

# Solomon Islands: Australian police accused of bribing witnesses

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Three former Solomon Islands parliamentarians have launched legal action against the Australian-dominated intervention force, the Regional Assistance Mission to Solomon Islands (RAMSI).

Charles Dausabea, Nelson Ne'e and Alex Bartlett claim that they were targeted in 2006 and 2007 by the Australian Federal Police for their anti-RAMSI views. They allege that Australian personnel bribed people to provide concocted testimonies in an attempt to have the three men imprisoned for allegedly orchestrating riots that destroyed much of Honiara in April 2006. After being arrested and denied bail, the three politicians were held in jail for several months before the case against them collapsed as soon as it was brought before the courts. So-called witnesses, who had secretly been given money by Australian authorities, admitted to lying.

Dausabea, Ne'e and Bartlett are now suing the Solomons' government for malicious prosecution. As part of their counsel's efforts to secure internal Australian Federal Police (AFP) and RAMSI documents relating to the failed prosecutions—and to the role played by the AFP and RAMSI in the 2006 riots—a constitutional challenge is also being raised. The challenge is arguing that the sweeping immunity from Solomons' law that RAMSI personnel enjoy is unconstitutional, and that RAMSI's use of this immunity to withhold relevant documents breaches the three men's constitutional right to a fair legal hearing.

The origins of the case lie in the first national election held in the Solomons under RAMSI's watch, in April 2006.

Three years earlier, in July 2003, the intervention force was dispatched by the Australian government as part of a highly aggressive drive to maintain its hegemony in the South Pacific amid mounting great power rivalries, fuelled above all by the rising diplomatic and economic power of China. RAMSI took control of the Solomons'

state apparatus, including police, prisons, the judicial system, finance and other government departments, and central bank. The fiction of Solomon Islands' sovereignty was nevertheless maintained, with Prime Minister Alan Kemakeza functioning as Canberra's puppet between 2003 and 2006.

The Australian government anticipated the April 18, 2006 elections with enormous trepidation. The election campaign provided an outlet for escalating hostility among sections of the Solomon Islands population towards both RAMSI and the Kemakeza government. Charles Dausabea and Nelson Ne'e won the seats of East and Central Honiara respectively, after focussing their campaign on the demand for an end to RAMSI's operation.

The Kemakeza government was decimated in the election, but the few government members who were re-elected managed to cobble together a new coalition government through various behind-the-scenes deals. Kemakeza's old deputy, Snyder Rini, was declared prime minister. This provoked outrage in the impoverished population in Honiara. Large crowds protested outside parliament, and RAMSI forces provocatively fired tear gas into them, sparking riots that eventually saw the entire Chinatown district in Honiara razed.

Serious questions remain unanswered as to whether Australian police and soldiers were deliberately stood down in order to allow the destruction to proceed (see: "The Howard government, RAMSI, and the April 2006 Solomon Islands' riots").

On April 23 and 24, before any serious investigations had commenced, Dausabea and Ne'e were arrested at gunpoint by RAMSI officers. They were charged with intimidation, plotting to murder several government members, including Kemakeza himself, and inciting the riots at parliament and in Chinatown. They were refused bail and imprisoned for eight months, during which time

they were unable to take their seats in parliament. In late July, Bartlett, a former parliamentarian who had long identified himself as an opponent of RAMSI, was also arrested on charges of inciting the riots. He was refused bail until November.

From the outset, the three men denied the allegations and accused RAMSI and the AFP of targeting them for political reasons. Dausabea told Australia's *SBS News* last month: "They pursued me because I am anti-RAMSI, at that time, because during the campaign for the 2006 general election, I have mentioned that publicly, that RAMSI in the country—it shouldn't be here."

Few people in Honiara accepted the RAMSI-AFP allegations as good coin. On April 26, 2006, just after Dausabea and Ne'e were arrested, the *World Socialist Web Site* noted: "On the face of it, the charges are highly-dubious. Ne'e was accused, for example, of urging the crowd outside parliament last week to 'dynamite' the building. Yet no dynamite existed. Dausabea pointed out that he was inside parliament before the clashes began, and therefore could not have planned or incited them."

A WikiLeaks-released diplomatic cable has revealed that not even the American ambassador to the Solomons, Robert Fitts, believed the RAMSI charges. He wrote in August 2006: "As presented by the prosecutors, the scenario of careful planning and smooth execution seems a bit too pat for the poorly organized confusion that generally characterizes Solomons politics."

Prime Minister Manasseh Sogavare, who took office after Rini was compelled to resign following the riots, condemned the attempted prosecutions as "politically motivated and influenced by the long standing desire of the [RAMSI] system to arrest and convict them."

These remarks were furiously denounced by the Australian government, which had launched a provocative regime change campaign against the Sogavare government after identifying it as a threat to RAMSI's domination over the Solomons. The refusal of the Australian judges working in the Solomons' judiciary to grant bail to Dausabea and Ne'e assisted Canberra's drive to oust Sogavare. The prime minister had defiantly awarded the two parliamentarians with cabinet posts, even as they remained in detention.

In late 2007, after the police and prosecutors took more than a year to prepare their case against the three politicians, the charges collapsed. Bartlett was acquitted of all charges in August, while Dausabea and Ne'e were acquitted in October. The charges of inciting riots were based entirely on uncorroborated and bogus witness

testimony without any forensic evidence.

Several "witnesses" had personal motivations for providing false evidence. One ex-policeman who testified had earlier faced court on criminal charges. The High Court concluded that his testimony "no doubt was a contributing factor to his receiving a suspended sentence"—in other words he had been kept out of prison by RAMSI in return for helping prosecute the politicians.

Other so-called witnesses admitted they received payments for their testimony. One man, Colin Noah, initially lied about, and then eventually admitted to, receiving cash payments from the RAMSI-run Case Support Unit. Another so-called witness, Stanley Takika, admitted under cross examination to signing an agreement with the AFP in October 2006 to provide evidence. The AFP provided him with a significant amount of money, supposedly to pay his children's school fees, on the basis that he committed to not "tell anyone" how he was "assisted by police under this witness management plan," and to "give evidence in accordance with ... statements to police during all criminal proceedings."

There are obvious parallels between the failed prosecutions of Dausabea, Ne'e and Bartlett, and the continued efforts of the Australian government to convict Julian Moti, the former Solomon Islands' attorney general. The AFP paid large sums of money to witnesses who accused Moti of committing child sex offences. The Queensland Supreme Court ruled that the AFP actions amounted to a gross abuse of judicial process and Moti alleges that he is the victim of a politically motivated vendetta. The case is awaiting determination by the Australian High Court.

The latest evidence of alleged AFP-RAMSI misconduct underscores the real nature and agenda of the Australian intervention. RAMSI was purportedly deployed as a "humanitarian" mission to establish the rule of law and "good governance". In reality, it is a neo-colonial operation, characterised by unlawful methods, aimed at establishing a precedent to be used in the coming period throughout the South Pacific.



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