

# Former Fiji PM Bainimarama arrested, charged with abuse of office

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Fiji's former prime minister and coup leader Frank Bainimarama was arrested last Thursday and spent a night in custody before being granted bail by a Suva court and released. Bainimarama and former police commissioner Sitiveni Qiliho pleaded not guilty to one charge each of abuse of office.

Both men were ordered to hand over their travel documents and reside at a permanent address. The magistrate also instructed them not to interfere with witnesses. They are expected in court again on May 11.

Fiji police laid the charges after questioning Bainimarama and Qiliho over the past month regarding allegations that they directed police to close investigations into senior officials at the University of the South Pacific (USP) in 2019. Director of Public Prosecutions Christopher Pryde has indicated that nine more charges are pending.

Fiji Police chief of intelligence, prosecutions and acting assistant commissioner Sakeo Raikaci told a media conference a special taskforce was undertaking "further investigations into other matters arising from this case." He declared he wanted to "clear the air" and "reassure" the public about the "independence of the investigation process."

Bainimarama, who led Fiji for 16 years following his 2006 military coup, lost December's general election and was suspended last month from parliament for three years. As opposition leader Bainimarama delivered a belligerent speech on the opening day of parliament, accusing the new government and Fiji's president, Ratu Wiliame Katonivere of "setting out to destroy constitutional democracy" and appealed to the military, which he once commanded, to act.

The installation of the new government has seen an ongoing power struggle between Bainimarama and Prime Minister Sitiveni Rabuka, another former military coup leader, and the contesting factions of the divided ruling elite that back them. Rabuka heads a fragile three-party coalition including his People's Alliance Party, the National Federation Party and the Social Democratic Liberal Party (SODELPA)—a minority party holding the balance of power

with just three MPs.

The swirling political crisis escalated in January when the military head Major General Jone Kalouniwai released an extraordinary media statement declaring that the armed forces had "quietly observed with growing concern... the ambition and speed of the government," claiming it had "the potential to bring about fateful, long-term national security consequences." Under Section 131 of the 2013 Constitution, drawn up by Bainimarama, the military has unrestrained powers to ensure the "safety and security of the country."

Two weeks after his suspension, Bainimarama last Wednesday abruptly announced his resignation from parliament "with immediate effect" but vowed to remain leader of his FijiFirst Party. He denounced his "unwarranted and most certainly unjustified" suspension and declared he would "engage more actively outside parliament with our FijiFirst supporters and the growing number of unsatisfied Fijians" disillusioned with the government.

Rabuka has quickly moved to replace key personnel in the civil service seen as Bainimarama's political appointees. These include Qiliho, a former military officer with connections to previous coups, and corrections services boss Francis Kean. Both ran infamously brutal and corrupt operations under Bainimarama.

The charges against Bainimarama and Qiliho centre on allegations the pair terminated a police investigation into misuse of money at the USP in 2019. The regional university, headquartered in Suva, is owned by 12 Pacific states with part funding from Australia and New Zealand.

The USP vice-chancellor, Pal Ahluwalia, was witch-hunted and suspended from his post in 2020 by the university council for "material misconduct," after exposing alleged corruption and mismanagement under the leadership group, with millions of dollars missing. Hundreds of students and staff protested the professor's suspension and demanded the removal of the USP Executive Committee.

Ahluwalia's removal prompted warnings that the university's autonomy and academic freedom was under threat. Ahluwalia was later reinstated and cleared of the

bogus allegations. After he submitted a report to the council, Auckland accountancy consultancy BDO was hired to investigate. When the damning BDO report reached the council, it was suppressed and details kept from the public.

The government then froze a \$A28 million university grant, again prompting condemnation. The BDO report was leaked, naming 25 senior staff accused of manipulating allowances to pay themselves hundreds of thousands of dollars they were not entitled to. The government flatly refused to accept the BDO's findings.

In February 2021 immigration, police and military officials carried out a midnight raid at the home of Ahluwalia, who is a Canadian national, and his wife, summarily deporting them. The pair was presented with a letter stating they had been declared "prohibited immigrants" by Bainimarama as minister for immigration for unspecified "repeated breaches" of the immigration act and of their visa conditions.

New Zealand journalist Michael Field wrote on *Pacific Newsroom* that there was clear evidence that the attacks on the vice chancellor were primarily directed by USP pro-chancellor Winston Thompson, a former Fijian ambassador to the United States, who had close links to the regime.

Ahluwalia's expulsion was denounced by students, staff and alumni as a "coup," and likened to "gestapo tactics." Fiji's Law Society joined the condemnation, while civil society group Civicus said it would create a "chilling effect for whistle-blowers and those who want to speak up and expose violations by officials in Fiji." A police presence was established at the USP's Laucala campus to intimidate any protests.

The issue escalated into a region-wide controversy. USP Chancellor Lionel Aingimea, who is president of Nauru, accused a "small group" of Fiji officials of "hijacking" the institution. Samoa's then prime minister, Tuila'epa Sa'ilele Malielegaoi, declared he would seek to "rehouse" the university in his country. He said the deportation was only the latest in a series of issues at the USP which "came as no surprise," adding that "many big organisations have actually left Fiji in a similar fashion."

Among Rabuka's first moves on taking office in January was to bring Ahluwalia back from exile and reinstate him at the university. Clearly intended as a shot over Bainimarama's bow, Rabuka delivered an effusive public apology at the USP, declaring: "It doesn't matter who did it. As far as the world is concerned, Fiji did it to you." He promised to pay the first instalment of \$10 million in owed grants.

Rabuka's public rehabilitation of Ahluwalia, followed by Bainimarama's arrest, is also part of Rabuka's posturing about liberalising and undoing aspects of the previous

unpopular dictatorial regime. An oppressive media law that allows fines and prison sentences for news reports deemed against the "national interest" is to be replaced. The trade unions are being brought in from the cold through a tripartite wage fixing system that will offer them "consultation" alongside government and employers.

Rabuka however, has no less of an authoritarian history than Bainimarama. He ruled as prime minister from 1992 to 1999 after leading two military coups in 1987 to boost the position of ethnic Fijians against Indo-Fijians, many of whom fled the country.

Rabuka is now reviving contentious communalist politics, aimed at cementing the position of the ethnic iTaukei Fijian elite at the expense of Indo-Fijians and the working class, including the re-establishment of the privileged Great Council of Chiefs. That body was shut down in 2012 by Bainimarama, who accused it of exacerbating racial divisions "to the detriment of Fiji's pursuit of a common and equal citizenry."

Rabuka's positioning is a response to fears within the ruling elite of simmering anger in the working class. Fiji's workers are suffering skyrocketing inflation, the destruction of thousands of jobs, and fractured supply chains for food, energy and basic goods. The poverty rate is nearly 30 percent and the social catastrophe has been exacerbated by the ongoing COVID-19 pandemic. As they are internationally, more austerity measures are on the way.

Should Rabuka's strategy fail to contain widespread social struggles, the army still stands waiting in the wings.



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