

# The Howard government, RAMSI, and the April 2006 Solomon Islands' riots

## Part 2

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*The following is the conclusion of a two-part article. Part 1 appeared yesterday, Wednesday February 21.*

The conclusion that RAMSI—Australia's intervention force into the Solomon Islands—provoked the April 18 riots is all the more compelling if one examines the question *cui bono*—who benefits?

The post-election unrest provided a convenient justification for the ongoing Australian-led occupation of the Solomons, as well as the pretext for a significant bolstering of Australian forces. The initial force of more than 2,000 troops and police that was dispatched in 2003 had been scaled back by 2006, and at the time of the April election numbered about 300 police and 100 soldiers, in addition to smaller numbers from New Zealand and other Pacific countries. Shortly after the rioting, these numbers were nearly doubled.

Canberra needed to bolster its forces in preparation for a direct intervention into the post-election political turmoil. The Howard government did not welcome the ousting of Kemakeza, which it considered an unfortunate disruption to the close relations it had enjoyed with his government. There is no question that following the election, discussions were held in Canberra concerning the possibility of using the military to install another compliant regime.

The entire Australian political establishment, including Labor, the Democrats and Greens, along with every section of the media, has fully backed the Howard government's agenda and regards failure in the Solomon Islands as absolutely impermissible. If RAMSI were to be expelled by a hostile Solomons' government, Australian imperialism would suffer a humiliating blow. China and other powers would further advance their interests in the Pacific at Canberra's expense, and political elites in countries such as East Timor and Papua New Guinea would feel emboldened to shun Australia's role and look for support elsewhere. This would throw into question Washington's confidence in, and support for, its regional "deputy sheriff".

With so much at stake, it is inconceivable that the Howard government would have been prepared to passively await the outcome of the Solomons' parliamentary vote in the hope of seeing an outcome favourable to its interests.

The Australian Strategic Policy Institute's Elsinia Wainwright had earlier explained that any attempt by a Solomon Islands' government to eject RAMSI, or even limit its authority, would likely have to be rejected. "Revocation of the invitation [to intervene], or a request to roll back some of RAMSI's elements would place Australia in a very difficult position," she wrote in her 2005 review. "Australia has invested a great deal in RAMSI, and it is very much viewed as a comprehensive package. Such a turn of events would require Australia to make a decision on whether Solomon Islands' sovereign process should be circumvented. Some analysts argue that Australia should not feel too inhibited by the

traditional Westphalian conception of sovereignty."

In other words, as in the case of the US-led occupation of Iraq, international law should be disregarded and "regime change" made the order of the day.

Australian officials were deeply dissatisfied with the list of possible prime ministerial candidates that emerged after the April 5 vote. On April 17—the day before the rioting—RAMSI finance official Mick Shannon wrote a revealing email that was later leaked to the media. Shannon wrote that Australian High Commissioner Patrick Cole had privately admitted that he was "pessimistic" as to the outcome of the vote. Cole had asked prominent Honiara political and business figures Tommy and Laurie Chan why Snyder Rini had been selected "given that they had given him [i.e., Cole] assurances that he wouldn't be".

Shannon continued: "Of the candidates, the depressing choice will be between Rini (most likely) and Sogavare (social credit—anti-banks) but either way things do not look good for the future of RAMSI," he wrote. If Rini was elected, Peter Boyers, Kemakeza's finance minister, would be dropped and "we will end up with no effective voice in cabinet to guide economic and fiscal policy".

The Howard government's attempt to install a government amenable to its dictates backfired. While the rioting forced Rini to resign, he was replaced by Sogavare who had already made clear his unwillingness to act as another Kemakeza.

In 2003, Sogavare warned that Solomon Islands' sovereignty was being sacrificed, and he criticised RAMSI personnel's immunity from the country's laws. Once he became prime minister, Sogavare attempted a delicate balancing act, on the one hand placating Canberra's demands, while on the other issuing limited appeals to anti-RAMSI sentiment within the population. While declaring himself a supporter of the RAMSI operation, he also called for the development of an "exit strategy", as well as a reduced RAMSI presence in the finance department in order to give the government control over economic policy.

The "anti-bank" policy noted in Shannon's email referred to the populist economic program advanced by Sogavare's Social Credit Party. His government's economic program emphasises rural development, rather than the "free market" reform plan advocated by RAMSI and its backers in the World Bank and International Monetary Fund. Sogavare recently announced plans to raise the minimum wage from \$SI1.50 to \$SI7.25 (\$A0.25 to \$A1.20), or nearly 500 percent.

But Sogavare's major offence in the eyes of the Howard government was his announcement in July 2006 that his government would convene an official Commission of Inquiry to investigate the April riots. The inquiry was driven by ongoing public dissatisfaction and disbelief over Police Commissioner Shane Castles's account of the events surrounding the riots. If, as Castles claimed, there had been a disastrous intelligence

failure, why had no investigation been carried out into the causes of this failure? Why had neither Castles nor any RAMSI official been reprimanded for negligence?

Questions have also been raised regarding RAMSI's failure to arrest those involved in the rioting. Only two people—parliamentarians Charles Dausabea and Nelson Ne'e—have been prosecuted by Australian John Cauchi, the Solomons' Director of Public Prosecutions, in connection with the unrest. Both men had backed Sogavare following the election, in which they secured the seats of East and Central Honiara respectively, after running anti-RAMSI campaigns mainly pitched to unemployed youth in the squatter settlements. After their arrest, Australian judges repeatedly denied the men bail and held them without trial for eight months. They were finally bailed last December, but still face trial.

As soon as the Commission of Inquiry was first proposed, the Howard government commenced a series of dirty tricks aimed at derailing it. Canberra viewed Sogavare's limited criticisms of RAMSI with deep hostility and distrust, and actively agitated for "regime change" once the inquiry was announced. In September, the Sogavare government was forced to expel Australian High Commissioner Patrick Cole after he held talks with opposition parties to coordinate efforts against the government.

Cole's manoeuvres were only the beginning of an extraordinary operation against the Commission of Inquiry. A slander campaign was mounted against the two leading legal figures involved in the investigation, Julian Moti and Marcus Einfeld.

Five days after Sogavare appointed Einfeld chairman of the Commission of Inquiry, the Australian press ran a series of sensationalist media reports targeting the former Federal Court judge ostensibly over an unpaid speeding fine worth \$77. The resulting furore delayed the opening of the investigation after Einfeld was eventually forced to resign.

An even more vicious attack was directed against Julian Moti, who had been appointed attorney general in September. Moti, a well-known constitutional lawyer, who had practiced and lectured in Australia, India, and the South Pacific, had been centrally involved in setting up the Commission of Inquiry. He had reportedly helped draw up the terms of reference and recommended Einfeld to head the investigation.

The Howard government, with the full complicity of the Australian media, mounted a highly damaging campaign against Moti, accusing him of committing child sex offences in Vanuatu in 1997. The attorney general had in fact been acquitted of these charges, with a magistrate throwing the case out of court before it even reached trial, because of the numerous contradictions and inconsistencies in the prosecution's case and the alleged victim's testimony. In the magistrate's words, the attempted prosecution was "unjust and oppressive".

Notwithstanding the court's ruling, Foreign Minister Alexander Downer and his colleagues alleged that Moti was guilty and suggested he had bribed the magistrate in order to have the case dismissed. Not a shred of evidence was presented for these accusations. The claim that the Vanuatuan magistrate had been bribed was demonstrably absurd. To prevent further investigation, Moti would have had to bribe not only the magistrate, but Vanuatu's police force and every prosecution official. But the government's allegations succeeded in blackening Moti's reputation and deeply compromising him politically.

The Howard government next move was to try and have Moti extradited to Australia, despite the fact that there was no legal basis for it. Australia's child sex tourism laws were drafted to allow the prosecution of paedophiles who commit offences overseas and evade prosecution by returning to Australia. They were certainly not intended to be wielded against a political enemy of the government who resided and worked in Vanuatu and was cleared of all charges by the legal system in that country. In fact, Australia's child sex tourism legislation explicitly prohibits double jeopardy prosecutions.

The extradition order became Canberra's weapon against Moti. On

September 29, he was arrested in Papua New Guinea. Like the extradition order, this arrest was unlawful. It appears that none of the relevant PNG legal authorities knew about or authorised it, and no arrest warrant had been issued. The operation was overseen by the Australian Federal Police, with AFP officers working in PNG in the Pacific Transnational Crime Unit orchestrating it.

Moti later skipped bail, apparently with the encouragement of the PNG government, and returned to the Solomon Islands on October 10. Police Commissioner Castles then arrested the attorney general on charges of entering the country without a passport or proper authorisation. Moti, a Fijian-born Australian citizen, had his Australian passport cancelled while he was in PNG.

Castles then used the concocted charges against Moti to mount a series of provocations against the Sogavare government. On October 18, he arrested Immigration Minister Peter Shanel after accusing the minister of misleading him over Moti's immigration status. Two days later, in an unprecedented act, Australian police kicked open the door to Prime Minister Sogavare's office and seized a fax machine they alleged was used to communicate with Moti when the latter was in PNG. Even when a Solomons' court acquitted Moti on December 13, after recognising the validity of his residency and work permits, Castles threatened to continue his investigations and warned Moti he could be rearrested.

On December 27, Sogavare dismissed Castles. On January 15, Australian Federal Police chief Mick Keelty took it upon himself to publicly denounce the Solomons' government. "Either the Government is out and out corrupt or it is out and out incompetent," he declared. "It is very difficult for police organisations to operate under those conditions. I am absolutely furious ... our people put their lives on the line only to be accused now of not handling the riots properly. We know these riots were in fact orchestrated by members of the Solomon Islands government for their own political purposes."

Keelty's extraordinary outburst serves to illustrate the type of attitudes that have been cultivated by the Howard government within official circles towards the Solomon Islands. A senior Australian police officer feels perfectly at liberty to slander a sovereign government in a neighbouring country on the basis of its choice of police commissioner.

Keelty's accusation, however, raises further questions. If the Solomon Islands government "orchestrated" the April riots, why would it form a Commission of Inquiry to carry out an investigation into them? And why would the Australian government go to such lengths to prevent such an investigation from taking place? What does it have to hide?

The campaign against Julian Moti has demonstrated the lengths that Howard is willing to go to in order to prevent any examination of the causes of the April riots. Frame ups, provocations, slander, character assassination, arbitrary arrest, and violence have all been utilised. The only reasonable conclusion that can be drawn is that Canberra fears having its responsibility for the riots exposed.

Such an exposure would have damaging regional and international repercussions, placing in serious danger not just RAMSI but Australia's relations with other South Pacific countries. The domestic consequences would be no less dangerous for the political establishment, with the Australian population exposed to the true imperialist character of Canberra's regional operations. All the official justifications for its South Pacific interventions—humanitarianism, combating poverty, promoting good governance and the rule of law, etc.—would be shattered.

Despite the Howard government's best efforts, the Commission of Inquiry is still scheduled to take place, although no date is yet fixed. Former Papua New Guinea chief justice Sir Arnold Amet has replaced Einfeld as head of the investigation. He will be assisted by former Pacific Islands Forum secretary-general and Papua New Guinean diplomat Noel Levi and former Guadalcanal premier Waeta Ben Tabusasi.

Canberra will undoubtedly continue to do everything in its power to

sabotage the inquiry. Solomons' opposition leader Fred Fono—who has lined up directly alongside the Howard government throughout the political crisis—has promised to sponsor another parliamentary vote of no confidence against Sogavare. If that occurs, RAMSI officials will no doubt pull out all stops to entice government members to cross the floor, although a similar campaign failed on October 11 last year, when the government easily defeated Fono's no confidence vote.

It is unlikely, however, that Canberra has failed to develop a "plan B" this time. While Sogavare has repeatedly expressed his desire to come to an accommodation with Canberra, and recently proposed a personal meeting with Howard, the Australian government has given no indication that it is prepared to accept anything less than complete compliance. Foreign Minister Downer issued an "open letter" to the Solomon Islands' people earlier this month which aimed at inciting opposition to the Sogavare government. There is every possibility that further provocations and violence—potentially on a scale surpassing the events of April 18-19 2006—may be in store.

*Concluded*



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