

# Background to the 2006 Fiji Military Coup

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## Introduction

Rev Akuila Yabaki, Executive Director of the Citizens Constitutional Forum, writes that

"this is the fourth coup that Fiji has experienced in the past 20 years, after two military takeovers in quick succession in 1987 and one civilian-led coup in 2000".

He sets out the sequence of events from 5 December 2006, the date that the military coup d'etat took place in the Republic of the Fiji Islands, and outlines the causes of the conflict. He also says,

"many commentators, including the Citizens' Constitutional Forum (CCF), believe that Fiji is now in the grip of a dangerous 'coup cycle' that needs to be broken if the country is to have any hope of achieving long-term prosperity. Breaking this cycle will at least require de-politicisation of Fiji's military, and possibly much wider social change".

## Essay - Background to the 2006 Fiji Military Coup

After a long war-of-words with the Prime Minister, Laisenia Qarase, the Commander of the Republic of Fiji Military Forces (RFMF), Commodore Frank Bainimarama, announced at a press conference on

December 5 that he had assumed the executive authority of the State and removed Mr Qarase from office. A 77-year old doctor to the RFMF, Dr Jona Senilagakali, was purportedly installed as Interim Prime Minister. The day before, military checkpoints had been set up in the streets of the capital, Suva, and other urban centres around the country. Parliament was dissolved shortly afterwards, and the President and Vice-President were ousted from office, along with Cabinet Ministers and several senior civil servants.

Commodore Bainimarama explained his actions by saying that the Qarase Government was "unable to make decisions to [save] our people from destruction." He said the deposed Prime Minister had "already conducted a 'silent coup' through bribery, corruption and the introduction of controversial Bill[s]".

The Commander did not seek to abrogate (revoke) the Constitution. He gave a detailed legal justification for the military takeover, with reference to the "doctrine of necessity" and judicial authorities arising out of Fiji's last coup, which had been led by George Speight in May 2000. He said the RFMF "believes in the rule of law and shall adhere to the Constitution."

On December 6, Mr Qarase left Suva for his home island of Vanuabalavu, where he remains to date. He has not formally resigned from office, however. Also on December 6, the Commander declared a state of emergency, citing "reports that there are a number of individuals who are planning to cause disruption to peace and harmony".

The international community has widely condemned the RFMF's actions. Countries such as Australia, New Zealand and the USA imposed sanctions. On December 8, the Commonwealth Ministerial Action Group tasked the Commonwealth Secretary-General to investigate sending a mission to Fiji. On December 1, just prior to the takeover, the Pacific Islands Forum Leaders had agreed to form an Eminent Persons Group to explore options for a negotiated resolution between the Qarase Government and the RFMF.

Also prior to December 5, Fiji's peak indigenous body, the Great Council of Chiefs (GCC) had sought to mediate the escalating conflict. In an emergency meeting on December 20 and 21, the GCC resolved to denounce the military takeover as illegal, but also proposed a negotiated resolution in which the Qarase Government would resign, the military would return to barracks and the pre-coup President, Ratu Josefa Iloilo, would be advised by a "privy council" of community and political leaders in the appointment of an interim civilian government to lead the nation to fresh elections. The RFMF ignored this proposal, however, and maintained an earlier refusal to meet with representatives of the GCC.

On 4 January 2007, Commodore Bainimarama announced that he had returned executive authority to the President, Ratu Josefa, and Dr Senilagakali had resigned as Interim Prime Minister. The same day, Ratu Josefa declared his support for the military takeover and appointed the Commander himself as Interim Prime Minister. This was a dramatic reversal of a press statement issued by the President on December 5, in which he condemned the actions of the RFMF as illegal. Ratu Josefa also announced his intention to form an Interim Government to lead the country to fresh elections. The mandate of this government would include upholding the Constitution, securing immunity from prosecution for officers and soldiers of the RFMF, reforming the electoral system, combating corruption, and lifting the living standards of Fiji's poor.

On January 8 and 9, the President swore in 14 civilians nominated by the RFMF as Interim Cabinet Ministers. A fifteenth Interim Minister, who was absent from Suva at the time, is expected to be appointed in the next few days.

## Causes of the conflict

The causes of the conflict between the RFMF and the Qarase Government date back to Fiji's previous coup, on 19 May 2000. After the RFMF had negotiated the release of hostages by Mr Speight and his group in July of that year, Commodore Bainimarama installed an Interim Civilian Government with Mr Qarase as Interim Prime Minister.

Members of the Interim Civilian Government soon fell out with the RFMF Commander, however. The turning point in the relationship may have come when Mr Qarase and his colleagues formed a new political party, the Soqosoqo Duavata ni Lewenivanua (SDL), to contest national elections called for August-September 2001. Commodore Bainimarama has often said this was not part of his "understanding" with members of the Interim Civilian Government when they were installed.

The SDL won more parliamentary seats in those elections than any other party and formed Government in coalition with the explicitly pro-coup Conservative Alliance Matanitu Vanua (CAMV). This had the effect of cementing the rift between the RFMF and the Government, because the RFMF was committed to seeing the perpetrators of the coup brought to justice, while the CAMV wanted them to be granted amnesty or pardoned. Commodore Bainimarama's personal determination to see the coup perpetrators punished had been strengthened by a mutiny at the Queen Elizabeth Barracks on 2 November 2000, in which rebel soldiers of the Counter Revolutionary Warfare (CRW) Unit made an attempt on his life. These same soldiers were facing a court martial for lending their support to Mr Speight earlier in the year.

Relations between the Qarase Government and the RFMF deteriorated from then on. Mr Qarase and his Ministers made several attempts to remove the Commander from office, initially by persuasion (a choice of diplomatic postings in 2001), later by resisting the renewal of his contract (2003-4), and finally by advising the President to remove him (see below). None of these attempts succeeded.

Matters took a turn for the worse when the investigation and prosecution of coup perpetrators started to catch up with traditional chiefs, parliamentarians and other high public office bearers who were members of, or close to, the Qarase Government. The Government reacted by allowing a number of perpetrators to remain in office (and continue receiving salary and other benefits) after conviction, granting early release to those imprisoned, and expelling from the country the Deputy Director of Prosecutions, an Australian who had led the coup prosecutions.

In May 2005, the Government introduced into Parliament the Promotion of Reconciliation, Tolerance and Unity (PRTU) Bill, which proposed the establishment of a Reconciliation and Unity Commission to investigate the coup, award compensation to victims, and grant amnesty to perpetrators. The amnesty proposal provoked widespread opposition - not least from the RFMF. Commodore Bainimarama was reported to have said that, if Mr Speight was released from Nukulau (the island where he was then imprisoned), Mr Qarase would be the next prisoner sent there.

National elections were due to be held in 2006, and the introduction of the PRTU Bill marked the beginning of the Qarase Government's campaign for re-election. While the Government portrayed the PRTU Bill as a package of measures for achieving reconciliation both within and between Fiji's ethnic groups, public opinion on the Bill tended to divide people along ethnic lines. Many indigenous Fijians supported it, but most ethnic Indians, who saw themselves as the primary victims of the 2000 coup, suspected it was really just a means to enable perpetrators of that coup to escape justice. Occasional public statements by members of Mr Qarase's minor coalition partner, the CAMV, tended to confirm ethnic Indians' suspicions.

The elections were ultimately called for May 2006. This was earlier than expected and preparations

by the Elections Office were hasty and marred by widespread complaints of inaccuracies in the electoral rolls. The SDL's campaign was characterised by promises directed at indigenous Fijians, including a proposed new law on customary fishing grounds and a tribunal to investigate claims concerning the loss of ancestral land. Mr Qarase was accused of inciting racial hatred by warning that the election of an ethnic Indian Prime Minister - meaning the leader of the opposition Fiji Labour Party (FLP), Mahendra Chaudhry - could lead to civil unrest or even a coup. Commodore Bainimarama renewed controversy over the role of the military in Fiji's democracy by publicly denouncing the SDL's election promises. He said the RFMF would not allow a coup to take place after the elections, no matter who was in government.

Several teams of local and international monitors observed the final days of election campaigning, polling at stations across the country from May 6 to 13, the counting of votes and announcement of the results. All the international monitors reported a range of problems but nonetheless concluded the elections were "free and fair".

In the result, the SDL party was narrowly re-elected over the FLP, with voters heavily polarised along ethnic lines. The SDL received over 80% of the votes of indigenous Fijians, and the FLP over 80% of the votes of ethnic Indians.

The re-elected Qarase Government announced that a revised version of the PRTU Bill (which had lapsed prior to the elections) would be introduced in the new Parliament. Two other Bills, designed to fulfil SDL election promises concerning customary fishing grounds (the Qoliqoli Bill) and ancestral land claims (Indigenous Claims Tribunal Bill), also drew RFMF anger after the May elections. Commodore Bainimarama said these Bills would take Fiji back to "the days of grass skirts, canoes and cannibalism" - by which he appears to have meant they would cause division and conflict among indigenous Fijians.

Towards the end of October 2006, Commodore Bainimarama demanded that Mr Qarase scrap these three Bills or resign within three weeks. The Government responded by advising the President, Ratu Josefa, to remove the Commander. The President did so on October 31, while Commodore Bainimarama was out of the country. However, the Commander's intended replacement declined to accept the appointment, saying he did not have the support of other senior military officers. On his return to Fiji, Commodore Bainimarama issued Mr Qarase with a new list of nine demands and a two-week deadline.

The Commissioner of Police, Andrew Hughes (an Australian), was drawn into the conflict as it escalated, and left the country on November 28 after his family received death threats. Speaking after his departure, Mr Hughes said he had left Fiji because he was becoming part of the problem between the RFMF and the Government. He also claimed the real reason why Commodore Bainimarama was threatening the Government was that he wanted to stop police investigations into the alleged beating to death of rebel soldiers in the aftermath of the mutiny at Queen Elizabeth Barracks on 2 November 2000. Mr Hughes suggested the Commander could be personally implicated in these deaths.

On November 29, Mr Qarase met with Commodore Bainimarama in Wellington for crisis talks brokered by the Minister for Foreign Affairs of New Zealand, Winston Peters. Mr Qarase announced the following day a range of concessions to the RFMF. However, Commodore Bainimarama rejected these as inadequate.

### **Civilian responses to the coup**

There have been isolated public protests since 5 December 2006 but no violent uprisings against the

RFMF. After negotiations with major media outlets, the RFMF agreed to respect press freedoms and has generally kept to its word. Civil society was initially vocal in condemning the coup. However, the RFMF has issued public warnings against criticism of its actions, and several democracy activists and coup opponents have been questioned, detained and even beaten by soldiers over the past month. There has also been one alleged killing by soldiers, although the circumstances remain unclear.

The RFMF has also staged a campaign to justify the coup by gathering evidence and publishing allegations of corruption in the deposed Government. Public opinion appears to have become increasingly divided as a result, with many ethnic Indians and at least some indigenous Fijians feeling that Mr Qarase and his colleagues deserved what they got.

The Fiji Human Rights Commission has provoked criticism by publishing a report that argues the military takeover was legal and justifiable. A number of key institutions that initially opposed the coup, including the Methodist Church of Fiji and the Great Council of Chiefs, have announced their support for the Interim Civilian Government appointed on 8 and 9 January 2007.

## **Comment**

This is the fourth coup that Fiji has experienced in the past 20 years, after two military takeovers in quick succession in 1987 and one civilian-led coup in 2000. This latest coup differs from the earlier three in that the perpetrators of the 1987 and 2000 coups claimed they were acting to save indigenous Fijians and their land from subjugation to other ethnic groups, while in 2006 the RFMF Commander claimed to be acting to combat corruption. The 2006 coup is therefore the first one not to be purportedly justified by ethnic concerns - although there are inevitably claims that it is secretly backed by ethnic Indians as "payback" for the 2000 coup.

Many commentators, including the Citizens' Constitutional Forum (CCF), believe that Fiji is now in the grip of a dangerous "coup cycle" that needs to be broken if the country is to have any hope of achieving long-term prosperity. Breaking this cycle will at least require de-politicisation of Fiji's military, and possibly much wider social change.

The legality of the latest coup is a matter of controversy. Based on judicial authorities established after the coup in 2000, the CCF's legal advice is that the 2006 takeover was illegal. This is despite the contrary arguments put forward by Commodore Bainimarama and the Fiji Human Rights Commission. The President's belated support for the takeover does not, the CCF believes, change the legal position. However, the Chief Justice and Chief Magistrate have been sent on indefinite leave by the RFMF and it is unclear whether a court challenge against the coup, if mounted, would be allowed to proceed without interference. If fresh national elections are held before the courts can rule on any such challenge, they may well decide that the newly-elected Government is in effective control of the country and the legality of the coup has become a moot point.

## **Information about the author**

Rev Akuila Yabaki, is a Fijian human rights activist and Methodist clergyman. He is currently the Executive Director of the [Citizens Constitutional Forum](http://www.ccf.org.fj/), a pro-democracy organization. The Citizens' Constitutional Forum (CCF) has existed since 1993 when concerned citizens of the country began to hold national consultations on constitutional matters.

Web site: <http://www.ccf.org.fj/>.

## Nautilus invites your response

The Austral Peace and Security Network invites your responses to this essay. Please send responses to the editor, Jane Mullett: [austral@rmit.edu.au](mailto:austral@rmit.edu.au). Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent.

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