

Vanuatu government expels Australian police

By Patrick O'Connor
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The Vanuatu government expelled 12 Australian Federal Police (AFP) agents last Thursday. The move was in retaliation for the highly provocative arrest of one of Prime Minister Sato Kilman's secretaries in Sydney airport on April 27.

Kilman was leading a government delegation that was en route to Israel when he and his colleagues were suddenly forced to move from the Sydney airport transit area. The delegation was told to fill out immigration and customs entry forms, and was taken to the customs area, which is under Australian government jurisdiction. The Vanuatu officials then noticed that the prime minister's secretary, Clarence Marae, was missing. Only after making enquiries were they informed that Marae had been arrested by the AFP.

The government official has been taken to Brisbane and remains in detention, on charges of conspiring to defraud the Commonwealth. Several media outlets suggested the arrest was connected with a tax evasion investigation.

Vanuatu has been targeted by the AFP and Australian Taxation Office (ATO) as part of their "Project Wickenby" campaign against offshore tax evasion. Launched in 2006 and provided with \$430 million in government funding, "Project Wickenby" has resulted in more than 20 convictions in Australia for tax evasion. Vanuatu has Swiss-style banking secrecy laws and zero tax rates for international investors. A recent Australian government report noted that funds going from Australia to the country declined by 50 percent between 2003 and 2011 as a result of the ATO-AFP project.

Marae's arrest was highly dubious and may prove to be unlawful in the Australian courts. Prime Minister Kilman described it as a "kidnap", as well as "a breach of diplomatic protocol" that "infringed on the sovereignty of the country". Kilman told the *Vanuatu*

Daily that Australia and Vanuatu had arrangements covering such matters, and that Marae ought not have been issued a transit visa. "They were aware, yet granted the visa which led to the arrest," he explained.

Professor Richard Herr of the University of Tasmania told the ABC: "There are procedures for doing these things. Why wasn't he simply extradited, or extradition sought?"

The incident has certain parallels with the treatment of former Solomon Islands' attorney general Julian Moti. The lawyer was subjected to a protracted, politically motivated Australian government vendetta, which began with his illegal arrest in September 2006 on the orders of the AFP in a transit lounge of an airport in Papua New Guinea. In December last year the Australian High Court barred all the charges laid against Moti after ruling that Canberra had colluded in Moti's illegal "disguised extradition" from the Solomons in 2007.

The arrest of the Vanuatu prime minister's secretary underscores the Australian government's contempt for diplomatic protocol and basic legal norms when dealing with South Pacific governments. In response to a Vanuatu government demand for an apology, Australia's Department of Foreign Affairs and Trade issued a statement merely declaring: "We regret that it was necessary to make the arrest during Prime Minister Kilman's transit."

The Kilman government then gave the AFP agents in Vanuatu 24 hours to return to Australia.

Foreign Minister Bob Carr responded: "I'd be very happy if Vanuatu, regarded by us as a close friend, would find it possible to reconsider this decision. I think it's in their interests. Our assistance to their police force has been substantial."

In reality, AFP "assistance" is aimed at bolstering Canberra's domination of the region. Vanuatu is one of

many South Pacific countries in which Australian police are stationed, with their salaries funded by money designated as foreign aid. Marc Neil Jones, publisher of the *Vanuatu Daily Post*, told ABC Radio: “The main concern with the general public is with all the AFP here how much is actually going into assisting the Vanuatu police, and how much is going into doing their own investigations on concerns over avoidance of tax from Australia.”

The AFP’s departure follows last year’s expulsion from Vanuatu of Ari Jenschel, a former Australian Defence Force lawyer, who had been working in the Vanuatu attorney general’s office as part of an Australian aid program. Using the pretext of promoting “democracy” and “good governance”, Australian officials have been inserted in many Pacific countries’ legal systems, central banks, and government departments. Jenschel was accused by Vanuatu police of espionage, though he denied the allegations. He allegedly copied sensitive government documents and sent them to Canberra, and also assisted the AFP with “Project Wickenby” cases.

The erosion of the Australian government’s position in Vanuatu will raise serious concerns in Canberra. Australian imperialism regards the entire South West Pacific as its geo-strategic patch and works with Washington to keep rival powers out.

In the last decade, however, China has increased its influence in the region. Vanuatu’s national parliament was constructed with funds donated by Beijing. The headquarters of the Melanesian Spearhead Group—a regional diplomatic body that threatens to rival the Australian-dominated South Pacific Forum—is in Vanuatu and was also built by China. The Chinese government also supplies uniforms and vehicles for the paramilitary *Vanuatu Mobile Force* (VMF). The head of the VMF, Lieutenant Colonel Aru Maralau, previously spent three years in China, training with the People’s Liberation Army. In 2010, Chinese naval ships visited Vanuatu for the first time.

Kilman faces national elections later this year. The Australian government will no doubt be doing everything that it can to block his re-election. In 2004, then Vanuatu Prime Minister Serge Vohor made a similar move to expel AFP agents from the country, accusing them of espionage and interference in domestic politics. Vohor quickly retracted the

expulsion order in the face of threats from Canberra, but Australian officials nevertheless helped instigate his removal from office via a parliamentary vote of no confidence.

Vohor, now leader of the opposition, appears to be angling for Australian support amid the latest diplomatic row. Radio New Zealand reported that he has declared that “it is wrong for the government to retaliate because Australia is an important development partner for Vanuatu”.

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