be interesting to observe how politicians frame their campaigns in the lead-up to national elections, scheduled for 30 October 2012.

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