

Democracy in Nauru under threat

by Stewart Firth

16 May 2016



Nauru no longer welcomes Australians and New Zealanders. That is the only conclusion to be drawn from recent changes to visa rules in that country. Earlier this year the Nauru government cancelled all visitor visas for Australians and New Zealanders, then introduced new rules requiring them to find a Nauruan sponsor **who can be fined or gaoled if visa restrictions are breached**. These developments fit a pattern.

Ever since the election of the present Nauru government in 2013, the Nauruan authorities have regarded foreign journalists as potential subversives who might depict their country in a bad light.

That is why, in early 2014, the Nauru government lifted the visa fee for visiting journalists **from \$200 to \$8,000**, ensuring that none came for almost two years. When one finally did, the only one so far, it was *The Australian's* Chris Kenny, approved, it would seem, for his support for the offshore detention regime, though even he found much to criticise.

The undermining of civil freedoms and democratic accountability in Nauru goes further.

The judiciary was an early target. The government dismissed the Resident Magistrate and Registrar of the Supreme Court, Peter Law, early in 2014 and deported him from Nauru, prompting the resignation in protest of the country's Solicitor-General, Steven Bliim. The Chief Justice, Geoffrey Eames, found his visa had been cancelled and was unable to return to Nauru, resigning soon afterwards.

Within a few months the government ensured that **three opposition MPs were suspended from parliament for talking to foreign media**. Their suspensions, which have become permanent, were followed by two others, those of Squire Jeremiah and former president Sprent Dabwido, whose offence was **'behaving in an unruly manner'**. The Supreme Court of Nauru upheld all five suspensions, ruling it had no power to rule on the practices and procedures of parliament. Visa costs now stand in the way of those MPs bringing in lawyers from Australia.

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In May 2015 the Nauru government **directed the country's monopoly internet provider Digicel to block Facebook** and apps such as Skype on the grounds that they offered access to pornography. The real reason seems to have been that Facebook was becoming a locus of criticism on blogs such as 'Nauru Politics' and 'Nauru rumours and conspiracies'. At the same time the government amended the criminal code to make 'political hatred' or any statement deemed likely to threaten public order punishable by up to seven years' imprisonment.

Political tensions intensified in June 2015 when the ABC's **7.30 program claimed** to have evidence that five years earlier, an Australian phosphate company had bribed both Baron Waqa, now President, and David Adeang, now justice minister, as part of an attempt to take over the country's phosphate industry.

The following week hundreds of anti-corruption protesters gathered outside parliament house in what the government condemned as a riot. The police arrested Matthew Batsiua, one of the five suspended opposition MPs and further arrests of opposition MPs followed, with Sprent Dabwido and Squire Jeremiah also remanded in custody. A few days later, opposition MP, Roland Kun, was boarding a plane en route to Australia when he was detained. The Nauru government **cancelled his passport**, leaving him stranded on the island with his wife and children in New Zealand. Kun remains on the island after he failed in a legal appeal.

As popular criticism of the Nauru government intensified, the New Zealand parliament expressed 'concern regarding the Government of Nauru's alleged interference with the judiciary, the suspension of Opposition members of Parliament, the cancelling of passports of Opposition members of Parliament, and the removal of civil and political rights.' And in September 2015 the New Zealand government **suspended aid worth US\$760,000 annually**, sensitive to criticism that the funds – destined for Nauru's Department of Justice and Border Control – were in fact supporting an unjust system. The New Zealand government position remains unchanged.

Adeang, the architect of many policy changes, is now preparing the way for victory in Nauru's elections this year. The parliament has passed legislation, contrary to Section 31 of the constitution, requiring any prospective candidate employed in the public sector to resign three months before the election, a move designed to deter people from standing for election. The fee for nominating a candidate has been increased **from \$US74 to US\$1,500**, in a transparent attempt to discourage people from standing for election.

The presence of the detention centre on Nauru has facilitated a climate of repression in a number of ways. In 2013 newly arrived asylum seekers rioted,

burning down much of the camp, and the government responded with an emergency decree authorising ordinary Nauruans to take action. Armed with steel pipes and machetes, more than a thousand Nauruan men joined police in confining asylum seekers to their quarters. For the Nauruans, the new arrivals were a threat to national security.

Just as important has been coincidence of purpose between Nauru and Australia. Nauru played a key part in enabling former Prime Minister Tony Abbott to keep his promise to stop the boats, and in both countries the official mood shifted in 2013 towards suspicion of the media and intolerance of criticism. Just as Nauru restricted freedom of expression, so the Australian government – with the support of the Labor opposition – passed the Border Force Act 2015, making it a criminal offence, punishable by up to two years' gaol, for anyone working with the Immigration Department at the detention centres on Manus and Nauru to disclose information to the media about what was happening there.

As Nauru builds walls against us, we might ponder why. Only selected Australians are now free to go to Nauru. That is because neither the Nauruan nor the Australian government wants open investigation of the situation for asylum seekers on the island.

Stewart Firth is a Fellow in the State, Society and Governance in Melanesia (SSGM) program at ANU. This post is published in collaboration with [Policy Forum](#), Asia and the Pacific's platform for public policy analysis, debate and discussion.

Stewart Firth will also be giving a seminar on democracy and the rule of law in Nauru today at 3pm at ANU – find out more [here](#).

Author/s:

Stewart Firth

Stewart Firth is a Research Fellow at the Department of Pacific Affairs at ANU.

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