

Australian government demands hand-over of Solomon Islands' attorney-general

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The Howard government is engaged in an increasingly aggressive attempt to unseat the Solomon Islands' government and Prime Minister Manasseh Sogavare, amid an ongoing standoff over the fate of Julian Moti, the Solomons' attorney-general arrested in Papua New Guinea on September 29. The governments of both the Solomons and PNG are defying Australia's demand that Moti be extradited on charges relating to a 1997 child sex allegation.

Tensions remain high in the Solomon Islands, following opposition leader Fred Fono's announcement last Friday that a motion of no-confidence aimed at bringing down the government would be postponed for a week. Fono, who claimed to have sufficient support in parliament for the motion, withdrew the nomination because of alleged "rumours, speculation, and intimidation, indicating that if this government was to fall there would be another riot". Sogavare has dismissed the opposition's claims, and insists that his government is secure.

The immediate spark for the political crisis was Sogavare's expulsion of Australian High Commissioner Patrick Cole last month for meddling in the Solomons' internal affairs. The expulsion led to a war of words between Canberra and Honiara, with Sogavare condemning the Australian government for bullying and political interference.

After coming to power in May, Sogavare attempted to assure Canberra of his willingness to impose its dictates, while at the same time making limited appeals to growing anti-Australian sentiment in the Solomons. As Howard has pushed for full compliance, however, his balancing act has proved increasingly difficult to maintain.

Moti has been targeted both as a means of undermining the Sogavare government, and to avoid any scrutiny of the Australian-dominated Regional Assistance to the Solomon Islands (RAMSI). Australian forces were dispatched to the Solomons in 2003 after the Howard government declared the Solomons a "failed state" and a potential haven for terrorists. RAMSI took over the country's key economic, judicial, and security institutions.

RAMSI was never a "humanitarian intervention" and was instead aimed at securing Australia's domination of the South Pacific. Opposition to RAMSI among ordinary Solomon Islanders mounted as it became evident that Australia is doing nothing to alleviate the country's endemic poverty and unemployment.

Following elections in April, riots erupted in the capital, Honiara, leading to the widespread destruction of hotels and businesses, particularly in Chinatown. The disturbances followed a RAMSI military and police operation aimed at propping up Sogavare's predecessor, Snyder Rini. Amid corruption allegations, the parliament had chosen Rini as prime minister despite the electoral routing of the previous pro-RAMSI government, in which he had been deputy prime minister.

Concerned to suppress any examination of RAMSI's responsibility for the riots, Canberra was alarmed when Sogavare announced an official Commission of Inquiry in July. The inquiry was to investigate the cause of the riots and examine the case of the two parliamentarians, Nelson Ne'e and Charles Dausabea, whom Canberra made scapegoats for the disturbances. The men, who are reportedly opponents of RAMSI, have been held without trial since their arrest in late April. Australian judges have repeatedly denied bail.

Canberra has made every effort to derail the official inquiry. Former Australian Federal Court judge Marcus Einfeld became the subject of a media witch-hunt ostensibly over an unpaid speeding fine after he was appointed head of the Commission of Inquiry. The sensationalised reports, which emerged just days after Einfeld accepted the position in mid-July, disappeared just as suddenly following his resignation on September 17.

The *Sydney Morning Herald* reported on Saturday that Australian forces considered arresting Sogavare last month, after the publication of a leaked cabinet submission in which the prime minister questioned Ne'e and Dausabea's detention and raised the possibility of collusion between Australian-appointed prosecutors and judges.

“So seriously did the Australians regard the submission that, according to well-placed sources, Australian personnel—working with Solomons police as advisers—considered scope for a raid to obtain further documents,” the newspaper reported. “There was even an examination of whether Sogavare had breached any criminal laws for which he could be arrested. But, regardless of the legal assessment, it was considered that arresting the Prime Minister posed too much risk of renewed rioting or possible assassinations.”

Moti was similarly targeted by Canberra for political reasons. He was closely involved in Sogavare’s decision to establish the Commission of Inquiry, and recommended that Einfeld head the investigation. According to one report, Moti’s private law firm in Honiara also represents Ne’e and Dausabea.

The Howard government’s insistence that its pursuit of Moti is strictly a police matter and has nothing to do with its dispute with the Solomons is absurd. Whatever the facts of the case, Canberra has seized upon it to smear the Sogavare government and prepare the grounds for its removal.

Moti was prosecuted in Vanuatu for allegedly raping a 13-year-old girl, but the case was thrown out by two different courts. One magistrate ordered Moti’s legal costs be paid and described the prosecution as “unjustified and oppressive”. Moti’s allegation that the girl’s father had originally demanded a payment of \$35,000 to drop the charges led to blackmail charges that were eventually dropped, and a civil case later brought by the girl’s guardian was settled out of court.

An article in the *Sydney Morning Herald* on Saturday described the contents of six statements made by the alleged victim to Vanuatu authorities in 1997: “All are in English, though it appears she only spoke French. None was in her own writing. None was sworn. The underlying story does not change from statement to statement, but details are contradictory. Others appear fanciful. She said he had three testicles, but a Port Vila GP, Dr Frank Spooner, would later examine Moti and concluded he had two.”

Vanuatu authorities considered the case closed and reacted with surprise to Canberra’s extradition attempt. “We felt the case against him was cleared, finished,” Pau Navoko Lui, the country’s police commissioner, told the *Sydney Morning Herald*. Australian authorities never notified Lui’s office that they were reinvestigating Moti.

The extradition demand, which relies upon Moti’s Australian citizenship, involves a misuse of Australia’s sex tourism laws. Under this legislation, individuals can be prosecuted for sex offences committed overseas. The laws were designed to facilitate the prosecution of offenders who evaded arrest overseas, not to create a kind of international

double jeopardy.

Justice Minister Chris Ellison has insisted that the Australian Federal Police (AFP) investigated the case at the beginning of 2005, but has not explained why Canberra regards Moti’s prosecution in Vanuatu as deficient. Ellison has also not said why the AFP did not interview the alleged rape victim until June this year. Such an interview would be the starting point of any serious re-examination of the case.

International law expert Don Rothwell, of the Australian National University, has questioned the timing of the investigation. “I don’t think there has been a satisfactory explanation by the Australian government,” he told SBS television. He asked why a warrant hadn’t previously been issued “given that these charges against Mr Moti are fairly long standing ... and given the fact that Mr Moti apparently travels in and out of Australia fairly regularly”.

The timing of the case is only explicable in its political context. The alleged sex crime was nothing more than a convenient pretext for Canberra’s vendetta.

Despite the utterly cynical character of the Howard government’s manoeuvres against Moti and the Solomons government, no one in the entire political and media establishment has issued a note of criticism. Opposition leader Kim Beazley declared that there was no political motivation behind the government’s pursuit of Moti, while today’s editorial in the nominally liberal *Sydney Morning Herald* demanded he face trial in Australia.

This unanimous support indicates what is at stake in the Solomons for the Australian ruling elite. Howard recently announced a major expansion of the military and specifically listed the PNG, Vanuatu and Fiji as potential targets for Australian intervention. In this context, a successful challenge to Australia’s grip over the Solomons would prove disastrous.



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