

Extracted from a paper delivered by **Dr Heinz Schürmann-Zeggel** of Amnesty International

FAILING STATES IN THE PACIFIC ISLANDS - THE SOLOMON ISLANDS EXPERIENCE

The label of a “failing” – or “failed” - state has been variously attributed in recent times to Pacific countries like Solomon Islands, Papua New Guinea and Nauru. Islanders may well regard such labels as unfair, but in Solomon Islands, they seem to have accelerated necessary change.

Eminent experts of international law like Daniel Thuerer, of the International Committee of the Red Cross, have contributed constructively to the debate on what exactly is a ‘failing’ state.

According to Professor Thuerer, a political and legal approach to the issue might find it characterised by three main elements: that the problem is largely internal, but may incidentally have cross-border impacts; that law and order has collapsed, but state authority has not completely fragmented; and that state institutions can no longer negotiate or enforce international agreements.

Professor Thuerer considers that among contributing factors, from a historical point of view, are the heritage of colonial regimes which failed to leave effective constitutional structures behind, and the “processes of modernisation which encouraged social and geographical mobility” in states that were not prepared for it.

Such factors appear to have played a role in the escalation of armed conflict which began in 1998 on the island of Guadalcanal with the harassment of settlers from other islands by loosely-organised armed groups of young men.

Law and order may now have been largely restored thanks to the intervention since July last year of the military-backed Regional Assistance Mission to Solomon Islands (RAMSI), led by Australia. However, human dignity and reconciliation of individual suffering will take more than military and police to repair.

Experience from other conflicts shows that to move forward, people need to address the past and its unresolved questions, at least by trying to uncover the truth of what happened.

Bringing to court those responsible for murder, fraud and violence, as is happening now, is the right thing to do. But it cannot ease the silent suffering of many islanders whose wantoks were displaced, tortured, killed, raped or robbed without leaving evidence strong enough for police to prosecute the perpetrators.

There are also to be considered the unresolved issues which contributed to the conflict.

Guadalcanal island is divided between the economically resource-rich northern half and the weather-beaten south known as the Weathercoast inhabited by indigenous Guadalcanalese living in relative poverty on a “subsistence economy”. By contrast, the northern plains host the multi-ethnic national capital of Honiara, as well as many satellite settlements with mixed populations of Guadalcanalese and settlers, mostly from neighbouring Malaita island – home to the dominant ethnic group in Solomon Islands.

In the 1980s and 1990s, Guadalcanal leaders called upon the national government to address disputes of land use and ownership with these settlers, and the unequal distribution of development on their island. In effect they were complaining about perceived violations of their economic, social and cultural rights, some of which have their roots in colonial history..

To my knowledge, the indigenous Guadalcanalese did not have much say on the development of their land when the American WW2 military base became the new capital run by the British with the aid of settlers..

Some compensation was paid for land needed by the national authorities. Some land was later registered and legally leased to settlers, but in many cases informal arrangements were made about land use which ignored, or bypassed, both the law and custom.

As most indigenous Guadalcanal people are matrilineal, responsibility for the land rested with the female family lines, yet women say they rarely took part in contract negotiations.

Tension increased at least as much about access to resources and development as it did on the grounds of ethnic differences, culminating in the early stages of the conflict. with Guadalcanal youths driving an estimated 35,000 mostly Malaitan settlers into Honiara from where the majority evacuated by ferry to the home of their grandparents on Malaita island.

Their arrival on Malaita caused massive local pressures on resources in food gardens, hospitals, schools and space to build new homes for them.

Elements of the Malaitan-dominated police service on Guadalcanal illegally aided and armed the Malaita Eagle Force (MEF), a paramilitary volunteer force created in response to the government’s rejection of compensation claims by displaced Malaitans. The conflict escalated, leaving thousands of indigenous Guadalcanalese themselves internally displaced.

Guadalcanal schools and clinics were closed, shops raided, and children, young mothers, the sick and elderly suffered heavily from the lack of access to medical assistance, and from an imbalance in their food supplies. It is estimated that many more people, probably hundreds, died from the indirect effects of the conflict – such as malnutrition and untreated health problems – than from the fighting.

After the militia fighting ended with a peace accord hastily negotiated in Townsville in Oct 2000, lawlessness increased, with anyone with a gun able to hold businessmen, government authorities and civilians to ransom. Political leaders repeatedly requested armed intervention by United Nations or Australia, but international attention was focused on East Timor, Afghanistan, and then, Iraq.

In 2003, a possible 'failed state' in the Solomons was seen as a potential danger to Australia by providing a base for transnational criminals and terrorists.

By the end of June 2003, the first of some 2,500 military, police and civilian personnel from Australia, Cook Islands, Fiji, Kiribati, New Zealand, Papua New Guinea, Tonga and Vanuatu began arriving in the country.

They came at the explicit invitation of the Solomon Islands government, parliament and the cheerful welcome of Solomon Islander.

Disarming former rebels, police and criminals was a first priority; arresting their leaders was another. The professionalism of the intervention force, and the spirit of cooperation among Solomon Islanders, made possible the collection and destruction of some 3,800 guns, and the arrest of nearly 1,000 individuals -- including senior police, a government minister and almost the entire leadership of the main militant groups.

An important development was the re-opening of provincial magistrates courts, prisons and police posts. However, a lot remains to be done on the infrastructure of the institutions of law and order, on the training and rebuilding of the police force, and the capacity boost needed by prosecutors, courts and prison services.

Corruption in government and business is now a major issue to be addressed as Solomon Islanders anxiously await evidence of the intervention forces' commitment to remain and help sort out problems for years to come.

Another concern is the gradual influence of foreign values, incidental to the presence of hundreds of foreign troops and advisors, on custom traditions and the expectations of nearly half the population who are under 18.

Will they be ready to return to school and learn the skills necessary to run the country and its economy according to the rule of law and the Christianised values of Melanesian society?

Some King George VI schoolgirls recently showed the way by making a banner with a message to those who exploited and effectively ruled much of the country over the past five years: TIME FO GUN HEM FINIS NAO!

This is as clear a message as it can get – what comes next is much harder to predict.

Dr Schürmann-Zeggel is an Amnesty International researcher, writing in his personal capacity. Amnesty International, 1 Easton Street, London WC1X 0DW (020 74135500).