

## Political Reviews

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*The Region in Review: International Issues and Events, 2017*

NIC MACLELLAN

*Melanesia in Review: Issues and Events, 2017*

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#### BOUGAINVILLE

In 2017, the Autonomous Region of Bougainville in Papua New Guinea (PNG) entered its final and decisive stage of peacebuilding, with preparations for a referendum on the future political status of the region commencing in earnest. Peacebuilding on Bougainville began in the late 1990s after a decade-long violent conflict. During the conflict, Bougainvilleans suffered from the collapse of basic services such as health and education and the breakdown of infrastructure and public administration. Out of the almost 20,000 Bougainvilleans who lost their lives, only a minority were combatants killed in action; the vast majority were civilians. Fighting also led to the displacement of more than 40 percent of Bougainville's population of approximately 250,000 people.

The root causes of the war were the negative social and environmental effects of a giant mining project, the Panguna gold and copper mine, which had been established in Central Bougainville in 1972. In the late 1980s, locals in the mine area started to demand meaningful environmental protection measures, compensation for environmental damage, and a larger share of the revenues generated. The multinational mining company that operated the mine (known today as Rio Tinto) and the government of Papua New Guinea (GoPNG), both of which profited enormously from Panguna, disregarded the locals' concerns.

As a consequence, disgruntled young Bougainvilleans brought the mine to a standstill through acts of sabotage in late 1988. The GoPNG sent its police riot squads and later its military to the island and declared a state of emergency on Bougainville in June 1989. Opponents of the mine established the Bougainville Revolutionary Army (BRA), which took up the fight against the PNG security forces. Fighting that started in central Bougainville soon spread across the whole island. The BRA adopted a secessionist stance and called for political independence for Bougainville. BRA fighters managed to overrun and shut down the mine at an early stage of the war, and it has remained closed ever since.

In its war against the BRA, the PNG military was supported by local Bougainvillean auxiliary units, the so-called Resistance Forces. Over time, it became the Resistance that bore the brunt of the fighting for the government side. Moreover, long-standing local conflicts were also carried out violently under the umbrella of the war of secession. Parties entangled in local conflicts either joined the BRA or the Resistance, the war became more and more complex, and the frontiers blurred. The time of war was to a large extent a time of statelessness. The institutions of the PNG state were forced to withdraw from Bougainville, and the secessionists were unable to build their own state institutions. This opened the space for the resurgence of non-state, local customary governance institutions so that traditional authori-

ties, such as elders and chiefs, became responsible for organizing community life. They drew on long-standing customary norms when dealing with conflicts in the local context, often facilitating reconciliations at the intra- and inter-community levels.

Thus, local peacebuilding had already generated positive results well before a high-level political peace process commenced in 1997. A formal, Bougainville-wide ceasefire came into effect at the end of April 1998, paving the way for official peace negotiations, which finally culminated in the Bougainville Peace Agreement (BPA) on 30 August 2001. The BPA has two core political provisions: first, the establishment of the Autonomous Region of Bougainville (ARoB) as a special political entity within the PNG state, with far-reaching autonomy; and second, a referendum on the future political status of Bougainville—either complete independence or remaining with Papua New Guinea. The BPA stipulates that the referendum has to be held ten to fifteen years after the establishment of an autonomous government for Bougainville (which took place in 2005). The ARoB has its own constitution, adopted by the Bougainville Constituent Assembly on 12 November 2004. The first elections for a Bougainville House of Representatives and a president were held in June 2005, followed by two more elections in 2010 and 2015. At present, Bougainvilleans are governed by their own Autonomous Bougainville Government (ABG).

In May 2016, the ABG and the GoPNG agreed on the target date of 15 June 2019 for the referendum on the future political status of

Bougainville. It can be argued that only with the referendum and the peaceful implementation of its provisions will peacebuilding have reached a satisfactory conclusion. (For an overview of the war and of post-conflict peacebuilding, see Wallis 2014; Regan 2010; Braithwaite and others, 2010; Carl and Garasu 2002; for the historical, social, and political context, see Regan and Griffin 2005.)

While Bougainville peace is mainly homegrown, an international peacebuilding intervention—which, compared to other endeavors, was a “light intervention” (Regan 2010)—has also played an important role. New Zealand hosted the initial rounds of peace talks and negotiations. Neighboring states and the United Nations conducted, with the consent of the conflict parties, a peacebuilding intervention. The United Nations sent a small observer mission from August 1998 to the end of 2003. Furthermore, a regional Truce Monitoring Group, which later became the Peace Monitoring Group, was on the island from late 1997 to June 2003. New Zealand led the Truce Monitoring Group and Australia led the Peace Monitoring Group, with Australia providing the bulk of personnel and resources (Wehner and Denoon 2001; Adams 2001; Bowd 2007; Braithwaite and others 2010; Regan 2010; Breen 2016; Boege, Debiel, and Rinck 2017).

In general, Bougainville is seen as a peacebuilding success story. This success is built on the constructive interactions between international and national state actors and institutions on the one hand (in particular the GoPNG and the ABG) and local customary actors and institutions on

the other. While the former pursue a Western, liberal agenda of peacebuilding and state building, the latter work to introduce their custom-based ways of conflict transformation and forming political community into the process. In the course of this local/customary–international/liberal interface, hybrid forms of peace and governance are emerging that differ considerably from Western, liberal concepts (Boege 2010, 2011).

Despite the overall success of peacebuilding and state formation on Bougainville, some areas of Bougainville are still controlled by armed groups that have not yet officially joined the peace process, and some sections of the population do not acknowledge the ABG as the (only) rightful government. Mention has to be made in particular of the Meekamui movement (Meekamui means “holy land” in one of the local Bougainville languages). Meekamui is the faction that split from the former BRA when the peace process commenced in the late 1990s. Meekamui is in control of the area around the Panguna mine in central Bougainville as well as pockets in the south of the island. The Panguna Meekamui have their own government, the Meekamui Government of Unity (MGU), and their own military, the Meekamui Defence Force. Although the Meekamuis have not yet officially joined the peace process, they have never undermined it either. Meekamui has declared the territory under its control around the Panguna mine a “no-go zone” for outsiders, although the “border” between the no-go zone and the rest of Bougainville is rather porous. In August 2007, meetings

between the ABG and the MGU yielded the Panguna Communiqué, which laid the foundations for an ongoing process of rapprochement between the two entities. Since then the ABG and Meekamui have been involved in various forms of exchange, with both sides committed to the “unification” of all Bougainvilleans.

Although the Meekamuis insist that in principle Bougainville is already independent (the BRA proclaimed a Unilateral Declaration of Independence in May 1990), the Panguna Meekamuis have joined the process toward referendum. This includes a commitment to disarm before the end of 2018. The Meekamui movement, however, is not a unitary force but consists of several factions. While the MGU is willing to come to the table, other factions are more reluctant, namely a group led by Noah Musingku, who proclaimed himself “king” (King David Peii II) and has established a “kingdom” around Tonu in southern Bougainville, and a group led by Damien Koike, a former BRA commander who controls a no-go zone in Konnou, also in south Bougainville, where he operates his own gold mine. Bringing these “wild cards” into the referendum process will be a challenge.

An important step in this regard was made in early May 2017 when leaders and (ex-) commanders of the BRA, the Resistance, and various Meekamui factions came together for a four-day meeting in Arawa under the title “Re-Unifying Bougainville for a Free and Fair Referendum” (even the “king” sent the “general” of his “royal guard”), followed by a reconciliation ceremony on 17 May. Since the split in

1997, these leaders had been divided between the majority of the BRA, which joined the peace process, and the minority faction, which became the Meekamuis. Each group has pursued their own political agendas (and economic projects), often competing with and rarely talking to one another. This meeting was thus hailed as a great success as it committed all sides to working together in the referendum process and the associated process of weapons disposal (Memorandum of Joint Commitment 2017). Later in the year, in September, veterans from all sides and from all over Bougainville reaffirmed their determination to work hard for weapons disposal, with the aim of declaring Bougainville weapons free no later than 31 December 2018 (*The Bougainville Bulletin* 2017). It remains to be seen whether all sides will stand by their commitments.

Referendum preparations gained considerable momentum in 2017. They started immediately after the Joint Supervisory Body (JSB)—the joint GoPNG–ABG institution that is in charge of the implementation of the BPA—agreed at its 20 May 2016 meeting to set 15 June 2019 as the target date for the referendum. On the ABG side, it is the Department of Bougainville Peace Agreement Implementation (DPAI) (which until March 2017 was the Department of Referendum, Veterans' Affairs and Peace) under its Secretary James Tanis that is in charge of the referendum process. Its counterpart on the GoPNG side is the National Coordination Office of Bougainville Affairs. Both institutions have worked together to establish the organizational structure for the preparation and conduct of the referendum,

setting up various committees such as the Joint Bougainville Referendum Committee and the Joint Bougainville Referendum Communications Committee.

Most important, agreement on the features of the independent administrative agency that, according to the BPA, has to conduct the referendum, were reached in January 2017: It was decided that a Bougainville Referendum Commission (BRC) should be formed. After lengthy preparations, the charter for the BRC was finally signed on 30 August 2017 by Papua New Guinea's governor-general. The BRC has as its governing body a seven-person Board of Commissioners, comprising the National and Bougainville Electoral Commissioners, two persons appointed by the GoPNG and two by the ABG, and a chairperson appointed by the JSB (with the understanding that this chairperson should be an eminent international elder statesman/woman). The board will be supported by a BRC Secretariat under a chief referendum officer. Until the BRC is fully established, a transitional committee, comprising the electoral commissioners and chief secretaries of both sides, is in charge (Bougainville Referendum Commission Charter 2017).

After several postponements, a crucial meeting of the JSB finally took place on 14 and 15 December 2017 in Port Moresby. Its focus was on referendum preparations. At that time, the sides agreed on the ABG's suggestion for a BRC chairperson: former New Zealand Prime Minister Helen Clark. They also endorsed the ABG-appointed BRC members: former ABG Vice President Patrick Nisira and Hillary Masiria (the PNG government

still has to appoint its two BRC members). They also decided to establish a trust account for the BRC and agreed to invite international observers “to observe the conduct of every phase of the Referendum process” (JSB 2017, 4). With regard to the eligibility of Bougainvilleans living outside of the ARoB to participate in the referendum, the “need for development of a process to enable non-resident Bougainvilleans to enroll and vote in the referendum” was acknowledged (JSB 2017, 3), and technical officials were given the task of working on the issue. Regarding the referendum question, the sides merely “noted” the “Bougainville aspiration to have a simple yes or no question to the question of separate independence for Bougainville” (JSB 2017, 3), but no decision was made. Finally, the JSB endorsed the “need to conduct National Reconciliation between Bougainvilleans and PNG security forces and other parties that were involved in the Bougainville conflict” (JSB 2017, 7)—which could include Solomon Islands and Australia.

The December JSB meeting demonstrated once more that the ABG side is well ahead in referendum preparations, while the GoPNG is lagging behind and is more hesitant. Moreover, in September 2017, Prime Minister Peter O’Neill even cast doubts on the overall process, telling the PNG Parliament that it may be that the referendum will not be possible because certain criteria, such as rule of law, good governance, or weapons disposal, have not been met (Bougainville News 2017). In response, the ABG President John Momis called O’Neill’s statement “dangerous” and reassured

his fellow Bougainvilleans that the referendum would go ahead, clarifying (again) that, according to the BPA, weapons disposal and good governance are not preconditions for the conduct of the referendum (Bougainville News 2017). In fact, the BPA—and also the PNG Constitution—clearly stipulate that a referendum has to take place before June 2020, no matter what. It is to be expected that the ABG–GoPNG dialogue on referendum will remain difficult in the future.

At least as important as the collaboration between the two governments is the work at the grassroots level in Bougainville to raise awareness of the referendum process. In September 2016, the ABG agreed on a “Bougainville Referendum Ready Concept,” which tasked each of the thirty-three constituencies in Bougainville to prepare for the referendum. Constituency referendum committees were established in every constituency; they carry out referendum awareness at the local level, with the aim of making each and every hamlet, village, ward, and constituency “referendum ready.” The first constituency that declared itself referendum ready was Bolave in Southern Bougainville on 7 September 2017; it was followed by Hagogohe constituency in North Bougainville on 29 October 2017 (*The Bougainville Bulletin* 2017, 6). Others are to follow in 2018, with 31 December 2018 as the target date set by the Bougainville House of Representatives for referendum readiness. Furthermore, local facilitators and nongovernmental organizations conduct local referendum dialogues in cooperation with the DPAI. Despite these efforts, there are still many Bougainvilleans who

say that they need more information and clarity on referendum issues, indicating that work at the local level will have to intensify further in 2018. Accordingly, all members of the Bougainville House of Representatives have been allocated funds for awareness-raising activities in their constituencies in 2018.

The referendum process enjoyed some international assistance in 2017. The United Nations provides support through its Peacebuilding Fund and the Bougainville office of the UN Development Programme. The international nongovernmental organizations Conciliation Resources (London) and Peace and Conflict Studies Institute Australia (Brisbane) cooperate with the DPAI and local nongovernmental organizations in referendum preparation, organizing referendum dialogues all over Bougainville (through the Bougainville Referendum Dialogues project) and exchanges with international actors who provide information about their experiences, for example, from South Sudan or Northern Ireland (through the Comparative Learning program).

There are still challenges ahead for the referendum, not least the establishment of a reliable, up-to-date common roll. The elections for the PNG Parliament in 2017 demonstrated that the current electoral roll is totally unreliable (even the names of ABG President Momis and his wife were missing; they had to use the supplementary roll). As this shows, much work has to be done on voter registration. Only if it is guaranteed that every eligible voter can participate in the referendum will the outcome be accepted as valid and legitimate. In this context, eligibility of

nonresident Bougainvilleans (living in other parts of Papua New Guinea or overseas) needs further clarification. Finally, weapons disposal remains an issue so as to provide for a free and safe referendum. A four-stage weapons disposal plan endorsed by the JSB in December 2017 has to be implemented in 2018.

The second major political topic on Bougainville in 2017 was the Panguna mine. In June 2016, Rio Tinto, the multinational mining company that was the majority shareholder of Bougainville Copper Limited (BCL), which for almost two decades had operated the Panguna mine until its closure at the beginning of the war, completely withdrew from Panguna. It transferred its shares to the GoPNG and the ABG—at no cost. The two governments became equal majority shareholders, each holding 36.45 percent of BCL. At the same time, Rio Tinto made it clear that it does not see any obligation to address the mine's environmental and social legacies, arguing that it adhered to Papua New Guinea's laws of the day. It rejects any responsibility for the environmental, social, health, and other long-term impacts of Panguna mine operations.

The ABG strongly criticized Rio Tinto's stance regarding Panguna's legacy issue and also demanded that the GoPNG transfer its BCL shares to the ABG as the representative of the people of Bougainville and the rightful owners of Bougainville's mineral resources. However, the ABG also made it clear that it supported reopening the Panguna mine with the "new" (non-Rio Tinto) BCL as operator, as it sees mining as the best way to substantially increase government

revenue and foster economic growth and development for an autonomous—and, further down the road, an independent—Bougainville. An independent Bougainville, so the argument goes, can only survive in a globalized economy if it generates value from its mineral wealth. At the same time, however, the ABG emphasized that it will not allow reopening of the Panguna mine or any other large-scale mining on Bougainville without the consent of landowners. In fact, the Bougainville Mining Act of March 2015 puts the landowners front and center: It declares that the customary landowners are the owners of the minerals on and beneath their land, giving them strong veto rights over exploration and mining development tenements.

BCL has always said that it wants to reopen the mine and run it again, continuously talking about the “new Panguna” it will create as a way to distance itself from the “old Panguna” and the “mistakes” it made in the past. BCL management presented a staged redevelopment plan to shareholders, landowner associations, and the ABG at the beginning of 2017, and it has advertised this plan at several other occasions throughout 2017. BCL posited that redevelopment could be done within six to seven years, and to this end it intensified its presence on the ground: In August 2017 it held its first board meeting in Bougainville in more than twenty-seven years, and in the same month a permanent office was established in Buka, the ARoB’s administrative center, with local Bougainville staff. BCL had major players on its side: the ABG, the GoPNG, and all but one of

the nine landowner associations in the mine-affected areas. Again and again, BCL claimed that it had “strong levels of support among landowners for mine redevelopment with BCL as the preferred developer” (BCL 2017). The fact, however, is that there also exists a strong anti-BCL camp.

This became obvious in June 2017 when a delegation of BCL and ABG tried to travel to Panguna to sign a memorandum of understanding with landowner associations on reopening the mine. The delegation was forced to turn around at Morgan Junction, at the entrance of the access road to the mine, controlled by a Meekamui roadblock, because it was met by big demonstrations led by local women under banners reading “No to mining” and “No to BCL” (Papua New Guinea Mine Watch 2017). As has been said before, the Panguna mine site and its surroundings are controlled by the Meekamuis, and they are opposed to the return of BCL. Opposed also is the association representing the landowners from the Special Mining Lease area (SMLOLA), which distinguishes it from the other landowner associations from other mine-affected areas that are in the pro-BCL camp. In fact, the SMLOLA chairman is also the MGU premier (Philip Miriori). MGU and SMLOLA, however, are not anti-mining per se, but only anti-BCL. They agree with the ABG’s view that the Panguna mine is necessary for economic development of Bougainville but want to do mining without BCL. Actually, they have aligned themselves with a junior Australian mining company, RTG Mining Inc, and want to redevelop the Panguna mine in a joint venture with



RTG. Thus, 2017 also saw a continuous struggle between the pro-BCL and the pro-RTG forces.

Last but not least, there are also those locals who are opposed to any reopening of the Panguna mine at this point in time. This anti-mining camp comprises several community-based organizations and networks, most notably women's organizations and groupings of ex-BRA combatants. Some in this camp are totally anti-mining, while others hold the view that the referendum and independence must occur before discussions about mining can resume under new political conditions.

The conflict between the different camps reached a climax on 11 December 2017 when a mine warden's hearing took place in Panguna, dealing with BCL's application for renewal of its Panguna exploration license. Such hearings are legally required in order to assess whether the application has the necessary support of the landowners in the license area. Based on the assessment, the warden makes recommendations, which then form the basis for a final decision to be made by the ABG's Executive Council.

In preparation for the mine warden's hearing of 11 December 2017, all sides mobilized their forces. More than one hundred written objections were lodged with the warden, including those from SMLOLA, women's groups, and anti-mining networks. An anti-BCL petition ("No to BCL Forever") launched by SMLOLA was signed by more than two thousand members. The hearing was dominated by anti-BCL sentiments. For BCL, its outcome was a major setback as it became obvious how strong

the opposition to its return to Panguna is. SMLOLA clearly conveyed the message that it is not willing to grant BCL access to the mine site (Radio New Zealand 2018a).

Following the hearing, ABG President John Momis announced on 20 December 2017 that the Bougainville Executive Council "made a thoughtful and considered decision to impose an indefinite reservation moratorium from any exploration or mining over Panguna project in the best interest of the landowners and the people of Bougainville" (Laukai 2017). The lack of landowner consent was given as the reason for this decision. At the same time, Momis declared the development of the mine "by any other developer" to be "untenable under current circumstances"—which was a clear rebuke of RTG—while also promising to "continue to consult with the Panguna Landowners and the people of Bougainville on an appropriate arrangement . . . if the people still have an appetite to develop the mine in the future" (Laukai 2017). Shortly afterward, Momis even said that "we can't allow BCL's involvement in Panguna that may lead to bloodshed. . . . We can't open the mine in the face of such huge opposition from the people. According to our law, the landowners own the resource, not the government. Until companies win the social license from the landowners they are barking up the wrong tree" (Radio New Zealand 2018b). These statements indicate that the ABG has given up on Panguna/BCL for the time being. It remains to be seen whether the rift between the ABG and BCL can be mended in 2018, as well as whether SMLOLA/RTG, who of course welcomed the ABG's rejec-

tion of BCL, can profit from the new situation.

While putting Panguna on hold, the ABG still maintains its preference for mining as the most promising path for economic development. Accordingly, it approved three new mining exploration licenses on 17 November 2017: two for areas in north Bougainville, and one for an area in the border region of Central and South Bougainville. The first two are for the joint venture companies Toremana Resources Limited and (Australian) Kalia Investment Limited, covering the Tore area in Tinputz district. The third mining license went to Isina Resources Holdings Limited in the Kongara/Koromira region. Isina is a company led by the former BRA supreme military commander Sam Kauona.

The pros and cons of mining will remain an issue on Bougainville. Critics of the narrow focus on mining point to other areas with potential for economic development: fisheries, (eco-)tourism, and agriculture, in particular copra and cocoa.

The Second Bougainville Chocolate Festival, which was held in September 2017 in Arawa and which brought together local cocoa farmers with chocolate makers and buyers from overseas, demonstrated the potential of the cocoa sector.

Bougainville is indeed in dire need of its own sources of revenue to overcome its financial dependency on Papua New Guinea. The long-standing conflict between the GoPNG and the ABG regarding ABG's financing was partly resolved at the JSB meeting in December 2017 when the sides reached a compromise that grants the ABG K437 million (US\$135.9 mil-

lion) as Restoration and Development Grant for 2018. Over the last few years, the ABG constantly complained that it did not receive the funds from the GoPNG that it is entitled to according to the BPA. In the past, only portions of the designated funds were transferred, often with long delays, and this had considerable negative impacts on the functioning of the autonomy arrangements.

Bougainvilleans went to the polls twice in 2017. In April 2017, the first community government elections were held, according to the Bougainville Community Government Act of 2016. In 425 wards, members for forty-three rural community governments were elected (elections for the four urban governments are to follow). These community governments replace the councils of elders as the local level of government in Bougainville.

Bougainville also participated in the national PNG elections in June–July 2017. ARoB has four representatives in the PNG national Parliament—one each for the regions of North, Central, and South, and one for the entirety of ARoB. Two incumbents were reelected: Joe Lera for ARoB and Timothy Masiu for South. For North, William Nakin was newly elected, and for Central, Simon Dumarinu, who was then appointed Bougainville affairs minister in the O'Neill government. After being elected, all four members made a joint pledge to work closely together with the Bougainville House of Representatives for the implementation of the BPA and the referendum.

The elections and the issues of referendum and the Panguna mine overshadowed other important

problems throughout 2017. For example, the negative impacts of climate change, which due to sea-level rise can be felt directly by the people on the low-lying atolls in the AROB, only received little attention. The plight of the Carteret Islanders, who are being forced to relocate from their atoll to mainland Bougainville, seems to be better known and of more concern at the world stage than in Bougainville itself. Over the last few years, the local nongovernmental organization Tulele Peisa has been very successful in drawing international attention to the fate of the “climate refugees” from the Carterets. But this has not yet translated into sufficient effective measures on the ground. Climate change and ensuing need for adaptation and resettlement remain a pressing problem for the outer islands in the AROB.

Other issues that did not get the attention they deserve in 2017 include the high levels of youth unemployment and of domestic and gender-based violence as well as the massive rise in sorcery accusations and sorcery-related violence.

VOLKER BOEGE

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## FIJI

Contemporary political events and issues in Fiji, especially in the period between 1987 and 2017, can be understood most fully by analyzing the dynamics of ongoing power rivalry in Fiji. Within this thirty-year period, Fiji has had three military and one civilian/military coups d'état, highlighting modern and customary struggles for national leadership. While military and national leadership has remained in the hands of Indigenous Fijian males since 1987, and coup leaders-turned-national leaders have also been Indigenous Fijian males, the reasons for staging coups and for supporting coups have shifted over time. In 1987, Sitiveni Rabuka staged two military coups to return political leadership to Ratu Sir Kamisese Mara's Alliance Party. In 2000, George Speight staged a failed coup. However, the ruling Fiji Labour Party Coalition was not returned to power. Frank Bainima-

rama's military coup d'état in 2006 was dubbed as a "cleanup campaign" to rid Fiji of a variety of ills such as corruption and nepotism. Bainimarama's leadership is ongoing, albeit with a number of issues voiced by his opponents.

Fiji's political evolution through all the coup periods has reflected the nature of power rivalry among different elite groups, wherein class and ethnicity merged and also conflicted, raising other problems. National leadership through the militarization of the state saw the enforcement of democracy through the barrel of a gun. Military dictatorships after coups created their own sociopolitical and economic relations, conducive to strengthening their grapples for power. Fiji's political economy between 1987 and 2017 has been driven by these national power contests. These three decades have seen the emergence of politically ambitious military coup leaders, at times supporting the interests of some Indigenous leaders and the business class and at times clashing with these interests. Against this historical background, this review highlights unfolding and ongoing political issues and events in Fiji in 2017.

Fiji's population in the 2017 census was 884,887, reflecting a gradual increase of 47,660 after the 2007 census. The Fijian male population overall was 50.7 percent, surpassing that of the female population at 49.3 percent. Approximately 70 percent of Fiji's population is below the age of 40 (Fiji One News, 13 Jan 2018).

The urban population increased to 494,252 or 65.9 percent of the overall population. This was an increase of 10 percent over the last census, when

the urban population was 55.9 percent of the total. Fiji's Bureau of Statistics explained the slow increase in the overall population as due to factors including high outward migration and a decrease in fertility levels. The increase in the urban population may be due also to a number of factors, for instance, the extension of town boundaries and the rural-to-urban drift due to the availability of schools, health-care facilities, and employment in the urban areas (Fiji One News, 13 Jan 2018). An unstated but real factor that causes rural-to-urban drift in less-industrialized countries like Fiji is the lack of development in the rural and remote areas or in isolated islands.

As a consequence of urban migration, the populations of some provinces in Fiji were on the decline in 2017. This included the two eastern maritime provinces of Lau and Lomaiviti as well as Macuata on Vanua Levu, Fiji's second-largest island. A decline in rural population may also be attributed to a lack of infrastructure development in the rural areas, especially in the maritime provinces, where shipping has always been irregular. As a result, the main island of Viti Levu, where most towns are located and where most development occurs, has approximately 600,000 inhabitants or 70 percent of the overall population. Another key factor that contributed to the decrease in population in provinces like Macuata was the nonrenewal of sugarcane leases from 1990 onward (Lal, Lim-Applegate, and Reddy 2001).

The nonrenewal of leases caused Indo-Fijian farmers either to migrate to Viti Levu or to leave Fiji and

migrate overseas. The land issue has been a long-standing one in Fiji ever since the British colonial government prevented the alienation of native lands. Indigenous Fijians still own approximately 83 percent of land in the country and, since the coups in 1987, fear of losing land and resources has been a main tenet that unites Indigenous Fijians under some of their mainstream political parties.

It is clear that one of the major factors enabling the survival of military dictatorships in Fiji is the creation of laws and decrees that protect the interests of such regimes. For example, one of the provisions in Rabuka's 1990 constitution protected his coup perpetrators; this was finally repealed in 1997 after the stabilization of his rule. After the fourth military coup in 2006, Bainimarama's military government repealed the 1997 constitution after the Appeals Court in Fiji ruled on 10 April 2009 that the Bainimarama coup was illegal (Jowitt 2009). In 2013, the Bainimarama government promulgated yet another new constitution. In addition to the constitutional provision that protected the 2006 coup perpetrators, critics have pointed to other decrees that are contradictory to democracy in Fiji.

Fiji's Media Industry and Development Decree of 2010 is one such instance; it was still in existence in January 2017 and since its promulgation, it has been consistent in silencing critics of the current government. This decree has seen the removal of senior officers from their positions in both the public and private sectors. For example, in January 2017, Geoffrey Smith, the chief executive officer of Fiji Television, was forced

to resign from his job. He followed in the footsteps of other colleagues in the same company: his predecessor Tevita Gonelevu and, earlier, Fiji TV's investment specialist, Mesake Nawari. Basically, Fiji TV, under the leadership of these people and others who were also sidelined or sacked, refused to adhere to the requirements of the Fiji First government's media decree (*IB*, Jan 2017, 8–10). (The Fiji First political party was formed by Bainimarama in 2014.)

Censorship of news is one of the major tactics still used by the Bainimarama government to keep Fiji's people ignorant about crucial happenings in Fiji. In early 2016, Professor Biman Prasad, leader of the National Federation Party (NFP), spoke to this ongoing issue: "Media organisations operate under the threat of their editors being hauled before the Media Tribunal and subjected to huge fines and other punishments. The lack of access to a free and independent media has been the single most frustrating obstacle for the opposition parties when they try to make the Government publicly accountable on various national issues" (Prasad 2016).

Critiquing the newly introduced laws or amendments to laws by the current government in Fiji has also resulted in drastic measures, including deportation. In December 2016, Karen Seaton, a foreigner (US/Canadian) and freehold landowner on an island in Fiji, was deported after she appeared before a parliamentary committee to lobby for support against Fiji's amendment to a land sales regulation (*IB*, Jan 2017, 16). Section 7 of the amendment stated: "Current non-resident owners of vacant lots within

or outside of town/city boundaries are required to complete construction of a new residential dwelling, with a minimum expenditure of F\$250,000, by 31 December 2016” (Munro Ley’s Law 2014). The complaint by Seaton and members of the Fiji Landowners Association was based on the fact that they were already landowners before the amendment was first introduced in 2014. They argued that the amendment was wrong in principle as it treated everyone alike, making no provisions for old owners (*IB*, Jan 2017, 16). There was no avenue to reconsider the Fiji Landowner’s Association complaint.

The Media Industry and Development Decree has also been successful in keeping Fijians ignorant about the extent of China’s influence in Fiji. For example, Chinese police arrived in Fiji in 2017 to remove seventy-seven Chinese citizens who were alleged to have committed cyber-crime and credit card fraud in Fiji. Except for a brief commentary in *Islands Business*, this news was not covered by other media companies in Fiji (*IB*, Sept 2017, 6). The main issue here is that the Chinese criminals were never charged in any court in Fiji, defying Fiji’s sovereignty as an independent state with its own judiciary system.

China has been a willing aid donor to Fiji’s military governments ever since Rabuka’s coup in 1987, and Chinese aid to Fiji intensified after Bainimarama’s 2006 military coup. Fiji’s need for Chinese aid intensified as China, unlike Fiji’s Western allies, did not demand adherence to democratic principles as a prerequisite to aid delivery. Aid to small islands and military dictatorships like Fiji becomes

problematic when it is used to perpetuate the rule of governments that violate and suppress human rights.

Fiji’s civil servants feel very insecure under the current government since the February 2016 introduction of the Open Merit Recruitment and Selection (OMRS) guidelines, whereby a civil servant can be immediately terminated if “they are not doing well.” Minister for Economy and Attorney-General Aiyaz Sayed-Khaiyum argued in September 2017 that when civil servants are removed from their jobs, they should know they are not doing their jobs well (Nasiko 2017). Civil servants can no longer appeal to have their cases heard, as was previously practiced in Fiji’s Public Service Commission (PSC). In 2016, NFP’s Biman Prasad predicted that the reform of Fiji’s civil service by removing the PSC and creating a Ministry of Civil Service would be disastrous in the long term (Prasad 2016).

Additionally, senior government positions such as those of ministerial permanent secretaries have been opened up to foreign nationals. This issue was raised by Fiji’s former Permanent Secretary for Foreign Affairs and also former Ambassador to the United Arab Emirates Robyn Nair in 2017. Nair argued that the opening up of the permanent secretary posts to foreign nationals did not look good for Fiji in a number of ways. First, it may imply that, after so many decades of independence (since 1970), Fiji still could not produce a caliber of local senior civil servants to be permanent secretaries in government ministries. Second, the government of the day through its ministers interfered a lot in the hiring and firing of permanent

secretaries. Third, hiring foreign nationals made Fiji civil servants feel insecure regarding their career path in their own government and country (Nair 2017). Perhaps another crucial question that should be posed is whether other democracies around the world allow noncitizens to work in senior civil service positions where they are privy to classified government information.

In my 2017 research on “Untold Stories of Fiji’s 2006 Coup Victims,” I interviewed a former senior Fijian civil servant and information technology (IT) professional who now lives abroad (interview, 25 Oct 2017). He was removed from his position as head of the Fiji Government IT systems and IT networks, in which he was tasked with looking after the following: systems for government payroll; financial management information; the Fiji land information; births, deaths, and marriages; immigration; e-government; the bureau of statistics, and the government IT network including satellite stations and election systems. These responsibilities were transferred to an IT company based in India, which operates in conjunction with a Fiji-based company called Pacific Technologies. Again, the crucial question that is asked here is not only whether government’s classified information is still safe but also how and why international companies are able to move in to take over jobs from qualified locals, even in the civil service.

Promises by politicians for a better government to improve things for Fiji’s people intensified in 2017. Over time, the Bainimarama government has become unpopular among a section of Indigenous Fijian voters.

Social media carry a lot of Indigenous Fijian grievances against the Fiji First government (Fiji Exposed Forum 2018; Fiji Native and Tribal Congress 2018). Dissatisfaction in Indigenous Fijian leadership in Parliament has resulted in yet another search for an Indigenous leader to head the leading opposition party, the Social Democratic Liberal Party (SODELPA).

Among a portion of Indigenous Fijian voters, there seems to be a genuine belief that a former military man and former coup leader can end the leadership of another former coup leader. In 2017, former military coup leader Sitiveni Rabuka took over SODELPA leadership from the current party leader, high chiefess Ro Teimumu Kepa, who is also the current opposition leader in the Fiji Parliament. Kepa announced she was not contesting the 2018 Fiji general elections (*IB*, Feb 2017, 8–10). From the time of Rabuka’s appointment in 2017, there are currently two leaders for this party, Kepa as the SODELPA parliamentary leader and Rabuka, who is hoping to be elected to Parliament in the 2018 elections.

Rabuka, Fiji’s first coup leader, defeated two other candidates for the leadership of SODELPA in 2017. A unique characteristic of mainstream Indigenous Fijian political parties has been ongoing name changes. SODELPA evolved from the Soqosoqo Duavata ni Lewenivanua (SDL) Party, which had been ousted by the Bainimarama coup in 2006. Prior to the formation of the SDL party in 2001, Rabuka’s first party, the Soqosoqo ni Vakavulewa ni Taukei (SVT) party, had been formed in 1991 to replace the Fijian Association arm of Ratu Mara’s Alliance Party



(Durutalo 2006, 296–297). While the name of the party changes in different election periods, the ideology of these mainstream Indigenous Fijian political parties remains the same. One of the main philosophies of these parties has been the protection of Indigenous Fijian resources and rights.

Although Fiji now has only one constituency throughout the whole island group, Rabuka, in an effort to consolidate his power base for the 2018 elections, has been visiting his old SVT branches in his old constituency and home province of Cakaudrove (*IB*, Feb 2017, 8–9). Modern elections in Fiji and in other Pacific Island countries see politicians utilize their kinship and traditional cultural system to build power bases. Other Indigenous politicians have also used the same strategy by appealing to their kin in their provinces and vanua (traditional geopolitical boundary where a high chief rules). However, the campaign challenge in a one-constituency electoral system is to defeat the dominant political party, which in Fiji's case is Prime Minister Bainimarama's Fiji First Party, which did a lot of vote buying before the 2014 elections (Durutalo 2016, 108–110). Although Bainimarama secured the highest number of votes (202,459) in the 2014 elections, only 84 percent of the registered 703,691 voters cast their votes. About 16 percent or 112,590 voters did not vote. Rabuka is targeting those nonvoters in the 2018 Fiji general elections (*IB*, Feb 2017, 9). A test of popularity for Rabuka will be whether or not he secures a seat in Fiji's Parliament in the 2018 elections.

One of the biggest challenges required in an effort to keep the Fiji

economy afloat is for government to attract investors to engage in economically and environmentally sustainable investments in Fiji. Mining continued to attract foreign investment in Fiji in 2017, even though earlier mining activities such as Chinese bauxite mining in Nawailevu, Bua Province, has not been environmentally friendly. In 2015, a high chief from the province stated that the type of mining activity in Bua “should never be repeated in any other part of Fiji.” The chief, who was interviewed by Radio New Zealand, stated: “The villagers told me that they had agreed that the people mine bauxite but later they realised that they were cutting soil onto the boats that sailed to China. There was no machinery in Nawailevu to refine, to take away the bauxite from the soil so they took the whole soil, tonnes and tonnes” (Radio New Zealand 2015). The villagers near the mining site also reported that fish turned a different color when mining was ongoing.

In March 2017, similar concerns were raised as Dome Gold Mines, an Australian mining company, started its first of three mining ventures in Fiji. The first venture, at the mouth of the Sigatoka river in southwest Viti Levu, involves the mining of the seabed to extract magnetized concentrate and iron ore. This Sigatoka riverbed mining venture will then fund two other ventures. The second on Ono island in Kadavu is a gold-mining venture, and the third in the Nadrau plateau in central Viti Levu is a copper-mining venture (*IB*, March 2017, 8–10).

All three ventures are located in “ecologically sensitive and valuable eco-systems” (*IB*, March 2017, 9). For

example, in addition to the fact that many fishermen catch fish around the Sigatoka riverbed area and women collect freshwater mussels from the river, the mining venture is also located in the middle of Fiji's largest tourism area, the Coral Coast. Dome's Sigatoka riverbed venture is also located partially on the Sigatoka sand hills, a heritage site. The gold venture on Ono island in Kadavu is located on world-renowned Great Astrolabe Reef. This is a popular diving site for tourists from all over the world. The Nadrau plateau copper-mining venture is located near the Sovi Basin. This area is already tentatively listed under UNESCO (the United Nations Educational, Scientific and Cultural Organization) as a World Heritage site (*IB*, March 2017, 9). In the long term, Fiji's attempt to be the Small Island Developing States (SIDS) champion in mitigating the impact of climate change is directly contradicted by the types of business ventures, like mining, that are ongoing in Fiji.

Climate change is a very complex issue as negotiations to mitigate its impacts transcend the sociopolitical and economic boundaries of all sovereign states, large and small. Additionally, climate change mitigation "begins at home," and SIDS like Fiji need to be conscious of man-made environmental degradation in their own backyards first and foremost before they ask the larger, more industrialized countries to cut down on carbon emissions. Fiji's presidency of COP23 (the UN Climate Change conference) in Bonn, Germany, in November 2017 was met with multidimensional challenges for a small island state in the South Pacific.

At the international level, all

industrialized countries normally take care of the sovereignty of their countries and their economic interests first and foremost. This was clearly demonstrated by the president of the United States when he withdrew from the Paris Agreement. At another level, SIDS in different regions also require the cooperation of their larger neighbors. In the case of SIDS in the Pacific, the cooperation of their First World neighbors, Australia and New Zealand, are very much needed.

As explained by a Pacific negotiator at the COP23 Bonn meeting, there were two parallel meetings that were disconnected. In the "Bula Zone," the details of the Paris Agreement were negotiated. The "Bonn Zone" featured various side events or extracurricular events such as talks, cultural artifact displays, Fijian singing, meke or dancing, and kava drinking (*IB*, Dec 2017, 4). Much of what appeared on the news and social media were the activities in the Bonn Zone, which were not directly connected to high-powered climate change negotiations in the Bula Zone. In fact, the media spotlight on the Bonn Zone distracted attention from the purposes of the COP23 Bonn meeting.

COP23 failed to fulfill the wishes of the Small Islands Developing States in terms of what they had identified and agreed on at a Pacific Climate Champions meeting in Suva in July 2017. For example, issues like loss and damage of islands and homes as well as the rise in ocean levels and the link between oceans and climate change had been discussed at length during that July meeting, but they were marginalized at the Bonn meeting (COP23 2017). Furthermore,

consultants employed to advise the Fijian Presidency negotiating team lacked experience in climate change negotiation. Another observation was the fact that climate change conferences and negotiations should be held in a small island developing state in the Pacific where participants would have a chance to observe firsthand the negative impacts of climate change through, for example, sea-level rise (*IB*, Dec 2017, 4).

Apart from the overwhelming impacts of climate change, Fiji, like other SIDS, confronts its own socio-political and economic realities on a daily basis. Industrial disputes were also part of Fiji's journey in 2017.

On Monday, 6 November 2017, the *Fiji Times* reported a statement by the general secretary of the Federated Airport Services Association at Nadi airport, in western Viti Levu. The statement explained that despite the ongoing discussions with Air Terminal Services (ATS) Management regarding the workers' long-term grievances, the ATS management did not appear to commit to addressing any of the concerns. Among the issues workers wanted resolved was the reinstatement of workers' representatives on the ATS Board. More than 360 out of the 588 workers then opted for strike action because of this impasse (Chaudhary 2017).

On 16 December 2017, an industrial dispute erupted between the ATS Fiji Limited workers, who are 49 percent shareholders of the company, and the management of the company. The Fiji government owns the other 51 percent of the shares. Workers met to discuss long-standing grievances, ongoing for more than ten years.

Approximately 250 ATS workers were locked out of their offices when they attended a three-hour shareholders' meeting. When workers returned to work after their meeting, they found they were locked out of their offices by the ATS management team. Fiji's minister for labor and employment relations, without listening to the facts of the case or taking the industrial dispute to arbitration, ruled the workers meeting as illegal from day one of the lockout. Workers were then immediately told by ATS management to sign a form stating that the workers were in the wrong and, additionally, that the workers were willing to return to work, pending management's decision on the alleged "illegal meeting." The ATS workers refused to sign the form and continued to sit outside the ATS building at Nadi airport, awaiting further negotiations by their union leaders and ATS management.

On Saturday, 13 January 2018, the Fiji Trade Union Congress (FTUC), together with other unions, nongovernmental organizations, political parties, representatives of chiefs and vanua, communities, church groups, and individuals, participated in the largest peaceful protest march in Nadi town. More than eight thousand people participated in this peaceful march in support of the locked-out ATS workers. Prior to this march, Fiji's prime minister had labeled groups that visited the locked-out ATS workers as "cheap politicians" (Bolatiki 2018). However, the message was loud and clear to the Fiji First Government that the workers/shareholders of the company were adamant to continue sitting out until their grievances were heard. After thirty-four days of waiting to be

allowed back into their workplaces, on 20 January 2018, the Employment Relations Tribunal ruled in favor of the ATS workers/shareholders and ordered that locked-out workers be allowed back into their workplaces within forty-eight hours of the ruling. Workers returned to work on Monday, 22 January 2018.

After the ATS workers returned to work, Felix Anthony, the general secretary of the Fiji Trade Union Congress, was interrogated by the Fiji Police about “sabotaging the economy,” which is an offense under section 8 of the Public Order Act in Fiji. As Anthony explained, the Fiji Police suggested that his remarks during the march implied a possibility of a nationwide strike if government did not act to resolve the ATS saga. This, the police asserted, was tantamount to sabotaging Fiji’s economy (Radio New Zealand 2018). Guy Ryder, the director general of the International Labor Organization (ILO), was contacted to intervene urgently on the unfolding industrial dispute in Fiji. The International Transport Workers’ Federation (ITWF) and International Trade Union Confederation said in a statement that “they had no choice but to alert the ILO, and that the government in Fiji must act and stop this unacceptable behaviour,” and, according to ITWF president Paddy Crumlin, “this looks like a process of deliberate intimidation aimed at Felix Anthony and all the workers who stood up for their rights over the ATS lockout” (Radio New Zealand 2018).

Industrial disputes have created their own political dynamics in Fiji’s political history throughout the colonial and postcolonial periods. In

1987, the seventeen-year reign of Ratu Mara’s Alliance Party ended when the newly formed Fiji Labour Party Coalition defeated it. A march through Nadi town on 13 January 2018 by more than eight thousand workers and supporters in a show of solidarity for the locked-out ATS workers was a warning sign to Bainimarama’s Fiji First government that history could repeat itself in the 2018 election. Labour solidarity has always crossed the ethnic divide and made political history in Fiji.

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## NEW CALEDONIA

The year 2017 was said to be the last useful year to promote a calm and consensual completion of the Nouméa Agreement before the 2018 referendum on independence. It has indeed seemed to be a transitional year. The previous year of 2016, which was a preelection year in metropolitan France, revealed some key events related to the collapse of the nickel price, which put the three nickel plants in New Caledonia—the Le Nickel Society (SLN) in Nouméa, Vale in the South, and the Northern Province plant of Glencore—and the upstream mining activity at risk. The nickel industry accounts for a quarter of private-sector employment in the country and 90 percent of its exports (Delamarche 2016c). The country is footing the bill for the increase in building costs and low local competitiveness. During his trip to New Caledonia, French Prime Minister Manuel Valls announced a €200 million loan for the Société Territoriale Calédonienne de Participations Industrielles (STCPI, the holding company run by the three provinces of New Caledonia, which holds a 34 percent minority share of the SLN) (Delamarche 2016a). (€1 million = US\$1.2 million.) In November, Prime Minister Valls announced strong financial support for the Vale Plant, as he had done in April 2016 for the SLN. To prevent its possible closure, Valls pledged a €200 million loan and an additional financial guarantee for €220 million (Delamarche 2016b). The situation of the Northern plant was still to be resolved. In November 2016, the French government announced that

Glencore would not have to reimburse a €200 million tax exemption, the same amount the other two plants had received. In total, €600 million was lent to the three plants, the repayment of which is assessed as unlikely. Offering job subsidies is a classic strategy in French politics. The aid was most welcome because it allowed the country to pursue its dream of wealth and avoid any reform of the French Overseas way of life. It had the huge advantage of enabling the French government to be the savior of New Caledonia. The primary disadvantage was that this meant that important economic decisions could be postponed.

The year 2017 was strongly influenced by 2016. The country's financial situation has remained on standby, waiting for the recovery in commodity prices and impending political deadlines. There was also a strong message from the French government to the local one to make a "Keynesian" budget deficit in order to stimulate the economy. Nonetheless, 2017 has been a year of economic slowdown and budgetary restraint, obscured by the increasing public debt of the country. Local tax exemptions for the building industry have fostered the illusion of economic boom, which has been paid for with massive budget deficits and increasing inequalities (Gorohouna 2017). The government's economic strategy since 2008 has been a mix of "Keynesian" voluntary public spending and trickle-down economics (Chauchat 2017). A "wait and see" attitude seems to have prevailed. Nevertheless, 2017 has not been a wasted year, as the New Caledonian government has not foregone all change.

The Government of New Caledonia has been trying to curb health-care costs as it has strived to balance its welfare budget. Health-care expenditure, which has doubled in the last ten years, has risen at a faster rate than the growth of the gross domestic product. The economic system has exhausted all of its funds, while at the same time New Caledonia has built new health-care infrastructure and facilities—a brand-new hospital in the South, a private polyclinic in Nouméa, and a new Northern hospital—which are oversized for the population of the island. Without any major decisions being made by the government, Valentine Eurisouké, the member of the government in charge of health care, has begun to push this issue with a view to achieving a successful outcome by saving on costs and seeking new revenue streams. Working under pressure, the government has increased alcohol and tobacco taxes.

Finally, in December 2017, the Congress of New Caledonia accepted the names of the members of the new Competition Authority, which will enforce antitrust law. The members of the authority were mostly people from overseas and France, with, as usual, very high salaries. Aurélie Zoude-Le Berre, currently director in the French National Assembly and appointed to the Legislation Committee, will be the chairperson. The rapporteur will be Virginie Cramenil de Laleu, magistrate in Paris. The other members are Jean-Michel Stoltz, magistrate in Nouméa; Matthieu Buchberger, senior lecturer at the University of New Caledonia; and Robert Philip Simpson, a British citizen, who has set up similar authorities in Africa.

Replacing customs duties with a “General Consumption Tax” (TGC), based on added value like a Goods and Services Tax (GST), has been a major change. The reform started with a dry run beginning 1 April 2017 (René 2017) and should enter into force in July 2018. Thus, the country has still been trying to remove customs duties (which have given New Caledonian industries a competitive advantage over imports) and to create a more neutral tax. Nevertheless, the transition phase might be accompanied by protection of local industry. This is why the government has proposed a new tax, the “Cyclical Import Tax for the Protection of Local Manufacturing” (payable on taxable imports competing with local producers), and has also proposed a reduced TGC rate for local manufacturing. These two actions would strongly limit the inevitable exposure to regional trade, a debate that is ongoing in Congress today. Maybe the system could be simplified by applying only one tax rate instead of five. Nobody yet knows if the tax will come into force in July 2018 (Caprais 2018).

At the end of 2016, a center of unrest and insecurity—marked by gunfire against police and inhabitants and recurrent roadblocks—emerged in St Louis, a Kanak enclave located in Greater Nouméa, in the town of Mont Dore (Wéry 2017). Nicknamed the “white city,” Nouméa built its history as a city of discrimination and exclusion against the Kanak people, who were pushed to the margins of society (Dussy 2015, 147, 368). Ethnic and spatial segregation of the population is still the most significant feature of New Caledonia. Therefore, talking

about insecurity has quickly turned into talking about Kanak delinquency against all of the “others.” In the prevailing political climate, this issue is also used as a reminder of the French government’s responsibility for law and order in this multicultural country. The incidents were politicized to such an extent that on 2 February 2017 the Political Bureau of the FLNKS (Socialist Kanak National Liberation Front) had to call for calm, restraint, and moderation. Huge public demonstrations followed the death of a young nurse in front of the St Louis enclave while she was commuting home. In June, the public prosecutor made a statement explaining that the death was caused by young people frightening the nurse, causing her to fall while they were trying to steal her motorbike. On 16 January 2017, French Minister of Justice Jean-Jacques Urvoas issued an administrative circular outlining the French government’s new priorities for law and order. This penal policy was strongly influenced by the strife in St Louis. The minister emphasized tougher law enforcement for damage to persons and property, cannabis and drug dealing, the use of alcohol, domestic violence, and violence on the road, but he did not say a word about fighting white-collar crime (Urvoas 2017).

Meanwhile, preparations are going on for the referendum on independence. The questions on which consultation should be sought are already written in the Nouméa Agreement: “Do you agree with New Caledonia fulfilling sovereign functions (foreign affairs, justice, defence, public order, and currency)? Do you agree with an international status for the country?”

Do you agree with a new nationality?" These are three inseparable questions, which can only be responded to by a "Yes" or "No." However, the Yes and No are unbalanced. If you answer No, things remain unchanged. If you answer Yes, you throw yourself into a void, which is much more problematic. That is why in 2017 the pro-independence parties had to publish a "projet de société" (blueprint for a future political and socioeconomic system) to move forward. From the perspective of the anti-independence parties, the status quo should continue indefinitely.

The Caledonian Union, the oldest political party in New Caledonia, unveiled its projet de société in January. The Palika (Liberation Kanak Party) followed in March. Then, the pro-independence umbrella organization FLNKS, which is responsible for claiming independence before the United Nations General Assembly, drew up a synthesis of those two plans during its 35th congress, with their common aim being that Kanaky–New Caledonia would become "a multicultural, democratic, secular and united Republic." Socialism "would be enshrined as one of the most important principles," as proclaimed in the 1986 Constitution of Kanaky, which is deposited at the United Nations. Socialism would today identify with public policies such as rebalancing power between Kanaks and non-Kanaks, control over strategic resources, fair distribution of wealth, working with semipublic companies, and, more largely, creating a mixed economy with both private and public enterprises. "Socialism in action" would be what the FLNKS

proposed for the people in the future independent state. A revolution clearly hasn't been necessary. Some parts of the Nouméa Agreement have not been reconsidered by the constituent political parties of the FLNKS. Indeed, the constitutional status of New Caledonia was crafted to prevent a majority from holding political power. Its aim was to lead to a consensus between the political forces, both Kanak and non-Kanak, without going straight to a deadlock. Thus, political power was shared, and this was accepted as common consent.

First, the establishment of three provinces as regional councils has resulted in the sharing of power on a regional basis. That might be maintained, if slightly limited by the creation of a coordinating body between the presidents of the three provinces under the supervision of the president of New Caledonia's government. Second, the power inside the government itself has been shared. The Nouméa Agreement provided that the members of government may be elected by the New Caledonia Congress under a system of proportional representation. So, all of the main political parties may join the government. This was called the "Collegial Policy." That might be maintained. Nevertheless, under the new plan, a president of the republic would be elected by Congress, whose new name would be "National Assembly," together with the provincial assemblies, the Customary Senate, and the mayors. The FLNKS was silent on the subject of the right to dissolve Parliament, but the movement confirmed the principles of the 1986



Constitution of Kanaky, which gave the president of the republic that right.

Registered voters in the provincial elections, namely, those who have New Caledonian citizenship, as well as the people who can vote in the referendum, would acquire the nationality of the new, independent country. A law would establish the conditions of acquisition, loss, and recovery of New Caledonian citizenship by birth or descent. Maintaining French nationality, as a dual-nationality status, would be an open option to discuss with France (NC Presse 2017c). The land question, which would trigger confrontations and division, would be a main priority for the new nation, in order to foster a desire to live together. As is currently the case, the new independent country would maintain three types of land tenure: public property, private property, and customary land. New Caledonian citizenship would facilitate priority access to real estate.

Regarding sovereign functions, the new independent state would join the United Nations and open diplomatic and consular services in the Pacific region and in France. Public order would be maintained by only one entity of public servants, created by merging the gendarmerie with the municipal and national police. Defense would involve the creation of a national army, sized according to the needs and means of the country. The FLNKS would create a military service, based on the model of France's current SMA (Overseas Adapted Military Service). New multilateral and bilateral defense accords would be negotiated with France and neighboring countries. Regarding the justice system, a break with the French tradition should

be noted: The judicial system would be a unified combination of the special administrative courts and the judiciary, with a supreme court at the top. A customary court would be maintained for customary civil affairs. For the FLNKS, having a Kanaky national currency pegged to a basket of stable international currencies would seem the most promising monetary option. The option of the euro replacing the French Pacific franc has been ruled out. Finally, the FLNKS has proposed "Kanaky–New Caledonia" as the country's name and the "Kanaky flag" as the national flag. This flag was raised for the very first time on 1 December 1984 by Jean-Marie Tjibaou at La Conception.

On 28 June 2017, Flavien Misoni, head of the UN expert group, submitted the situation report regarding the revision of the special rolls for the provincial elections and the referendum. Following a first task force in 2016, the twelve UN experts have been working throughout the country, observing the working process of the special administrative verification commissions in charge of the revision proceedings. Their aim has been to look into the reliability and exhaustive nature of the special electoral rolls, so that the result would be indisputable. Their main observation has been that not all the people who could enroll had done so, especially Kanaks. A great demonstration in favor of automatic enrollment of all Kanaks took place in July. Once again, this was proof that this particular issue is sensitive and mobilizing Kanak support.

On 2 November 2017, the Signatory Committee of the Nouméa Agreement met in Paris to find a compro-

mise regarding the exhaustive nature of the electoral roll for the referendum. An independence referendum is typically designed for people who have been colonized—in this case, the Kanak people. However, the first compromise of the Nouméa Agreement was to give the right to vote both to Kanaks and to other people with twenty years' residency before the 31 December 2014 deadline. As a result, the Kanak people made up barely 50 percent of the electoral body. Because according to French law being registered on the electoral roll is voluntary, many Kanak people were not registered. Consequently, they would not be able to vote in the upcoming referendum. The new political compromise has been to register them automatically. Although this will be done by law, it does not mean that all of the enrolled people will go to the polls and vote. As a political counterpart, the pro-independence parties have agreed that the right to vote will be given to all people born in New Caledonia with only three years of permanent residence—in other words, including people traveling to and from France without close ties with the country. Theoretically, there should be three times more Kanaks benefiting from the new situation than non-Kanaks. However, these disputes about the electoral roll have sent a clear message: all the political parties, and the French government, expect a vote split along ethnic lines, Kanaks against all the others. Could anything good emerge from such a vote? The new law will only come into effect after the first revision of the electoral roll in March 2018. Consequently, the French government will open an addi-

tional period to register just before the vote. This late enrollment will make it very difficult for the pro-independence parties to make the people who never vote aware of the importance of doing so.

Finally, in October 2017, pro-independence and anti-independence parties, as well as the president of the New Caledonia government, took part in the debate about decolonization of New Caledonia before the 4th Commission of the 72nd UN General Assembly. This was most likely the last UN meeting before the 2018 vote (NC Presse 2017b).

On 16 and 17 March 2017, the very first meeting between the French diplomatic network for Oceania and the New Caledonian government took place in Nouméa (NC Presse 2017a). The aim of the talks was to define a shared international policy between the French government and New Caledonia in terms of regional integration—in other words, this would show that regional integration could take place without full sovereignty. The discussion between France and New Caledonia also focused on a concerted strategy for New Caledonia to work with both France and the European Union in Oceania. On the topic of bilateral cooperation, the French government has committed to go along with New Caledonia for the implementation of joint projects already signed with New Zealand, Vanuatu, and, in due course, Australia.

For New Caledonia, 2017 has been a diplomatic banner year. After New Caledonia joined the International Organization of Francophonie (IOF) in November 2016 (Government of New

Caledonia 2016), Philippe Germain, the president of the New Caledonian government, was in Vanuatu on 3 March 2017 to sign a joint cooperation framework. This framework is related to eleven activity segments, namely, tourism, biosecurity, customs, education, higher education, health, water conveyance, sanitation, transports, digital technology, and Francophonie (French language and culture). During this trip, the New Caledonian delegation—consisting of President Philippe Germain; Valentine Eurisouké, member of government in charge of health; Gérard Poadja, deputy-president of the Foreign Relations Committee of Congress; Karine De Frémont, director of the French Development Agency; Gaël Lagadec, president of the University of New Caledonia; and Bernard Pelletier, scientific director of the French Research Institute for Development—went to the IOF headquarters to sign an agreement with Vanuatu and the French Development Agency regarding the founding of the Vanuatu National University project.

Approved in September 2016 by the member states of the Pacific Islands Forum (PIF) (Moureaux 2016), the first participation of New Caledonia as a full member at a PIF summit took place in November 2017 in Apia (Sāmoa), along with French Polynesia (Government of New Caledonia 2017). The president of the New Caledonian government attended with the other leaders and also participated in the leaders' retreat, a confidential meeting limited to the leaders. Philippe Germain strongly emphasized that New Caledonia would be more actively involved in the PIF, drawing

on its privileged relations with the European Union.

Finally, on 30 October 2017, during the 39th session of UNESCO's General Conference in Paris, New Caledonia became a new associate member of the international organization (UNESCO 2017). This was the first time for the country to join a global international organization and also the first time for a French overseas territory to join UNESCO.

Despite international policy appearances, New Caledonia is still a part of France, so French political life has a strong influence on local events. In New Caledonia, there is a dual political calendar: the French national calendar, for elections in metropolitan France, which affects all French people living in the country, and the local one, for the provincial elections, which only involves New Caledonian citizens. During the French elections, political parties speak to all French citizens, while, during local elections, they only address New Caledonian citizens. As a result, political life can be complex and sometimes contradictory.

On 23 April and 7 May 2017, the French presidential election caused a surprise in France with the success of Emmanuel Macron. In the first round, in New Caledonia, Macron (leader of a new centrist party, *En Marche*) came in third with only 12.75 percent of the votes, behind François Fillon (*Les Républicains*, 31.13%) and Marine Le Pen (the far-right *Front National*, 29.09%). In the second round, Macron won 52.57 percent of the votes in New Caledonia versus 47.43 percent for his challenger Marine Le Pen. Philippe

Gomès (Calédonie Ensemble) called on people to vote for Macron, while Pierre Frogier (Les Républicains) spoke in favor of their adherents not voting for either Macron or Le Pen; Sonia Backès (Les Républicains calédoniens, a rebel faction of the party) did not give any instructions in the second round of the presidential election. On 11 and 18 June 2017, the French parliamentary elections quickly followed the presidential campaign. New Caledonia has two members of the French National Assembly and, as a result of gerrymandering in 1986, no pro-independence representative could be elected. The electorates had been changed to astutely mix the votes of people living in the urban conglomeration of Nouméa with the Kanak votes in the Loyalty Islands or the Northern Province. An indicator of the inconsistencies in political life was the Caledonian Union's refusal to take part in the French national legislative elections, despite the fact that Palika (Kanak Liberation Party) decided to participate. Therefore, only the anti-independence parties were involved. In the first constituency (the city of Nouméa and the Loyalty Islands), where Deputy Mayor Sonia Lagarde did not seek reelection due to holding multiple other offices, Philippe Dunoyer (Calédonie Ensemble) was elected with 59.15 percent of the votes against Sonia Backès (Les Républicains Calédoniens). In the second constituency (the suburbs of Nouméa and the main island, Grande Terre), Philippe Gomès (Calédonie Ensemble) was reelected with 54.95 percent of the votes against Louis Mapou (National Union for Independence–Palika). The latest agreement between

four anti-independence political movements boosted this double victory: Philippe Gomès (Calédonie Ensemble), Pierre Frogier (Le Rassemblement-Les Républicains), Gaël Yanno (former member of the French Parliament who leads the Mouvement Populaire Calédonien, a rebel faction of the party Le Rassemblement), and Pascal Vittori (Tous Calédoniens) signed “a joint statement for New Caledonia in France and in peace,” which sent Sonia Backès to the opposition. This strife between the anti-independence parties paved the way for a new government crisis.

Following the resignation of the political group Calédonie Ensemble from the government, as a result of the election of Philippe Dunoyer as member of the National Assembly, the New Caledonian collegial government itself had to resign. There was no other member on the reserve list to join the government. Thus, a new election of the government by Congress was mandatory. On 24 August 2017, the first meeting of the New Caledonia Congress determined the number of members of government, keeping it at 11. Six votes out of 11 were necessary to elect the president of government. On one side, there were 5 who had signed the joint statement, on the other side, there were 5 pro-independence members, and the eleventh member was Sonia Backès, who did not sign the joint statement. The situation remained deadlocked for three months until 1 December 2017, when the pro-independence parties finally gave their votes to the president, Philippe Germain, who was reelected with 10 votes out of 11. This happened just before the visit of the

French prime minister to New Caledonia. On 22 December 2017, the newly elected president made his general policy statement to Congress.

In March 2017, the French National Assembly Information Committee “on the future institutional framework for New Caledonia” made its last visit to New Caledonia prior to the parliamentary elections. The chairman was Dominique Bussereau (Les Républicains) and the rapporteur was René Dosière (Parti Socialiste), two men who know the country very well. One key event during this visit was the meeting with students at the University of New Caledonia, which was celebrating its thirtieth anniversary. On 28 March 2017, the committee submitted its report (National Assembly of France 2017), analyzing various possible futures for the country. This report will be very useful to the new elected successors, who will have to take charge of the next committee. On 3 October 2017, Manuel Valls, former prime minister of France, was elected as the new chairman of the committee, whose rapporteurs are now Christian Jacob (Les Républicains) and Yaël Braun-Pivet (En Marche), the newly elected chairman of the Legislation Committee of the National Assembly. In December, Dominique Bussereau, former chairman of the committee, and Jean-Jacques Urvoas, former minister of justice, came for a final visit to New Caledonia, having been invited by the University of New Caledonia to contribute to the symposium on the future institutional framework for New Caledonia (University of New Caledonia 2017).

The visit of the new French president, Emmanuel Macron, is awaited

in May 2018. Édouard Philippe, appointed French prime minister in April 2017, came to New Caledonia from 1 to 5 December. On 5 December 2017, Philippe gave an important speech before the New Caledonia Congress (Government of France 2017). He played down the impact of the referendum, calling it “a sidestep in the march toward dialogue.” He used the term “Caledonian people,” going beyond the terms of the Nouméa Agreement, which had recognized the “Kanak people” alongside the “French people,” sharing for a while the same nationality and joining together in “a common destiny.” He seemed to have borrowed the vocabulary from Member of the National Assembly Philippe Gomès. Philippe confirmed that, to implement the recommendations of the Signatory Committee of the Nouméa Agreement beginning in November 2017, the changes concerning enrollment to vote on the Organic Institutional Law will be effective in 2018.

Philippe initiated the establishment of a new restricted group, nicknamed the “Group of Ten,” which will have the responsibility of discussing the future. This Group of Ten has four pro-independence members: Roch Wamytan, Daniel Goa, Paul Néaoutyine, and Victor Tutugoro; and six anti-independence members: Philippe Gomès, Philippe Michel, Gaël Yanno, Sonia Backès, Thierry Santa, and Bernard Deladrière. Philippe also initiated the establishment of a second committee, named the “Group of the Wise,” which will “ensure [that] the campaign rhetorics won’t hurt the Caledonian society in its values, those coming from the Declaration

of the Rights of man and of Citizens, those coming from the customary Kanak society, those coming from the religious heritage and those from the preamble of the Nouméa Agreement.” This Group of the Wise is composed of the former mayors of Bourail, Nouméa, and Koumac, Taïeb Jean Pierre Aïfa, Jean Lèques, and Robert Frouin; Father Rock Api-kaoua; a Wallisian customary chief, Sosefo Falaeo; Deputy President of the Economic, Social, and Environmental Council Jean-Pierre Flotat; the president of the association sos sexual violence, Anne-Marie Mestre; the president of Human Rights League, Elie Poigoune; Marie-Claude Tjibaou, the widow of Jean-Marie Tjibaou; the former director of the Agency for the Development of Kanak Culture, Octave Togna; the very first Kanak magistrate, Fote Trolue; and the former director of the Protestant Church School, Billy Wapotro.

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## PAPUA

Toward the end of 2017, during their annual meeting in Port Vila, Vanuatu, Papuan leaders elected new leaders for the United Liberation Movement for West Papua (ULMWP), who will serve the term of 2018–2021. There was also a significant change in the way they organize themselves. If the previous leadership was organized around the ULMWP secretary-general, suggesting the principle of first among equals, the new structure took on a more hierarchical shape. Benny Wenda is at the top of the pyramid as chair, with Octo Mote, the former secretary-general, as deputy; the position of secretary-general is now held by Rex Rumakiek. Jacob Rumbiak is tasked with the spokesperson role. The composition of personnel, however, remains largely the same. New faces are Paula Makabory as treasurer and Oridek Ap as an executive member; both are

Papuan exiles who reside in Australia and the Netherlands, respectively.

This restructuring is reminiscent of similar dynamics that occurred back in 2000 when Papuans were about to establish the Presidium Dewan Papua (Papua Presidium Council, or PDP) during the historic Second Papuan Congress in Jayapura, which the author attended. During their deliberations, the late Theys Eluay proclaimed himself chair and appointed Tom Beanal as his PDP deputy. This action was different from the original design of PDP, which the Musyawarah Besar (Great Deliberation; MUBES) Papua had adopted. The original structure put emphasis on collegiality and equal participation of all leaders in order to accommodate representatives of all sides of Papuan politics. Over the next three years, the new ULMWP leadership has to prove to their constituents how effective it can be in implementing the mandate, which is first and foremost to advocate for the right to self-determination of Papuans.

If we look back over the last twelve months, ULMWP was effective in penetrating international politics by securing more international recognition beyond the Pacific. During the 72nd Session of the UN General Assembly in September 2017, the case of Papua was raised again by the coalition of the willing: Vanuatu, Solomon Islands, Tuvalu, and the Caribbean nation of St Vincent and the Grenadines (RNZ 2017a). Despite having a smaller number of advocates than in the 71st Session, they managed to attract another fiery response from the Indonesian delegation. Instead of presenting new facts, the Indonesians were dismissive and described the

Papua statement as a “hoax” (RNZ 2017a, 2017b).

Another diplomatic effort occurred in October 2017 when Benny Wenda, who was then the ULMWP spokesperson, submitted a petition to the UN Special Committee on Decolonization (also known as the UN Committee of 24) stating that 1.8 million Papuans had signed the document (Doherty and Lamb 2017). The UN Committee rejected the petition, arguing that its mandate is confined to dealing only with the seventeen states identified by the United Nations as “non-self-governing territories” (RNZ 2017b). Although it did not attract significant attention in the Indonesian national media, the petition drew controversy within the Papuan community. One of the core questions concerns the purported 1.8 million signatures. The total population of both provinces in the Island of Papua is around 3.2 million, including both Indigenous and non-Indigenous Papuans. If the 1.8 million figure is accurate, it would mean that 56 percent of inhabitants of the whole of Papua signed the petition, which might not necessarily reflect the reality of Papuan demography. More importantly, one might question whether the UN Committee of 24 is the most feasible venue to promote the right to self-determination for Papuans, given the fact that Indonesia is a member of the committee. Moreover, the chair of the UN Committee explicitly states that its narrow mandate limits its ability to deal with any other issues beyond the official UN list of non-self-governing territories.

Apart from engaging the UN venues, we should not forget that Papua’s pending membership application for



the Melanesian Spearhead Group (MSG) remains unresolved. The MSG member states seem unable to come to a decision that might satisfy both ULMWP and Indonesia. This will be discussed in the next MSG Summit in Port Moresby, Papua New Guinea in 2018.

While high-level politics and international diplomacy have attracted major resources of the Government of Indonesia, the ULMWP, and the region, Papuan daily life seems to be presented merely as a backdrop for the political statements by both state and non-state political actors. There is a disconnect between high-level politics and the low quality of public services, incompetent local governments, and unstoppable land grabbing caused by extractive industry. It should be noted, however, that the first two issues are not unique to Papua. Rather, these are common phenomena across Indonesia. Services for health, the micro economy, and basic education in both rural and urban centers remain inadequate due to governmental mismanagement. Toward the end of 2017, thirty-three regents (district heads) had been arrested by the Indonesian Corruption Eradication Commission (Komisi Pemberantasan Korupsi, or KPK) on corruption charges (Kabar24.com 2017). The corruption scandal that involves members of the national Parliament on the case of Indonesian national identity cards is even worse, as it constitutes the largest graft case in Indonesian history (Agus and others 2017b).

If we look at the Human Development Index (HDI) of all Indonesian provinces over the last decade, both provinces of Papua are at the bottom of the ladder. The 2016 HDI for West

Papua Province is 62.21 and for Papua is 58.05, which means they are both below the Indonesia national standard (70.18) (Badan Pusat Statistik 2017). The Indonesian delegation to the UN General Assembly overlooked this reality when it claimed that both provinces have the top economic growth in the country. A blanket macro indicator has grossly distorted our understanding of the detailed reality of daily life in Papua.

Nevertheless, HDI statistics are only abstractions of concrete reality and thus tend to conceal real human faces. We should investigate the daily life of Papuans in order to assess the reality, given that Papua was granted the Special Autonomy package in 2001. Moreover, since that time, the last three consecutive governments (Megawati, Yudhoyono, and Widodo) adopted the same policy of “accelerating” development in Papua. This means these governments share the same logic of increasing economic growth in order to uplift the welfare standard of Papuans. The following examples confront the validity of this assumption.

The first iconic example stems from the daily struggle for survival by Papuan women as a result of the dire condition of the microeconomy. Pasar Mama Papua, the market for Indigenous Papuan women traders in downtown Jayapura was built only after a seemingly ever-pending construction period. The market was the fruit of a long struggle by the Papuan women traders after being collectively organized by the Office for Justice and Peace of the Catholic Diocese of Jayapura in 2005, when the author was director there.

It took more than a decade before the new market, constructed by the national and local governments, was finished, thanks to the advocacy work of Solidaritas Pedagang Asli Papua (Solidarity Forum for the Indigenous Papuan Traders, or SOLPAP). The organization is a coalition between the women traders and young Papuan activists. Pokja Papua, a government task force under the Ministry of State Owned Enterprises, took the lead in the market construction following its inauguration by President Joko Widodo on 30 April 2016 (ICP 2017, 104). However, Pokja went one step further when it tried to impose its halal stamp on the market by introducing the idea that the women should sell beef instead of pork. The decision immediately met strong criticism from SOLPAP (Tabloid Jubi 2017c). “Of course, we rejected it,” said Frengky Warer, the SOLPAP coordinator (pers comm, Jan 2018). The solidarity group argues that it would cause a new and unnecessary problem, as beef is never a product of the Papuan women. This development would have gone unnoticed had the local media not picked up the issue.

However, none of the solidarity groups inside or outside Papua take this issue seriously or recognize it as a subtle but effective way of destroying Papuan identity in the long run. In Melanesian cultures, pig and pork have a vital role, not only for nutrition but for maintaining cultural traditions that involve pigs. For instance, the dowries of the Papuan highlander women are settled with pigs. Major social feasts must have pork as the main course through the bakar batu (pig feast) gathering. If a time comes

when Papuan women are no longer able to sell pork in their own land, this would signal the extinction of Papuan identity, as Papuans would no longer be able to perform proper marriage feasts or any other pork-related rituals.

This decade-long struggle for a marketplace illustrates the lack of response on the part of local governments toward their own people. Far from the romanticized image of a heroic narrative, the struggle has been marked with frustration, internal disagreements, and ongoing rivalry between different ethnic groupings. Nevertheless, they survive and remain resilient under SOLPAP (Tabloid Jubi 2017b). If the Indigenous Papuan women in the provincial capital of Jayapura have had to struggle for more than a decade to have a marketplace, many Papuan women likely receive no better treatment by their respective mayors and regents across Papua.

In a similar vein, the health services were no better off. The year of 2017 was marked by a number of disease outbreaks that hit several isolated spots of Papua. The one that attracted major public attention was a measles outbreak in Korowai, South Papua. While the disease is considered rare and preventable by vaccine, it became a common phenomenon in this remote, swampy area of Papua. As a result, it cost at least nine lives. The World Health Organization labels measles as “one of the leading causes of death among young children” (WHO 2018), but the government vaccination program in 2017 was limited to Java. Areas outside Java, including Papua, will

receive this service in 2018 (WHO Indonesia 2017).

Korowai grabbed our attention as it attested to the public health policy of the province. Unlike most parts of Papua where Indigenous communities have been exposed to the outside world, the Korowai people maintain their unique way of life by building their houses up in trees so that they are called the “tree people” (Stasch 2011). Their area of living is isolated socially and geographically from their neighbors. This isolation has largely contributed to difficulties in accessing health services and nutritional supplies. So over the years, the Korowai have accumulated health issues that led to the outbreak. The problem of Korowai is iconic though not exclusive. Other areas in Papua have suffered similarly, such as the Regency of Deiyai (Tabloid Jubi 2017a).

Indigenous Papuans in many places in Papua remain overwhelmed by the penetration of extractive industry in various sizes and capacities—from small-scale mining companies such as Nabire Baru Inc, which is seizing the land of the Yeresiam Gua people in Nabire (see Hernawan 2017, 349) to the giant transnational corporation Freeport Indonesia in Tembagapura, which has been operating on Amungme and Kamoro land since 1967 (McKenna 2015; Poulgrain 2015).

In 2017 major internal and external issues hit the world’s largest gold mine, Freeport Indonesia. Internally, Freeport had to deal with the biggest strike in its history, involving some five thousand workers who demanded better working conditions (Taylor and Asmarini 2017). The strike caused

serious impacts on Freeport’s production since it forced the company to halt operations. As a result, according to a Timika businessman, the local business plunged by 60 percent (pers comm, June 2017). Freeport laid off some four thousand workers, which prompted a warning from the Indonesian government (*The Jakarta Post* 2017).

Apart from industrial relations issues, Freeport had to wrestle with the new regime of the mining sector in Indonesia under Law 4/2009 on Mineral and Coal. The law stipulates three main issues: (1) to change Freeport International’s contract of work to an Izin Usaha Pertambangan Khusus (IUPK, a special mining business permit); (2) to build a smelter in Indonesia; and (3) to divest 51 percent of shares to the public. The effect of the law was not immediate. Rather, it gave a five-year transition period for the mining sector to prepare their legal, financial, and operational adjustments. The law terminated the contract of work’s regime, as the Indonesian state no longer signs deals with corporations as equal parties; instead, it issues business permits.

Critics, however, argued that both the Yudhoyono and Widodo governments were not consistent in implementing the Law on Mineral and Coal as evidenced by the Presidential Decree 1/2007 regarding Mining Activities of 10 January 2017, the Decree of Minister of Energy and Minerals 5/2017, and the Decree of Minister of Energy and Minerals 6/2017. Ahmad Redi described these regulations as a way “to save the interests of Freeport Indonesia” (Redi 2017, 88). He argued that these regulations have three major

flaws. First, the contract of work cannot immediately be replaced with an IUPK since it requires approval from the national Parliament. Second, once the law is enforced, corporations must immediately stop exporting ore and start building smelters in Indonesia. It means the law gives no tolerance for any mining industry to export ore. In contrast, the ministerial regulation offers five years' tolerance. Third, the Indonesian government's push for Freeport to accept an IUPK risks infringing on the contract of work with evident legal consequences.

However, among all legal requirements, Freeport McMoran Chief Executive Officer Richard C Adkerson categorically rejected the divestment scheme and accused the government of expropriating assets. Therefore, he warned the government to negotiate the agreement within 120 days; otherwise, he would bring Indonesia to International Arbitration (Agus and others 2017a). Critics, however, suspected that this was merely a strategy to put strong pressure on the government to bow to Freeport, as Newmont Nusa Tenggara had successfully done in 2014 (Redi 2017, 89).

It took nine months of tough negotiations before Freeport Indonesia agreed to the divestment of shares. The agreement, however, stumbled on the future management of the company, as Freeport insisted on having final veto power over management composition. Therefore, by the end of 2017, the issue remains pending, including a solution with the workers.

Apart from the whirlwind of Freeport Indonesia's related issues, the Papua landscape, which constitutes the livelihood of Indigenous

communities, has been constantly undermined by extractive industry. By the end of 2017, six key civil society organizations in Papua and Jakarta jointly issued an important report entitled *Catatan Akhir Tahun 2017: Perampasan Tanah, Kekerasan dan Deforestasi* (End of Year 2017: Land Grabbing, Violence and Deforestation in Papua [WALHI Papua and others 2017]). The report identified the encroaching hands of mining corporations that secure new business permits from the Ministry of the Environment. Four corporations operate in the Province of Papua: Wira Emas Persada Inc in Nabire (mineral exploration, 1,242 hectares); Aurum Wira Persada Inc in Nabire (mineral exploration, 13,880 hectares); Trident Global Garmino Inc (mineral exploration, 17,830 hectares); and Madinah Qurrata'ain Inc in Dogiyai (gold exploration, 23,340 hectares); and two are in the West Papua Province, namely, Bayu Khatulistiwa Sejahtera Inc in Manokwari (gold exploration, 7,741 hectares) and Dharma Nusa Persada Inc (gold exploration, 20,805 hectares).

In total, the new permits will seize as much as 84,838 hectares (848.38 square kilometers) of land belonging to Indigenous communities. To put this in perspective, the amount of land to be seized is approximately half the size of the city of London (1,572 square kilometers). If we imagine that half of London—had the city been arbitrarily occupied by a foreign entity—was suddenly lost, we can then also begin to imagine how this loss of gardens and herbs for daily life, rituals, playgrounds, hunting grounds, and other social spaces will impact

Papuans. Moreover, these business permits are only footnotes in the long list of the existing permits for the eighty-seven companies that currently occupy 2.1 million hectares (approximately 21,000 square kilometers) of Papua (Franky and Morgan 2015, 59–62), or approximately 13 times the size of Greater London.

As we can expect, people were not silent. They resisted. The report documented six major protests across Papua against the government decisions that confiscated their land (WALHI Papua and others 2017). For instance, Masyarakat Adat Independen (the Independent Forum of Indigenous Community) in Timika raised this issue to involve the Indigenous Papuans at the negotiating table between the Indonesian government and Freeport Indonesia, while Yeresiam Goa demanded that the Government of Papua revoke the business permit for mining companies in their land in Nabire. Similarly, in Manokwari, the Indigenous community rejected a palm oil plantation, and in Merauke, Papuan students took to the street to ask the government to end the large-scale agribusiness MIFEE (Merauke Integrated Food and Energy Estate) project (Awis MIFEE 2012). These grassroots protests are not new. Rather, the people are almost exhausted from raising their voices as, time after time, they reach a dead end. Local and national governments and other state bodies seem irresponsive to their concerns, while the people's income sources and thus their survival are being devastated (ICP 2017, 135–140).

If we zoom out of this snapshot of life in Papua, we can see the conflict-

ing, often-incoherent narratives that offer a fragmented representation of reality for many Papuans. These gaps in representation are reflected by the disjuncture between the high-level politics that engage global policies and daily realities not adequately reflected in the same discourses. On the one hand, most observers and political actors put a strong emphasis on political activism and state violence, even over attention to the daily struggles of Papuan women, health issues, extractive industries, and the land grabbing that will disadvantage many generations to come. On the other hand, the state's narrative puts an equally strong emphasis on economic growth as measured by macro indicators. As a result, not only are these narratives at odds with each other but, more importantly, the narrow foci of both narratives obscure the daily realities and struggles of many Papuans.

Similarly, if we closely look at reports on Papua by Indonesian human rights organizations, the reports are largely event-based, meaning that they apply the same logic to focus on individual occurrences and singular issues, rather than on the long-term patterns connecting those occurrences and issues. While the approach is adequate for issues related to civil and political rights, it fails to address the interconnections between economic, social, and cultural issues. The latter require different lenses to adequately capture the complex reality that involves long-term, dynamically changing issues.

These fragmented, narrowly focused representations pose a formidable challenge to those who follow the discourses about Papua, as they

have to navigate conflicting narratives to develop a coherent picture of Papuan reality.

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## PAPUA NEW GUINEA

The year 2017 had the potential to bring great changes to the Independent State of Papua New Guinea. Much of the political news was dominated by stories regarding the general election and the discontinuation of Australia's offshore refugee detention and processing center, hosted on the island of Manus. Other notable events affecting the nation included changes in leaders outside of the election, economic challenges, and the conclusion of the long-standing controversy over the arrest warrant of Prime Minister Peter O'Neill. At the conclusion of a year that brought numerous changes, much has stayed the same.

The beginning of the year saw an early overturn of leadership as two knights having the same first name ended their time in leadership. Governor-General Sir Michael Ogio passed away in February after a long struggle with issues of health. Ogio was in the final week of his six-year term as the queen's viceregal representative and, as his term was coming to a close, Parliament had already appointed Bob Dadae to fill the position. Dadae had served as a member of Parliament (MP) for the Kabwum electorate in Morobe Province for the previous fifteen years and assumed the role on 28 February. He was subsequently knighted in London. Dadae's appointment could be seen as a reward of sorts for crossing the floor from the government led by then-

Prime Minister Sir Michael Somare to the O'Neill-led opposition in 2011.

Although he initially indicated that he would step away from politics in 2012, Grand Chief Sir Michael Somare finalized his political legacy in April as he stepped away from a career that spanned more than fifty years in public service. Somare started as a teacher and government interpreter in the early 1960s before being elected to the House Assembly in 1968. He is noted for an unbroken span of forty-nine years in legislative service and is best remembered for serving as prime minister at the time of independence in 1975. Somare-led governments covered a total of seventeen years across three terms: 1975–80, 1982–85, and 2002–11 (Johnstone 2011). His departure comes after he was ignominiously removed from the prime minister's role in 2011 while receiving medical treatment in Singapore for an extended period of time. Somare was never quite able to regain his political stature after the constitutional crisis that ensued, during which both Somare and O'Neill were recognized as legitimate prime minister by various groups within government. The retirement of Sir Michael, the longest-serving politician by far, marks a changing of the guard in PNG politics as the country celebrated its 42nd anniversary of independence. Somare's departure was met in Parliament with the stately fanfare that would be expected for a man that is often hailed as the "Father of the Nation." After inspecting an honor guard, he was presented with songs, cultural dances, and speeches by leaders in the public and private sector (Zarriga 2017). Not all were pleased with his

retirement, though. Prior to retirement ceremonies, supporters of the departing governor for East Sepik Province turned up at the provincial assembly "to demand their payments for various projects, activities and for their loyalty and unwavering support for Sir Michael during his distinguished political career" (Fito 2017).

The election cycle officially launched on 20 April, the first polling stations were to open on 26 July, and the writs were to be returned on or before 24 July. Campaigning for the 111 parliamentary seats (89 members and 22 governors) was underway immediately in April, as parliamentarians returned to their electorates to jockey for voters' favor and party leaders retreated to their various camps to determine policies, entice defections, and calculate ways to gain numerical ascendancy for the next five years.

This was a particularly polarizing election as rhetoric was mostly directed for or against the incumbent government, led by Prime Minister O'Neill and the People's National Congress (PNC). The PNC set up base in Alotau while their leading challengers, a coalition of the National Alliance Party and the historic Pangu Party, established a camp in Kokopo. The National Alliance and Pangu coalition sought the support of dissatisfied parliamentarians and found it in members of Triumph Heritage Empowerment Party, PNG Constitutional Democratic Party, People's Progress Party (PPP), PNG National Party, and other independents. This loose coalition became known as simply the Alliance. While policies among members varied, they all upheld the



explicit goal to replace the government led by O'Neill and the PNC (Blades 2017).

Notable among these dissatisfied candidates was former Prime Minister Sir Mekere Morauta, a National Alliance member and staunch O'Neill critic, as well as Patrick Pruaitch and Don Polye, former cabinet members in O'Neill's government. Standing to represent the Port Moresby North-west electorate, Morauta came out of retirement as a result of several very public spats between himself and O'Neill. Morauta had levied a strong critique against the financial policies and performance of the economy under PNC leadership, while O'Neill criticized Morauta's management of the nonprofit PNG Sustainable Development Program Limited. Pruaitch, member for Aitape-Lumi, joined the opposition after O'Neill relieved him of his portfolio in charge of the treasury in May, following Pruaitch's announcement that the PNG economy had "fallen off a cliff" (EMTV Online 2017). Representing the Kandep electorate in Enga Province, Polye was also a former minister of the treasury for O'Neill and had been similarly dismissed in 2014 after criticizing the government's decision and legality of methods used to secure a loan of 3 billion kina (US\$951 million) from the Union Bank of Switzerland (UBS) (Pokiton 2017).

The Alliance campaign strategies sought to undermine unpopular PNC policies. Kavieng MP Ben Micah, a PPP member, promised that as prime minister he would cancel the 2018 meetings of the Asia Pacific Economic Council (APEC) in Port Moresby due to damage of iconic Indigenous cultural sites

caused by the construction of new buildings by foreigners (*The National* 2017a). Similarly, Don Polye went so far as to promise the people of the Autonomous Region of Bougainville that, if elected, his government would recognize their independence (*The National* 2017b)—a refutation of the PNC's stance that the 2019 referendum on independence would be nonbinding (*The Economist* 2017). Mekere Morauta's vocal opposition to Peter O'Neill also continued as Morauta called O'Neill out for not agreeing to public, televised debates (*PNG Post-Courier* 2017).

The campaign period was mostly peaceful although there were instances of concern in some areas, including several deaths as violence erupted between crowds. Prime Minister O'Neill was not exempt from opposition, as a PNC rally he was attending in Hela Province was interrupted by a hostile crowd. O'Neill and the PNC also copped strong criticism from student activists at the University of Papua New Guinea (UPNG) for their use of the social media hashtag #PNC4PNG. The UPNG objectors claimed that this digital campaign slogan was an appropriation of their protest motto #UPNG4PNG (Kaiku 2017), a movement that strongly criticized PNC government policies and was met with lethal force as police shot protestors attempting to march on Parliament House in June 2016. Despite these difficulties, PNC party candidates, including O'Neill, touted their many successes while in control of government, citing a 92 percent success rate in achieving goals outlined by the party in the Alotau Accord (Kenneth 2017a).

A unique feature of this election was the scheduling of only a single day for casting votes at many polling sites. This was a first for elections in PNG and appeared to many familiar with elections in the country, including this author, to pose significant logistical challenges for both electoral officials and voters. Areas where the single-day ballot were to be used included the seven provinces in the highlands, as well as those of East New Britain, Morobe, Madang, and Port Moresby's National Capital District (Kenneth 2017c). Indeed, the locations with one-day polling did come up against such barriers and, in most cases, polls were deferred at least once. In O'Neill's Ialibu-Pangia electorate in the Southern Highlands province, polls were pushed back until Sunday, leading opponents to question the legitimacy and legality of a vote taking place on the day considered holy to most Christian denominations (Kero and Tien 2017).

Other challenges manifesting themselves in the 2017 General Election included the distribution of insufficient ballot papers to polling locations at state-run tertiary learning institutions; accusations of as many as three hundred thousand "ghost voters" (a claim denied by the Electoral Commission) (RNZ 2017a); reports of double voting; and some instances of violence and intimidation, especially toward women, at balloting sites. Perhaps the largest challenge to the polling process was the high level of inaccuracy of the common roll of voters. Social media platforms were filled with accounts of voters being turned away from polling places. Many, like Steven Winduo, went from polling place to polling

place looking for their names on the list after being turned away from the same station at which they had cast ballots for years. As a result, Winduo declared, "the 2017 general election in Port Moresby was indeed very disorganised, disruptive, and failed to live up to the expectation observed in previous general elections" (Winduo 2017). This was not the first time that the common voting roll has been a barrier to a free and fair election, with previous observer groups expressing the need to update and maintain the rolls and the Electoral Commission's several promises to do so. The need for these changes was highlighted again by the Commonwealth Observers' Group, which declared that the body was "very disappointed" with the failure to improve the integrity of the rolls after previous recommendations (Pacific Islands Report 2017a) and led the group to reiterate the need to "review and strengthen the voter registration and electoral roll" in their final report (Commonwealth Observers Group 2017, 21).

In Port Moresby, an election workers' strike over nonpayment of wages further complicated the balloting process. Shortcomings of the roll, election deferrals due to the unpreparedness of officials, and strikes not only inconvenienced voters but also cost employers. Many businesses allowed time off to their employees or even closed for the entire day to allow them to vote, resulting in loss of sales; one Port Moresby business claimed a net loss of some 200,000 kina (US\$61,000) (Pacific Islands Report 2017b).

In an election that pitted leaders mostly for or against the PNC and

its policies, researcher Michael Mell projected that only approximately 50 percent of parliamentarians would be returned to their seats (Ovasuru 2017). Predictions for a high turnover of serving politicians were correct, and many high-profile figures who could have been considered shoe-ins to win reelection were turned back by their constituencies. These included PNC strongman and Speaker Theo Zurenuoc of Finschafen, who was replaced by Pangu's Renbo Paita, the youngest parliamentarian of this session at thirty years of age. So distraught were Zurenuoc supporters that the electoral returns officer felt the need to seek protective police custody (RNZ 2017b). Both the opposition and the government lost seats belonging to long-standing and prominent figures in Parliament. These included the aforementioned members of the Alliance PPP member Ben Micah of Kavieng and Don Polye of Kandep in Enga, as well as O'Neill's Deputy Prime Minister Leo Dion of East New Britain. O'Neill used these results to deflect claims of vote rigging by opponents, stating that they proved that the elections were "a true reflection of the people's choices" (Nalu 2017).

While much of the focus during the campaign period was on PNC policies and the removal or retention of that party and its leaders, the 2017 election was far from a two-horse race, with a total of twenty-one parties represented at the conclusion of the balloting. After the polls closed, Alliance leaders felt they might have the potential to garner the requisite numbers to form a government, but despite twenty of the writs not having been declared, Electoral Commissioner Patilias Gamato

invited the PNC to form a government. While the move was premature—and Alliance leaders duly protested—the PNC did eventually round out the numbers to form a government. Peter O'Neill was elected prime minister, sixty to forty-six. The PNC only garnered a net total of twenty-nine seats, and the balance of the votes came from successful candidates belonging to other parties, such as Governor for the National Capital District Powes Parkop of the Social Democratic Party and Mt Hagen's William Duma of the United Resources Party. The PNC also gained support from several candidates who had campaigned on platforms staunchly opposed to O'Neill's policies. Many of them joined his headquarters at Alotau or crossed the floor shortly after the first sitting of Parliament in July. This number included Bulolo MP Sam Basil, the Pangu Party head and a strong figure in the Alliance who had vowed to take leadership away from O'Neill. Eleven Pangu Party members joined Basil in the defection. This included Chris Yer Nangoi of the Sumkar electorate and Moriape Kavori of Lufa, Eastern Highlands Province. Basil, Nangoi, and Kavori were each rewarded with roles in the prime minister's cabinet as a result (Kero 2017). Although O'Neill's PNC-led coalition government has a clear majority this term, these results have also created a much stronger and possibly emboldened opposition for this term, which will clearly present challenges to the furthering of current policies in a Parliament in which fluctuating allegiances are not uncommon.

While the electoral commission expected some 4,068 candidates to

stand for election, only 3,332 of them finalized their registration (Kenneth 2017b). Of this number, 167 were women, with all provinces except West New Britain fielding at least one female candidate. Among the women to stand for election was Pangu Party candidate Dulciana Somare, the daughter of the previously mentioned Sir Michael Somare. While her father gave her his unconditional support and encouraged all voters to back female candidates, when the final results were read, none of the women had been elected to Parliament. The exclusion of female candidates could see a resurgence in calls for special seats for women, but this had not eventuated by the year's end.

The process of manually tabulating ballots under the current Limited Preferential Voting (LPV) system currently in place is a lengthy affair, one that was not helped by electoral worker strikes in some areas such as Port Moresby or by violence, seen in the provinces of Enga, Western Highlands, and Southern Highlands. Numerous disruptions to counting in the race for governor of the latter province delayed the final declaration of the victor, William Powi of PNC, until September—well after Parliament had been seated.

Unfortunately, several people died, many were injured, and property was damaged or destroyed as a result of election-related violence in various locales, most in disputes that occurred during the counting process. Exact figures of those killed or injured in election or tabulation events are difficult to extrapolate. One anomaly to occur after the election proceedings had concluded was the assassination of Jiwaka

Regional candidate Fred Konga on 25 August. Konga and associates were traveling along the Poreporena Freeway in Port Moresby when their vehicle was attacked by unknown assailants and Konga was executed. Deaths as a result of fights between candidate supporters are unfortunate but do occur with some regularity in Papua New Guinea; however, assassinations such as this are virtually unknown.

The logistical challenges of PNG elections are unenviable and require a great amount of effort and resources. While the election cycle of 2017 did see several instances of irregularities, violence, strikes, and even some outright corruption, to declare it a failure would elide the numerous successes of the thousands of election workers deployed to some 10,800 polling stations across the country. The efforts of these workers and the millions of peaceable voters should be applauded, but the glaring shortcomings of the voter rolls and registration process, nondelivery of ballots, bribery, and outright fraud similarly cannot be ignored. The Electoral Commission has once again promised to address shortcomings of the common roll going forward, but the problem has been noted by citizens, international and domestic observer groups, and even the Electoral Commission itself for years with no significant improvement. Security concerns, particularly in montane regions, also necessitate upgrades in electoral planning for future ballots in order to preserve lives and ensure an atmosphere in which a truly free and fair election can occur. The inefficient methods of manual LPV counting are also in need of an update,

but such a change may prove difficult, as many are suspicious of new technologies in such a critical setting and vote counters often enjoy financial rewards for their efforts.

While the General Election captured headlines for the several months of its cycle, the refugee detention center on Manus has remained a controversial point in politics for several years. The detention center indirectly came into the international spotlight as dispute over the fate of refugees housed there led newly elected businessman-turned-politician Donald Trump, now the US president, to allegedly hang up the telephone on Australian Prime Minister Malcolm Turnbull. The highly publicized phone call became heated after their discussion turned to the deal signed by former President Barack Obama that would see asylum seekers given refuge in the United States.

Declared unconstitutional and ordered to close by the PNG Supreme Court in 2015, the refugee detention was scheduled to close on 31 July. The site has been controversial both in Australia and Papua New Guinea since its inception, and the primary perception of it from both detainees and the general public was one of chaos and confusion. More than once during the year, Australian authorities offered large sums of money to asylum seekers who would agree to return to their respective points of origin or to resettle in Cambodia, Nauru, or Papua New Guinea. These efforts to reduce the total number of asylum seekers through agreed-to repatriation were coupled with the forced deportation of several individuals whose refugee status was rejected.

Acting as a voice for the detainees and communicating their plight to the world, Kurdish Iranian journalist Behrouz Boochani has been keeping the international public abreast of the views of the asylum seekers. Boochani's use of social media platforms, especially WhatsApp, allowed him to partner with *New York Times* journalist Megan Specia in a powerful rebuttal of Trump's initial decision to renege on the Obama-era deal to resettle in the United States 1,250 refugees who had been seeking asylum in Australia. After calling the arrangement "a dumb deal" in a Twitter post, the US president subsequently agreed to honor the plan (Specia 2017).

In April, officials from the US Department of Homeland Security documented and interviewed the asylum seekers, and by November about 50 had been resettled in the United States. By the end of the year, some 600 remained at the camp, despite its closure and inhumane conditions. Afraid to move to temporary housing in the provincial capital Lorengau, the detainees continued to hold out hope for resettlement in the United States or Australia (Goldman and Cave 2017). Eventually approximately 300 of the detainees were moved to the new site at East Lorengau, while 200 others were slated to be sent to the United States shortly.

Confusion regarding the legal status of the refugees and the camp itself was not the only issue regarding the Manus detention center to rise to the fore. At least two riots erupted at the camp, ostensibly over the quality of food. The riots were not solely caused by the asylum seekers; in one instance, reports laid blame on Australian

guards (RNZ 2017c). On a separate occasion, drunken officers from the PNG Defence Force rampaged through the facility. Detainees also complained of threats and intimidation from locals and used social media outlets to release videos showing men, apparently drunk locals, issuing death threats in Tok Pisin (Palin 2017). Specific information about the status, affairs, and well-being of the would-be migrants is challenging to find. Exact numbers of those remaining at the new island encampment and information about when they will be relocated and to which destinations are parts of the Manus saga that are still evolving.

Early in the year a spat over international trade with Fiji did not help the country's economic outlook as the Fijian government banned imports of certain PNG-made brands including bully beef, rice, and biscuits. The PNG trade minister at the time, Richard Maru, dubbed Fiji "a dishonourable country" and threatened to respond in kind. Fiji's leadership indicated concerns over biosecurity issues, but Trade Minister Faiyaz Koya eventually reopened the free trade agreement that has governed the relationship since the 1990s (RNZ 2017d).

For the third consecutive year, Papua New Guinea faced economic challenges, especially in comparison with the strong growth experienced since the beginning of the various projects to extract liquefied natural gas (LNG) that produced noticeable shifts in the economy during their construction phases. The completion of these projects is one of the largest factors affecting the trend of slower growth, which is projected to be less than 3 percent (IMF 2017). The LNG

slowdown has not been the only challenge to face the oil and gas industry, since oil production has declined as oil fields mature (Osborne, Harden, and Roy 2017). Challenges in the natural resource sector were matched by challenges from the natural environment as a severe drought has been affecting local agriculture. Said drought has also been a causal factor for the rise of local inflation over 6 percent. Despite these financial woes, the supplementary budget filed by the O'Neill government in September seeks to reduce the fiscal debt but does so "on unchanged fiscal and monetary policies" (IMF 2017).

Deputy Prime Minister and Minister for Treasury Charles Abel has spoken boldly about the need for improvements to the financial management of the country. Whether his leadership is able to bring that about remains to be seen. This is especially salient as the economic boom that correlated with the construction phases of the LNG project and the excitement surrounding the first shipments of the export also did not play out, as many had hoped, into improvement and real development, especially for citizens in rural areas. Analysts at the Lowy Institute observed, "Papua New Guinea failed to achieve any of the Millennium Development Goals and it is currently ranked a lowly 154 out of 188 countries on the UN Human Development Index" (Osborne, Harden, and Roy 2017). Despite these challenges, Australian High Commissioner to PNG Bruce Davis voiced his country's confidence in Papua New Guinea's economic outlook, noting that "two-way trade is worth around K14 bil-

lion with about 64 percent of trade exported from Papua New Guinea to Australia” (Vari 2017).

Several government departments failed to pay rent or utility bills on time, leading to disruption of services. In February, Government House, Parliament House, Police Headquarters, and the main health center all had their power disconnected. The state-owned power company PNG Power reported that the national government owed them a combined total of over A\$11 million across several departments at the end of 2016. In that same month, the United Nations suspended voting privileges for Papua New Guinea, as it had failed to pay annual dues. This came as a prison in Mt Hagen had food service disrupted because the contractor had not been paid, and New Zealand officials complained of debts to contractors from their country (Tlozek 2017). In May, the government of the Autonomous Region of Bougainville threatened to take the PNG National Government to court, as they had not received over US\$250 million in budgetary allowances. The month of June saw staff at the PNG Embassy to the United States in Washington DC locked out due to nonpayment of rent, and several government offices in Port Moresby were similarly barred from facilities for the same reason in August.

Issues with infrastructure also raised the ire of the general public. Blackouts have always been common across Papua New Guinea, and these complaints were magnified as the Ramu power station experienced major disruptions in service that affected areas from Madang and Lae to the highlands. Meanwhile, newly

built roads in Port Moresby became traffic hazards during times of rain as a result of floods caused by poor planning and construction. These problems arise as rural residents regularly point out the disparity between funds allocated and projects underway in Port Moresby in comparison with their areas. Expenditures and construction in preparation for APEC meetings in 2018 have further exacerbated these concerns. Some previously criticized infrastructure proved beneficial this year as facilities built for the 2015 Pacific Games were used to host three matches of the Rugby League World Cup. The national team, the PNG Kumuls, won all three of their matches at the National Football Stadium in Port Moresby, beating representative sides from Wales, Ireland, and the United States.

Issues with payment of debts and infrastructure may not be directly related to the country’s economic struggles, but such occurrences do not build confidence in the competence, vision, or efficiency of state bureaucracies and their respective leadership, as well as the overall leadership of the state. The high turnover of parliamentary representatives at the 2017 election may partially stem from both the persistence of such problems and politicians’ repeated promises to change them.

Since its earliest days, the Independent State of Papua New Guinea has allowed its citizens to maintain citizenship in only one country. In 2016, this policy was reversed by constitutional amendments and the passage of the Citizenship Act. These changes were implemented in March and April of 2017 as applications were opened to

people from eligible countries to apply for PNG citizenship. This was seen as good news by both the large PNG resident expatriate community and Papua New Guineans residing overseas. The group that likely benefits most from this change in policy, however, are the thousands of West Papuans who have been living in Papua New Guinea as refugees, some of whom have been in the country for as long as forty years. In April, 1,114 West Papuans residing at the East Awin camp near Kiunga were granted naturalization in two ceremonies in as many days (Sii 2017). More than a hundred other West Papuans were reported to have received dual citizenship in Papua New Guinea in 2017. While several West Papuans had forfeited their official status as citizens of Indonesia over the years, the monetary cost required to complete the process was beyond the means of most of the refugees, most of whom still live in camps or settlements, many in rural areas. This makes the government's decision to waive fees for the West Papuan community especially significant.

The 2014 loan secured by the O'Neill government from the United Bank of Switzerland to buy shares in the natural resource exploration company Oil Search Ltd also received attention this year. The government's decision to sell the shares in 2017 at a considerable loss was nearly as unpopular as the choice to secure the loan. Attached to that controversy was the June 2014 arrest warrant on suspicion of corruption that was issued for Prime Minister Peter O'Neill. After years of legal battles and numerous court decisions and appeals, the long-standing contro-

versy surrounding the legality of that 2014 arrest warrant appears to have been settled in mid-December 2017, at least for now. Originally upheld by the Supreme Court, the warrant was deemed to be defective based on a technicality by a different panel of three justices of that same body. An in-depth analysis of this decision is justified due to concerns over previous rulings, the type of precedent set, arguments for ruling it defective, and the lack of opposition, but that is beyond the scope of this review. But it is notable that "the Court's ruling did not exonerate O'Neill of the allegations of corruption. It only said that the warrant issued was defective, leaving the substantive allegations still open to scrutiny" (Kama 2017). It will not be surprising if this issue is raised again in the future. However, the government's official disbanding of the anticorruption watchdog group Taskforce Sweep and the failure to introduce a new independent commission leaves little room for effective investigation or prosecution of corruption, abuses of power, or misconduct at the highest levels.

Besides the previously mentioned passing of Governor-General Sir Michael Ogio, the year 2017 also saw several important figures in the political and business communities pass away. Notable deaths included those of Janet Sape (58), women's advocate, businesswoman, former gubernatorial candidate for Port Moresby, and PNG netball representative; radio host and broadcast journalist Roger Hau'ofa (73); Ezekiel Anisi MP for Ambunti-Dreikikir Open in East Sepik Province, who was the youngest-ever member of Parliament (29); PNG



flag designer Susan Karike Huhume (60); former Chief Migration Officer Mataio Rabura (63); former Electoral Commissioner Sir Andrew Trawen (61); and newspaper editor Rosalyn Albaniel Evara (41), likely a victim of gender-based violence.

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## SOLOMON ISLANDS

The year 2017 has been one of intense political maneuvering in Solomon Islands, which had impacts on the functionality of the state apparatus. This started with media reports

early in the year, revealing that the country was experiencing cash flow problems due to financial mismanagement (Aatai 2017a). It was alleged by former Prime Minister Gordon Darcy Lilo that the government's reserve had been reduced within two years from S1\$1.5 billion to S1\$150 million (S1\$100 = US\$12.63). As a result, the government had to borrow to pay its bills and settle other financial commitments (SIBC 2017b). Minister of Finance Snyder Rini assured the general public that government finances were stable and under control. This was contrary to the government's actual financial performance throughout the year because the government continued to delay the payment of bills and meeting its financial commitments. For example, the Solomon Islands Government (SIG)-sponsored students studying inside the country at Solomon Islands National University and at regional tertiary institutions such as the University of the South Pacific continued to experience delays in the payment of their allowances (SFB 2017c; Abana 2017). The Solomon Islands Broadcasting Corporation (SIBC), the country's national broadcaster, took drastic measures to ensure that it continued to operate, despite the government's cash flow problem (Runa 2017).

Apart from the country's financial situation, the decisions of the Democratic Coalition for Change Government (DCCG) on a number of political issues were questionable. One of the government's decisions was to purchase a fixed-term estate title held by Levers Solomon Limited and acquire 20 percent shares in Russell Islands Plantation Estate Limited. The deci-

sion to purchase the land was for the establishment of a bomb disposal training facility, a World War II memorial park, and a sporting facility. The agreement to settle the land purchase, signed in Brisbane between government officers and a Levers Solomon Limited representative, was questionable because there was no justification as to why the government opted for an outright purchase of the land while under law it could reassume possession of the land for a public purpose (see section 142A, Land and Titles [Amendment] Act 2016). There was also no evidence of any due diligence checks being undertaken before the government signed the agreement to acquire the land and the 20 percent shares (ss 2017a).

Another issue was the undersea fiber optic cable project to provide faster and cheaper Internet connectivity (Kafo 2017). Initially, the Asian Development Bank approved a loan for the project but later withdrew it because of bidding irregularities (*Solomon Times Online* 2017b). However, in 2016, through the Ministry of Finance, the DCCG created a private company, the Solomon Islands Submarine Cable Company (SISCC), to implement the project. In January 2017, it announced that Huawei Marine would be contracted to carry out the fiber optic cable project work (*Solomon Times Online* 2017a). Huawei Marine signed a contract with SISCC in July to do the project. Australia raised security concerns that Huawei might have links to the Chinese government and would not allow the company to run the cable from Sydney to Honiara (ABC News 2017). The DCCG's reaction was to

consider an alternative strategy. There was also an allegation that Huawei had given monetary political donations to the prime minister and his senior ministers, but this was denied by the prime minister (SFB 2017b). Despite such denial, it was apparent that Minister of Finance Snyder Rini played a key role in shaping the commercial arrangement. The creation of SISCC as a commercial arm of government could be subject to political manipulation since its establishment was through the Ministry of Finance.

An important event in 2017 was the exit of the Regional Assistance Mission to Solomon Islands (RAMSI) on 30 June. The purpose of the RAMSI intervention had been restoring law and order as well as state rebuilding through the strengthening of government machinery. As pointed out by the RAMSI coordinator, Quinton Devlin, RAMSI's purpose was not about creating a perfect state but rather restoring stability and assisting "in establishing institutions that the Solomon Islands can continue to develop themselves" (Wyeth 2017). Following RAMSI's withdrawal, Solomon Islands Prime Minister Manasseh Sogavare traveled to Canberra in August and signed a bilateral security agreement with Australian Prime Minister Malcolm Turnbull. The agreement provided for the rapid deployment of Australian security forces in the event of a civil conflict. This could only happen based on a request from Solomon Islands Government and subject to Australia's acceptance of it. While this was a positive step, the immediate ratification of this agreement in the Solomon Islands context by the National Parliament was not possible because of the chal-

lenge posed by the political instability that started to show during the month of August. The political instability was triggered following Prime Minister Sogavare's sacking of Minister of Infrastructure and Development Jimmy Lusibaea and Minister of Mines David Dei Pacha due to corruption allegations and the reshuffling of other ministers (RNZ 2017d).

Allegations of corruption against government officers and members of Parliament continued to be featured in the news media and discussed on social media in 2017. For example, Magistrate John Numapo highlighted the fact that "corruption was not only spreading through Solomon Islands society but it was also slowly eating away once highly prized and respected societal values" (RNZ 2017a). According to Transparency International's Corruption Perception Index Report, Solomon Islands was ranked 72 out of 176 countries in 2016 in terms of perceived levels of public corruption (Transparency Solomon Islands 2016); in 2017 it was ranked 85 out of 180 countries (Transparency International 2017). Such statistics indicate that corruption is endemic and a huge problem that has negative impacts on governance structures and service delivery in all sectors. Operation Task Force Janus was launched in 2016 as a joint initiative between the Royal Solomon Islands Police and the Ministry of Finance and Treasury to address corruption within the government. It focused on investigating alleged corrupt practices relating to the government's tendering and procurement process. This has led to a number of arrests including, in June, that of Minister for Provincial Government

David Tome, who was charged for stealing money from his constituency (Buchanan 2017). Members have raised concerns in Parliament about Janus's function and workings. Prime Minister Sogavare defended the work of Janus and reassured members "that the role of Taskforce Janus was simply to carry out investigations in collaboration with the Director of Public Prosecution" (RNZ 2017c).

Prime Minister Sogavare urged members of Parliament to consider Solomon Islands' poor rating on corruption as a challenge to encourage them to be champions in the fight against corruption (SIBC 2017e). He emphasized that "this is a commitment—a crusade—the DCC Government had pledged to pursue and we will deliver on it as we have promised in our manifesto" (SIBC 2017a). While the DCCG's plan to fight against corruption was an important policy, it was a challenge getting members of Parliament to support proposed legal instruments such as the Anti-Corruption Bill (ACB); the Integrity Whistle Blower Bill; the Ombudsman (Special Provisions) Bill; the Leadership Code (Further Provisions) Bill; the National and Provincial Election (Further Provisions) Bill; and the Freedom of Information Bill (Transparency Solomon Islands, 11 Jan 2016). The ACB was withdrawn from Parliament in May 2016 due to lack of support from members (RNZ 2016). During the United Nations Convention against Corruption (UNCAC) Resumed 7th Session of the Implementation Review Group (IRG) in November 2016, the deputy secretary to the prime minister, Derek Futaiasi, stated that the "Anti-Corruption Bill, Whistleblower

Protection Bill and Leadership Code Bill [were] all ready to go for enactment by Parliament in March 2017” (Futaiasi 2016). Such a time frame was overambitious because the political situation on the ground was not conducive to ensuring that the ACB would be enacted. Most parliamentarians of the DCCG as well as the opposition and independent groups were unwilling to support the bill due to fear of being prosecuted.

In August 2017, Prime Minister Sogavare made a motion on the floor of Parliament to withdraw the Anti-Corruption Bill for the second time. The leader of opposition, the Honorable Jeremiah Manele, and the leader of the independent group, the Honorable Dr Derick Sikua, objected. Dr Sikua suggested that withdrawal of the bill was not in the interest of good governance (National Parliament of Solomon Islands 2017). The prime minister, however, strongly rebutted the objections, stressing that the ACB required further amendments based on recommendations from the Bills and Legislation Committee. He pledged to bring back to Parliament a revised version of the bill during its next sitting (RNZ 2017e). Sogavare’s decision triggered widespread criticism. Civil society groups rallied public support to protest the prime minister’s decision. A petition signed by more than four thousand people asked the DCCG to bring the ACB back to Parliament. This was delivered to Acting Prime Minister Manasseh Maelanga, who promised that the DCCG would pass the ACB during Parliament’s next sitting. Despite such assurance from the government, there was no guarantee that the bill would be enacted by Par-

liament due to continuing political differences. During the months of August and September, there were already signs of differences between the political parties (Kadere Party, United Democratic Party [UDP], and Peoples Alliance Party [PAP]) that make up the DCCG. Kadere and the UDP are the two major coalition partners in the DCCG.

While enacting the Anti-Corruption Bill was one of the issues about which members of Parliament could not reach a consensus, perhaps the most central issue that stirred a rift among the political parties was the decision by the prime minister to fire three of his ministers and reshuffle nine ministerial portfolios in August. According to the Office of the Prime Minister, the reshuffle was necessary to “enhance the administration of Ministries that have been underperforming and improve efficiency to support the implementation and delivery of key policy objectives by the DCCG” (SFB 2017a). Although the reshuffling exercise appeared to be well intentioned, it was a challenge getting the UDP to support it. The UDP opposed Sogavare’s proposal to reshuffle Minister of Finance and Treasury Snyder Rini and Minister of Fisheries and Marine Resources John Maneniaru. Rini is a member of the UDP, and Maneniaru is a member of Kadere. The UDP expressed the view that Sogavare’s plan to move Rini to the Ministry of Fisheries was nonnegotiable. This was because, prior to the formation of the DCCG as a coalition, one of the deals with the UDP was that Rini would get the finance minister portfolio, while Sogavare, who contested the 2014 election as an independent candidate,

would become the party's wing leader in order to be eligible for the prime minister's post. What this demonstrates is that after every election cycle, governments in Solomon Islands are formed out of loose coalitions of individual members with highly personalized political motivations rather than being grounded in discrete and disciplined political parties with common political principles and policies.

Prime Minister Sogavare, however, reshuffled Rini and Maneniuru in mid-October (ss, 2017c). Although it seemed that the UDP submitted to Sogavare's decision, the move provided the impetus for further political instability. The test of Sogavare's political power transpired at the end of October 2017. This happened when nine ministers along with government backbenchers resigned. The ministers who resigned included Deputy Prime Minister and Minister for Home Affairs Manasseh Maelanga, Minister for National Planning and Aid Coordination Danny Philip, and Minister for Fisheries and Marine Resources Snyder Rini (Pacific Media Watch 2017b). These ministers had been very influential in the Sogavare administration. They explained that their resignation was because of Sogavare's leadership style. According to Maelanga, "The Prime Minister seems to be listening to certain Ministers and outsiders in his decision-making instead of consulting all Cabinet Ministers and all three Coalition partners in the Democratic Coalition for Change Government" (Oso 2017). In a press conference on 30 October 2017, members of the opposition and independent groups sat together with members who had resigned from the

DCCG in a clear show of solidarity and unity. They publicly announced their newly formed allegiance and filed a motion of no confidence against Prime Minister Sogavare. This political situation shows that political parties have no strong and direct influence on their elected representatives.

There had been a coalition agreement between the UDP, Kadere, and the PAP to form the DCCG in 2014, but it had limited impact on the behaviors of members of Parliament. The resignation of ministers and government backbenchers showed that members switched allegiance purely by reason of personal interest and personal choice. This reflects a weakness of the Political Party Integrity Act of 2014, which was enacted to regulate the operation of political parties. There is no punitive provision under the act to regulate instances in which members switch party allegiance or to restrict members' crossing the floor. As a result, political instability continues to be a normal feature of governance in 2017. It was apparent that the DCCG no longer had the numerical strength to remain in office. However, about two days after the mass resignation, eight new ministers were sworn in, in an attempt to consolidate power. Two of these new ministers initially resigned and later rejoined the DCCG. Such political maneuvering, often referred to as grasshopper politics, contributes to why it is difficult to monitor the political behavior, preferences, and sympathies of members of Parliament. Members are commonly found to contradict themselves either by making statements on which they later go back, by supporting a political view that they previously opposed, or

by switching sides in Parliament, contrary to their own expressed political principles.

What followed was a week of intense political rhetoric between the DCCG and the opposition over who had the numbers to run the government. Sogavare was unwilling to consider any calls to surrender and step down. Both the opposition and the DCCG continued to claim “majority support,” although it was obvious that one group had more members than the other. Despite the obvious tipping of government numbers, the prime minister remained defiant in the face of a clearly strengthened opposition group. In an attempt to get public support and to discredit the intentions of the defectors, the Office of the Prime Minister and Cabinet released a press statement asserting that the mass resignation by ministers had been an attempt to disrupt the revised Anti-Corruption Bill that was ready to be brought back to Parliament (ss 2017b). The office further stated, “Some of these resignations come as no surprise [because] some of these same Ministers were responsible for undermining the progress of the ACB” (SIBC 2017d). But Maelanga, who resigned as deputy prime minister, responded by stating that ministers and government backbenchers “resigned based on individual grounds and personal convictions” (SIBC 2017d). They no longer had trust and confidence in the prime minister. While the reasons for resignation as revealed by Maelanga seemed genuine (despite the fact that it took a very long time for these individuals to arrive at this judgment), they were not enough to guarantee that the defectors

from the DCCG, the opposition, and independent groups would form the next government.

Dr Derek Sikua made a motion of no confidence against the prime minister on 6 November. As to some of the issues why members of Parliament had no trust and confidence in the prime minister, he outlined the controversial Nazar Gold and Skyline Company deal, the prime minister’s text message to mining investors, and the employment of the prime minister’s nephew as chief of staff in the Office of the Prime Minister and Cabinet. In response, Sogavare expressed his view that “reasons for the defected Members of Parliament (MPs) who regrouped with the opposition bench to oust him were rooted from corruption” (Aatai 2017b). He alleged that former Finance Minister Snyder Rini and former Minister for Development Aid Planning Danny Philip “were involved in some dirty dealings to rip-off government coffers” (Aatai 2017b). He also revealed corruption regarding the allocation of shipping grants; some members of Parliament had applied for such funds for personal gain (Aatai 2017b). The issues raised by both Sikua and Sogavare were important indicators of the corruption and quality of governance at the national level, which ultimately led to the removal of Sogavare as prime minister following a successful vote of no confidence. The vote followed almost nine hours of heated debate during which members of Parliament from both the government and opposition groups made allegations of corruption against one another (see RNZ 2017b).

Two political groupings were



formed after the removal of Sogavare as prime minister. One group was the Heritage Park camp, comprising Kadere and the People's Alliance Party, which were part of the former DCCG. The other group was the Honiara Hotel camp, comprising the Democratic Alliance Party (DAP) and the Solomon Islands People First Party (SIPFP), who were the original opposition group, as well as defector parliamentarians of the DCCG and the independent group. Not long after the formation of these groups, the DAP and the SIPFP switched to join the Heritage Park Hotel camp. MP Rick Houenipwela, speaking on behalf of the DAP, explained that they moved from the opposition due "to a lack of consultation over a proposed cabinet line-up"; as a result of the switch, the Heritage Park camp increased its numbers from 23 to 30 (Pacific Media Watch 2017a). Houenipwela was nominated as their candidate. The opposition, now comprising the defected members of Parliament and the independent group, nominated John Moffat Fugui as their candidate. The election for a new prime minister was held on 15 November. Houenipwela became the new prime minister with a total of 33 votes, which brought back into power the former DCCG but under a new coalition name, Solomon Islands Democratic Coalition for Change government (SIDCCG). The key objectives of SIDCCG would be "to maintain political stability, rectify the country's fiscal situation and stamp out corruption" (SIBC 2017c). While the new government provides hope for positive change, it is still too early to comment on whether the leadership of Houenipwela will effectively address

its objectives as Solomon Islands moves from 2017 into 2018.

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## TIMOR-LESTE

The year 2017 in Timor-Leste was dominated by a round of national elections and a major breakthrough in the country’s long-running dispute

with Australia over maritime boundaries. In the latter part of the year, a newly installed FRETILIN-led minority government proved unable to pass its program in Parliament, which saw the country head back to the polls in May 2018. (FRETILIN is the acronym for one of Timor-Leste's major political parties: the Revolutionary Front for an Independent East Timor.) A new maritime boundary and revenue-sharing treaty with Australia negotiated over 2017 was signed in early March 2018.

The year started unexpectedly with a joint announcement that the government of Timor-Leste would terminate the 2006 Treaty on Certain Maritime Arrangements in the Timor Sea (CMATS) with Australia (Australian Treaty Series 2007). The decision, which Australia did not contest, opened the way for progress in boundary negotiations. Aside from sharing the proceeds of undersea resources, the key feature of CMATS was a fifty-year moratorium on boundary negotiations in favor of a series of revenue-sharing agreements, known as "provisional arrangements" under the UN Convention on the Law of the Sea, or UNCLOS.

Having vigorously defended CMATS as recently as 2016, several factors explain the change in Australia's position. The 2006 treaty had been tarnished by allegations that Australia had spied on the East Timorese negotiating team in 2004 (*SMH* 2013). Timor-Leste had then challenged the treaty, invoking the Vienna Convention's principle that negotiations should take place in "good faith." Equally significantly, in April 2016 the government of Timor-Leste initiated compulsory conciliation proceedings under

UNCLOS with the aim of concluding permanent maritime boundaries with Australia. Australia's opening legal gambit—a jurisdictional claim that the CMATS treaty had already settled the border dispute—was dismissed by the conciliation commission in September 2016, which found that Australia's obligation to settle the boundary survived the treaty and its purported moratorium (UNCLOS Conciliation Commission 2016). Having lost this argument, Australia had little further practical use for CMATS. An additional factor was the dispute between China and its neighbors in the South China Sea, which raised the regional profile of international law in boundary disputes. In that case, Australia urged China to follow the rule of law, as represented by the decision of the tribunal formed under UNCLOS. The contrast with Canberra's own behavior—its refusal to discuss a boundary in the Timor Sea and its withdrawal from the dispute-settlement provisions of UNCLOS shortly before East Timorese independence in 2002—had created a public relations problem for Australia. For example, the powerful US House Armed Services Committee's National Defense Authorization Act for 2018 was specifically amended to encourage resolution of the maritime-boundary dispute between Australia and Timor-Leste. The committee noted that negotiations would send "a positive signal to other states in the region regarding adherence to a rules-based international order," highlighting the "potential security benefits" likely to flow from a peaceful resolution of the dispute (US House Armed Services Committee 2017, 2). There is little question that this shift in Washington

signaled extra pressure on Canberra to resolve the matter within the UNCLOS conciliation process. These negotiations reached a partial conclusion in September 2017, discussed later in this review.

The 2017 round of elections occurred in the wake of a government formed in extraordinary circumstances in early 2015, when the former independence movement leader Xanana Gusmão handed over the prime ministership to an opposition FRETILIN figure, Rui Araújo. Though best seen as a power-sharing executive rather than a formal government of national unity, this informal “grand coalition” between Timor-Leste’s two largest parties—the National Congress for Timorese Reconstruction (CNRT) and FRETILIN—was a remarkable development, given the bitter tensions between the parties as recently as 2012. Described by a senior CNRT minister as a transition from “belligerent democracy to consensus democracy” (Pereira 2014), this powerful combination left President José Maria Vasconcelos (better known by his *nom de guerre*, Taur Matan Ruak) as the closest thing to an effective opposition. Ruak did not shrink from this role, attacking the government over accountability issues in early 2016 (Allard 2016) and vetoing the initial version of its budget. His new party, the *Partidu Libertasaun Popular* (Popular Liberation Party, or PLP), entered the fray in 2017.

The presidential campaign culminated in a national vote on 20 March. Despite the nomination of eight candidates, FRETILIN’s candidate, Francisco “Lú Olo” Guterres (a former guerrilla commander and twenty-four-year veteran of the Falintil

military resistance), received a massive boost in January 2017 with a previously unthinkable endorsement by Xanana Gusmão. While expressed as a personal opinion rather than a formal CNRT position, Gusmão’s authority was such that the party did not formally support another candidate. This led many observers to conclude that the era of national unity would likely continue. Lú Olo was running for the third time after twice being runner-up (to José Ramos-Horta in 2007 and Ruak in 2012).

The March 2017 presidential election duly delivered a decisive victory for Guterres, receiving just over 57 percent of the national vote, ahead of the Democratic Party’s António da Conceição (who was also endorsed by Ruak’s PLP) with 32.5 percent. The clear majority in the first round meant a run-off election was not required for the first time since 2002. While the president has an important role in the formation of a government and holds a partial veto over legislation, executive power lies overwhelmingly with the prime minister and cabinet in Timor-Leste’s semi-presidential system, making the July parliamentary elections the more important of the two votes.

Twenty-one parties contested sixty-five seats in national parliamentary elections on 22 July. In a population with a median age of just under nineteen years and a voting age of seventeen, this election represented an important transitional moment for Timor-Leste, with a full one-fifth of Timor-Leste’s 750,000 registered voters participating for the first time.

Under Timor-Leste’s closed-list proportional system, voters select a party

rather than individual candidates. Each party registers a list of sixty-five candidates in order of election, giving party leaders substantial power over candidates anxious to appear high on the list. The system also allows for progressive features, such as the requirement that every third candidate be a woman, which has given Timor-Leste one of the highest percentages of female members in Parliament in Asia, at 38 percent.

In 2017, parties needed at least 4 percent of the vote to receive seats, up from 3 percent in 2012. While this hurdle modifies the strict proportionality of the system, the large number of parties participating in the election attests to the relative ease of party registration and political participation. This reflects Timor-Leste's relatively open society and pluralist culture, which saw it ranked as the most democratic country in Southeast Asia in the *Economist's* 2016 Democracy Index (*The Economist* 2017) and saw the 2018 Freedom House "Freedom in the World" index increase Timor-Leste's ranking from "partly free" to "free" (Freedom House 2018).

Seeking to challenge the major parties, the immediate past President Taur Matan Ruak and his new PLP campaigned strongly against the "megaproject"-led development policies favored by the previous government, arguing instead for increased spending on basic development indicators like education, health, and agriculture. The PLP vocally opposed the unpopular life pensions for politicians and also raised allegations of patrimonialism and the growth of "money

politics" in awarding government contracts.

In many ways this set the party against the CNRT, which continued to campaign on rapid modernization through government-led infrastructure spending, embodied in Gusmão's own strategic national development plan (Government of Timor-Leste 2011). For its part, FRETILIN's parliamentary campaign slogan "For a more developed Timor-Leste" promised improved outcomes in education and health, using images of East Timorese making "plus" signs with crossed fingers.

Despite the absence of its most senior Falintil military veteran, Lú Olo, this focus on development policies paid dividends and saw FRETILIN maintain its 2012 vote share in a more competitive field. In the 22 July election, FRETILIN emerged narrowly ahead of CNRT with 29.7 percent and 29.5 percent respectively, resulting in a slim but important lead of 23 FRETILIN seats to CNRT's 22. For its part, the CNRT vote dropped from 37 percent in 2012, affected by the rise of the PLP, which performed very creditably in its first outing with 10.6 percent of the national vote. This outcome marked the PLP as the new third force in Timor-Leste's politics and translated into 8 seats. The Democratic Party vote remained strong, with a share of 9.8 percent and 7 seats, despite the death of their founder Fernando "Lasama" de Araújo in 2015. Of particular interest was the rise of Kmanek Haburas Unidade Nacional Timor Oan (KHUNTO), with 6.4 percent of the vote. This party pitched its campaign at Timor-Leste's unemployed and disaffected youth and performed especially well in the rural areas,

doubling its 2012 vote to receive 5 seats (Aspinall and Scambary 2017). The rise of both the PLP and KHUNTO suggested shifting voter alignments as Timor-Leste's demographic "youth bulge" enters political life.

Having lost eight seats since 2012, Xanana Gusmão was openly disappointed with the result and dramatically announced his resignation as president of CNRT, declaring that the party would go into opposition. This announcement challenged a widespread assumption that the power-sharing arrangement between the two major parties would continue. The CNRT congress soon suspended Gusmão's resignation, meaning that he remained party leader. Significantly, however, Gusmão ruled out leading an alliance of smaller parties, saying the CNRT "will not accept proposals from anyone, nor invite any party to form a coalition because it does not intend to participate in government" (Murdoch 2017).

In combination with a FRETILIN president, FRETILIN's narrow seat advantage gave the party an edge in the formation of a government. As no party had a majority of 33 seats, FRETILIN attempted to form a coalition with the PLP. Negotiations faltered on the choice of president of the national Parliament, a position approximating the speaker. The PLP was also concerned by FRETILIN's determination to include representatives from other parties in the government before a parliamentary majority alliance had been consolidated.

Surprisingly, a new majority coalition then emerged with the Democratic Party—with whom FRETILIN has a fractious history—and KHUNTO,

only for the latter to exit at the last minute before a coalition-signing ceremony. This short-lived coalition nonetheless survived long enough to see FRETILIN's Aniceto Guterres Lopes elected as president of the Parliament.

Ultimately, FRETILIN could only form a thirty-seat minority coalition with the Democratic Party. On 15 September, with no alternative majority coalition being proposed, President Guterres appointed the first minority government in Timor-Leste's short constitutional history, with FRETILIN leader Mari Alkatiri as the new prime minister of Timor-Leste. The executive was bolstered by some well-regarded independents, including José Ramos-Horta, and a scattering of ministers affiliated with other parties. Several PLP members joined the new government in ministerial roles, only to have their party membership suspended.

No opposition majority alliance was proposed at this point. However, events moved rapidly and quickly showed that the CNRT, the PLP, and KHUNTO were able to work together, sidelining most FRETILIN nominees in the formation of various parliamentary committees. Subsequently, on 12 October, these three parties formed the Parliamentary Majority Alliance (AMP), controlling thirty-five seats. A political standoff emerged on 19 October when the AMP parties rejected the government's program. To some extent, the standoff was a clash of emerging conventions in Timor-Leste's democracy. Similar political systems tend to have a default presumption that the most-voted party will lead a coalition government. In Portugal, for example, that convention stayed in place for thirty-nine years after the

restoration of democracy in 1976. While this view was central to the government's case, and minority governments are perfectly constitutional, majority support in Parliament is still required to pass the program. Indeed, Portugal's thirty-nine-year run ended in 2015 in similar circumstances. Importantly, Timor-Leste is of course entitled to develop its own political conventions, and these are still emerging, within the bounds of the constitution, through presidential practice. In one view, the convention might best be seen as first right to attempt to form a government, which FRETILIN was given. It is also notable that a CNRT-led coalition had been installed in 2007 led by the second-largest party, suggesting a new path for the convention in Timor-Leste.

While the AMP did not question the constitutionality of the president's actions, it did refer to them as "imprudent," pointing to the political unsustainability of the minority government and offering the AMP as an alternative if the government fell (Leach 2018). It was then widely assumed that the government had thirty days to resubmit the program and would fall if rejected a second time. However, the standoff revealed some grey constitutional areas, with a resubmission time limit unspecified in the constitution, though some commentators argued that the thirty-day limit for the first presentation was implied for the second (Feijó 2017). With the major parties at loggerheads, civil society was concerned that conflicting constitutional interpretations would revive memories of the 2006 crisis and called for the parties to work together to establish a consen-

sus for political stability (Fundasaun Mahein 2017).

In December, the FRETILIN-led minority government failed to pass a budget rectification measure needed to fund new ministries and programs, and the state operated instead on a "duodecimal" system based on monthly allocation of the previous year's budget. This period also saw the FRETILIN parliamentary president repeatedly delay opposition motions of no confidence and refer a motion for his own removal to the courts. Parliament also failed to hold certain plenary sessions in December, in breach of its own regulations. These tactics by the FRETILIN president of Parliament seemed designed to delay the second rejection of the government program until a time closer to 22 January, the earliest day the president could dissolve Parliament and call early elections.

Gusmão's lengthy absence throughout this period (jokingly referred to by FRETILIN as a *peregrinação*, or pilgrimage) was largely necessitated by the intense maritime boundary negotiations with Australia and commercial joint-venture partners. His controversial decision not to return during various breaks in the talks was portrayed by supporters as "leaving it to a younger generation" but in practice tended to highlight how central he remained to any political resolution. Inflammatory rhetoric also increased, with Prime Minister Mari Alkatiri claiming that the rejection of the government program represented an attempted *golpe*, or coup. The opposition boycotted sittings of the parliamentary committee on budget and finances, effectively preventing



its operation, and called for the prime minister to step down. These developments further highlight the apparent return of “belligerent democracy” after the informal power-sharing government of CNRT and FRETILIN from 2015 to 2017.

With these parliamentary maneuvers nearing their end, President “Lú Olo” Guterres was critical to a resolution. With precedent from similar semi-presidential regimes in the Lusophone (Portuguese-speaking) world suggesting a wide constitutional discretion, Guterres had the primary options of dissolving Parliament and seeking fresh elections (the path favored by FRETILIN) or seeking a solution within the current Parliament and installing an AMP coalition government. On 25 January 2018, President Guterres announced a new election would take place, with a date of 12 May confirmed a week later. In the meantime, the FRETILIN–Democratic Party executive would act as a caretaker government.

The AMP parties subsequently established a formal preelection coalition for the forthcoming elections, which would clearly make it a formidable force, greatly increasing its chances of finishing first. Another important development is the recent emergence of the Democratic Development Front, or FDD—a group of smaller parties unable to clear the 4 percent hurdle in 2017—with the stated aim of supporting the AMP. Balancing this, Catholic Church commentary on the minority government was relatively positive, a major shift from the 2005–2007 era.

Despite the political ructions, East Timorese society remained largely

calm. Leaving aside the return of a more belligerent form of democracy, and accusations of an institutional “coup,” the political standoff demonstrated that the checks and balances in the constitutional system were operating, with strong executive accountability to Parliament, previously lacking under the power-sharing government.

Following twelve months of negotiations that saw “confidence-building measures” enacted—including the termination of CMATS and Timor-Leste’s cessation of a separate legal action relating to espionage (Everingham 2017)—Timor-Leste and Australia made a major joint announcement on 1 September (Permanent Court of Arbitration 2017), declaring they had reached an agreement on “central aspects” of a maritime-boundary determination.

While full details remained confidential until 6 March 2018, the agreement created permanent maritime boundaries and revised resource-sharing arrangements in the yet-to-be-developed Greater Sunrise oil and gas field. This was a major step forward for the resolution of the long-running dispute between the two neighbors. Specifically, Timor-Leste secured a median-line boundary in the Timor Gap, creating a permanent maritime boundary for the first time. The median-line boundary places 100 percent of the Joint Petroleum Development Area (JDPA) in Timor-Leste’s sovereign waters, where prior treaties divided the revenue from existing fields, such as Bayu-Undan, 90 to 10 in its favor. However, as these fields are nearing the end of their life, far more financially significant is the renegotiated revenue split over

as-yet-untapped Greater Sunrise field, worth in excess of US\$40 billion, including total potential revenues to the two governments in the order of US\$12–15 billion. While Timor-Leste had a respectable legal opinion suggesting that the entire Greater Sunrise field could be within its maritime waters under UNCLOS, this claim was always a more complicated proposition, as the field straddles the eastern lateral (or side) boundary of the JDPa. Unlike the relatively straightforward median-line principles governing the east-west boundary, the north-south laterals involve complex technical considerations, with competing options for baselines and offsets. As the now defunct CMATS treaty had given Timor-Leste a 50 percent share, renegotiation was a high-stakes gamble, with the young state's guaranteed share of Greater Sunrise revenues reverting to 20 percent under an earlier treaty, pending the outcome of the UNCLOS conciliation.

By March 2018, it was clear that the gamble had paid off. The renegotiated agreement saw a substantial increase in Timor-Leste's share of the future Greater Sunrise revenues to 70 or 80 percent, pending resolution of the final contested issue of where the pipeline for downstream processing will land—in Australia or Timor-Leste (The Conversation 2018). The higher revenue figure would operate in the event that Timor-Leste does not achieve its goal of sending the pipeline to the southern coast of Timor. While Timor-Leste may not have achieved its entire suite of goals, the creation of a maritime boundary with Australia for the first time and

a major increase in future revenues would be seen as a substantial victory in Dili and an endorsement of the legal strategy of prosecuting the dispute through the UNCLOS compulsory conciliation process.

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