

# Papua New Guinea government moves against judiciary

Patrick O'Connor  
27 March 2012

The Papua New Guinea government of Prime Minister Peter O'Neill last week passed antidemocratic legislation that effectively allows it to sack judges who are deemed not to be "impartial." The Judicial Conduct Bill has triggered widespread opposition. Several thousand university students marched through Port Moresby last Friday in protest, prompting O'Neill to make a televised address defending the legislation.

The law is designed to intimidate the judiciary and target one judge in particular—Supreme Court Chief Justice Salamo Injia, who last December ruled that O'Neill had unconstitutionally removed the previous prime minister, Michael Somare. This ruling triggered a still unresolved political crisis in Port Moresby. O'Neill refused to relinquish power, while Somare insisted that he remained the rightful prime minister. For a time there were rival cabinets, governors general and police chiefs vying for power. O'Neill prevailed after securing control of the state apparatus, including the military, which suppressed an attempted takeover by Somare supporters in January.

The O'Neill government is now attempting to consolidate power by suppressing its opponents within the judiciary. It has repeatedly attempted to remove Chief Justice Injia. On March 6, the judge was arrested and detained, but the courts subsequently issued a permanent stay on the charges, describing the police investigation as an abuse of process. Three senior police—commissioner Toami Kulunga, deputy commissioner Simon Kauba and superintendent David Manning—were brought before the Supreme Court last Thursday on contempt of court charges. The police put on an extraordinary show of force, with the *Post-Courier* reporting a "huge presence" of officers, "many

fully armed and in battle gear," in and around the courtrooms.

The O'Neill government retains the backing of Canberra and Washington. The prime minister has close ties with Australia. Since taking office he has urged closer military ties between PNG and its former colonial ruler, and has invited a contingent of Australian Federal Police agents into the country. Somare had attempted to develop relations with rival powers, above all China, which had significantly increased its economic, diplomatic and military presence in PNG.

Somare's manoeuvres became untenable as Washington announced its "pivot" to East Asia, provocatively seeking to uphold its strategic dominance in the region against Beijing's growing influence. PNG is located strategically just east of Indonesia and north of Australia. Exxon-Mobil's \$16 billion liquid natural gas (LNG) project has heightened the Obama administration's interest in the country.

The Australian government has backed all O'Neill's manoeuvres against Somare and his supporters. Richard Marles, parliamentary secretary for Pacific Affairs, told the Australian Broadcasting Corporation (ABC) that the Judicial Conduct Bill was "fundamentally a matter for PNG." He added: "I actually think it's important that, in a way, the international community does cut PNG a bit of slack here."

Marles's remarks again demonstrate how Canberra cynically utilises rhetoric about "governance" and "democracy" to destabilise and remove targeted governments in the South Pacific, while it quietly backs

the nefarious activities of pro-Australian administrations.

The O'Neill government has turned to increasingly authoritarian forms of rule. Last month the prime minister's chief of staff, Ben Micah, announced a crackdown on "subversive" activity on the Internet. "The military, police and the National Intelligence Organisation and other pro-government civilian networks are monitoring all attempts to destabilise the government's firm control of the country," Micah declared. The International Federation of Journalists and the Pacific Media Centre denounced the statement for "appearing to criminalise the personal use of phones, email and social networking websites without a clear legal mandate."

The government has attempted to suppress all interference with the Exxon-led LNG project, by far the largest investment in PNG's history. The US energy giant announced on March 16 that it was suspending work on part of the project due to a dispute with local residents in the Southern Highlands, who have demanded greater financial compensation, the construction of a local road and the upgrading of the local health centre and community school.

Earlier this month, hundreds of people from the Southern Highlands travelled to Port Moresby and staged a demonstration outside the prime minister's office. The ABC reported that heavily armed police then "swarmed on the crowd firing shots into the air and using tear gas and brute force to clear the area." A local journalist was confronted by a policeman armed with an M16 rifle, who showed a hand grenade and threatened to "blow him up" unless he left the area.

The police then declared that all landowner gatherings would be deemed "unlawful assemblies." O'Neill also told the *National* newspaper yesterday that he would convene a special cabinet meeting to "make tough decisions" to protect the LNG investment, including declaring a state of emergency in the Southern Highlands and deploying the military and additional police to the area.

In recent weeks, senior government ministers

indicated that elections, due by June this year, would be postponed until 2013, to give the prime minister more time in office. O'Neill, however, has since insisted that the constitutional requirement to hold an election by June would be respected. O'Neill's statement was clearly issued in response to the Australian government laying down the law on this question. Australian Foreign Minister Bob Carr earlier this month declared that if elections were not held "we'd have no alternative but to organise the world to condemn and isolate Papua New Guinea [and] consider sanctions."

The statement was obviously intended as a shot across O'Neill's bow. Notwithstanding its support for the PNG government, Canberra is concerned about the implications of the ongoing political crisis in Port Moresby for its economic and strategic interests, and hopes that a national election will stabilise the situation.

The Australian government is working closely with Washington. Bob Carr, in his first discussion with Secretary of State Hillary Clinton after being sworn in as foreign minister, canvassed the situation in PNG. He told journalists on March 14: "She was cautiously pleased with the suggestion out of Papua New Guinea that they will adhere to that five-year election cycle... And she recognises Australia's lead role in the South Pacific, although she points with pride that America is spending more there and doing more there than ever before."



To contact the WSWS and the Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**