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New Caledonia

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The Contemporary Pacific, Volume 32, Number 2, 2020, pp. 570-578 (Article)

Published by University of Hawai'i Press

DOI: <https://doi.org/10.1353/cp.2020.0054>



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NEW CALEDONIA

After 2018, which saw the first self-determination ballot on 4 November, 2019 was a year of gradual return to business as usual, more or less. The major highlights of the year were the cascading renewal of all congressional, provincial, and government institutions as a result of the provincial elections in May and economic and budgetary problems, which had accumulated after years of excessive government spending in preparation for the first self-determination vote. The mining sector was also extremely fraught with problems.

The year began and ended with the mining sector. The nickel industry has changed dramatically in recent years, which has left the Société le Nickel's (SLN) historic Doniambo plant in Nouméa in bad shape. A low-cost industry has developed, and 50 percent of the world's nickel is produced at a price of US\$4 per pound, while SLN produced it at US\$6.43, with an average nickel price over the last three years of only US\$5. At the current rate, the €200 million loan granted by the French government in

April 2016 is likely to be depleted by the end of 2019 (€1 million = about US\$1.2 million). The first urgent solution was to allow the export of lower grade nickel ore (1.8 percent), which SLN cannot use, and thus optimize the exploitation of its mines. In April the Government of New Caledonia gave the green light to export up to four million tons of low-grade nickel ore per year for a period of ten years. This is a first blow for the "nickel doctrine," which favors local industrial transformation.

A long-term solution is to significantly lower the cost of energy by building a modern power plant; curiously, it is the country and not SLN itself that will build it (LNC 2019f). On 24 October 2016, SAS Nouvelle-Calédonie Énergie (NCE) was created, and since July 2018 it has been owned by the Caledonian Energy Agency (50 percent), Enercal (40 percent) and SLN (10 percent). French National Assembly member Philippe Gomès (Calédonie Ensemble, or Caledonia Together) has been NCE's president since its creation. However, there was a real risk of incompatibility with his political mandate, NCE being intended to contract loans guaranteed by the French state and to receive funds from New Caledonia. This risk became reality in November 2018, with the Constitutional Council of France ruling that there was an obvious incompatibility (Constitutional Council of France 2018). Gomès had to resign and was indicted on 4 April 2019 for having an illegal interest in the company (Radio Rythme Bleu 2019). Despite this, he maintained that he had no personal interest in NCE and that he was immensely proud

to have acted to get the power plant project off the ground.

By that time, the electoral campaign was already underway. The anti-independence (self-identifying as “loyalist”) party *Avenir en Confiance* (Future with Confidence), led by Sonia Backès, harshly attacked the pro-independence parties by accusing them “of creating the conditions for SLN’s bankruptcy, with the aim of taking control of its mining lands, with the result of the destruction of hundreds of jobs and economic and social consequences that would be catastrophic for the Southern Province and CAFAT [the social security fund]” (NC Presse 2019b). SLN was having problems, but dark clouds also continued to hang over the Southern Caledonian Vale plant. The much-feared announcement came on 3 December 2019 (*LNC* 2019l): the multinational company intended to sell 95 percent of its share in the hydrometallurgical complex, the remaining 5 percent belonging to the *Société de Participation Minière du Sud Calédonien* (South Caledonian Mining Holding Company), a holding company run by the three New Caledonian provinces. Vale announced US\$1.6 billion in asset impairment, which halved the value of the plant (Reuters 2019). This company, which was already struggling after the collapse of one of its dams in Brazil, has invested massive amounts of money in a plant that has not yet proved to be competitive. Not only were production targets not met, but the plant has accumulated losses for the past six years. The company therefore planned to shut down its refinery, which produced nickel oxide and cobalt carbonate, and focus solely on the

manufacture of nickel hydroxide cake, an intermediate product used in the manufacture of electric car batteries. Above all, Vale demanded a radical change in strategy: in addition to the export of a less processed product (the nickel hydroxide cake), it demanded access to the mineral reserves of Goro saprolites, richer in content than laterites, for export. However, the mining code reserves this resource for local industrial transformation, not for export. Vale required this access to the mine to balance its finances and to find a buyer. This quarrel will quickly become political, as modification of the mining code requires a majority in Congress, with a backdrop of employment blackmail and the arrival of Chinese companies. It would be a very serious blow to the “nickel doctrine” supported by the pro-independence parties. This question will certainly poison the atmosphere in 2020.

Along with the mining sector, the 2019 provincial elections, which ensured the cascading renewal of all congressional, provincial, and government institutions, were a highlight of the year. While the 2018 referendum on independence had reinforced the two blocs, pro-independence parties against anti-independence parties, political scattering prevailed in the preparation for the provincial elections: No fewer than 11 lists were filed for the Southern Province, compared with only 6 in 2014. On the anti-independence side, the duel between *Avenir en Confiance* (Backès) and *Calédonie Ensemble* (Gomès) dominated. However, they were not alone. Others included the far-right *Rassemblement National*, led by Alain Descombels; *Calédonie Nou-*

velle et Réunion, led by Édouard Léoni; and two Wallisian community lists, Éveil Océanien (Oceanian Awakening), led by Milakulo Tukumuli, and Destin Commun Calédonien, led by Giovanni Talafili. On the independence side, there was the joint list of FLNKS (Front de Libération Nationale Kanak et Socialiste) South, led by Roch Wamytan. The Parti Travailleiste stood alone for election with Cyprien Kawa, and there was also a small party, the Mouvement Indépendantiste et Souverainiste (MNIS), led by Luther Voudjo. Two lists were said to be nonaligned: those of environmentalist Martine Cornaille (Alliance Citoyenne pour la Transition Démocratique, Écologique et Solidaire) and Joël Kasarherou (Construire Autrement). In the Northern Province, Paul Néaoutyine's list, Union Nationale pour l'Indépendance, faced Daniel Goa, president of Union Calédonienne (UC) and leader of the UC-FLNKS list; Axelle Normandon of the MNIS list; and Rock Daoui, leader of a Parti Travailiste list. Anti-independence Alcide Ponga faced a Calédonie Ensemble list led by French Senator Gérard Poadja. With 8 different lists compared to 6 in 2014, the parties in the Loyalty Islands Province were also dispersed: the UC-FLNKS list, led by Jacques Lalié and including outgoing President Néko Hnepeune, faced that of Palika (Parti de Libération Kanak), led by Charles Washétine. The other lists were those of MNIS, led by Germaine Némia-Bishop; Parti Travailleiste, led by Louis Kotra-Uregeï; Parti de Libération Kanak et Socialiste, led by Oméra Naisseline, the stepdaughter of the party's founder, Nidoïsh Naisseline; and, finally, Unitaire Kanaky Généra-

tion, a "youth list" and dissident of Union Calédonienne, led by Davy Bolo. There was similarly no alliance between the anti-independence parties: the list led by Simon Loueckhote of Avenir en Confiance faced the list led by Jean-Éric Naxue of Calédonie Ensemble. The provincial elections took place on 12 May 2019. While voter turnout in the 2018 referendum on full sovereignty was an exceptional 80.63 percent, that of the provincial elections fell to 66.23 percent, which is a little lower than average (around 70 percent of registered voters). Paradoxically, the multiplication of lists seems to have had a demobilizing effect by making political choices more complex.

The pro-independence parties progressed by one seat in Congress (26 seats out of 54), but without obtaining the absolute majority goal they had set during the campaign. There were a couple of surprises from the polls: the anti-independence camp was marked by a sharp decline of Calédonie Ensemble (7 seats) in favor of the right-wing alliance Avenir en Confiance (18 seats), and a Wallisian community party, Éveil Océanien, joined the Congress with 3 seats (High Commission of the French Republic in New Caledonia 2019). With 26 pro-independence seats, 25 anti-independence seats, and 3 Éveil Océanien seats, the distribution of the 54 seats in Congress foreshadowed instability risks. The Northern and Loyalty Islands Provinces are in line with the political majority they had in previous years, but the Southern Province has changed hands, moving from Calédonie Ensemble to Avenir en Confiance, who obtained 20 out of

the 40 seats. The provincial executives were quickly elected: Backès in the Southern Province, Néaoutyine in the Northern Province, and Lalié in the Loyalty Islands Province. The election of Backès led to a psychodrama, which is a specialty of New Caledonian right-wing parties. Backès did not make any political opening to the *Éveil Océanien*. *Calédonie Ensemble* wanted to prevent an absolute majority of 21 to 19 by reelecting Philippe Michel, the former president, because he had the advantage of being the oldest contender. This tactic caused the departure of two elected members of the group in the Southern Province, Nina Julié (in Congress) and Nicolas Metzdorf, who created a new dissident party, *Génération*s (*LNC* 2019e). As an epilogue, on 18 July, the Assembly of the Southern Province elected Milakulo Tukumuli of *Éveil Océanien* as third vice president of the province.

After the election of provincial executives, it was time for the election of the president of Congress and then the collegial government. Pro-independence Roch Wamytan was elected president of Congress in the second ballot on 24 May with 29 votes (those of the pro-independence parties and the three *Éveil Océanien* members of Congress); opponent Magali Manuohalalo (who is of Wallisian origin) received 25 votes. Wamytan celebrated the results as “an Oceanian majority” (*La Première* 2019). His election allowed Congress to go back to its double flag colors, as the former president had unilaterally returned to having the Congress building illuminated only in the French flag’s blue, white, and red at night (*LNC* 2019b).

After having voted for Backès in the

Southern Province, then for Wamytan in Congress, *Éveil Océanien* joined the list of *Avenir en Confiance* for the government. Four lists were submitted: *Avenir en Confiance*, *Calédonie Ensemble*, *Union Nationale pour l’Indépendance*, and *UC-FLNKS*. The eleven-member collegial government was elected on 13 June under the usual system of proportional representation, with five members from *Avenir en Confiance* (including one from *Éveil Océanien*), one from *Calédonie Ensemble*, three from *UC-FLNKS*, and two from *Union Nationale pour l’Indépendance*. Because it takes six votes to elect a president and a vice president, the government was blocked. *Calédonie Ensemble* did not want to join *Avenir en Confiance* for the position of loyalist president; *UC-FLNKS* and *Union Nationale pour l’Indépendance* could not agree on a pro-independence vice president. Eventually, on 26 June Philippe Germain, the member from *Calédonie Ensemble*, announced that he would personally vote for Thierry Santa of *Avenir en Confiance*. *Calédonie Ensemble* announced that it supported his choice in order to avoid another problem. Santa was elected president of the sixteenth government on 28 June. It was not until 9 July that Gilbert Tyuïenon (*Union Calédonienne*) was elected vice president with the votes of *Avenir en Confiance* and of *Éveil Océanien*. Two spokespeople—loyalist Christopher Gygès (*Avenir en Confiance*) and independentist Didier Poidyalwane (*Union Calédonienne*)—were also appointed. On the same day, the government assigned ministerial portfolios to its elected members. The Customary Senate renewed its presi-

dent (Hippolyte Sinewami-Amumu of Nengone area) on 30 August 2019 (Government of New Caledonia 2019). It was hard work, but all the congressional, provincial, and government institutions were renewed at last.

The next step was to prepare for the Signatory Committee meeting scheduled for 10 October 2019 in Paris to work on the second referendum on the country's self-determination. *Avenir en Confiance* wanted the second referendum to be held as soon as possible—as early as July 2020, after the municipal elections in March—and requested that an economic recovery plan be debated in Paris. UC-FLNKS refused to join the economic debate, as they considered economic questions to be the responsibility of the government, not the Signatory Committee. The FLNKS parties went to Paris as a joint delegation. The second consultation was set for 6 September 2020, a little before the 3 November deadline. The rules of the consultation, such as the question to be asked (Do you want New Caledonia to accede to full sovereignty and become independent?) remain unchanged. Most notable was the evolution of political posturing. *Calédonie Ensemble* had usually presented itself as the party of the “Caledonian people.” To the contrary, Virginie Ruffenach, officially representing *Avenir en Confiance* at the Signatory Committee meeting, presented her group as “We, the French in New Caledonia” (NC Presse 2019a), which does not bode well for a common New Caledonian destiny. The New Caledonian people were supposed to arise from a shared “yes” to a common destiny in a common country

by overcoming the French-Kanak opposition. With the return of ineffective dialogue between the French and Kanaks, there is now a perceptible risk of three successive “no” results in the referenda.

Skepticism prevailed after this twenty-ninth Signatory Committee meeting. French Senator Pierre Frogier (*Avenir en Confiance*) made the most radical statement from Paris. He first anticipated that “whatever the outcome of the referendum, no one will submit to it.” He then proposed that “each of the provinces should be able to define the relations it intended to have with the French State” (LNC 2019i). He thus waved the specter of the partition of the country. This is formally prohibited by the Nouméa Accord, as stated in point 5: “The result of the poll will apply comprehensively to New Caledonia as a whole. It will not be possible for one part of New Caledonia alone to achieve full sovereignty, or alone to retain different links with France, on the grounds that its results in the poll differed from the overall result.” Reactions were very mixed. Wamytan spoke of the “Mayotte trick”—referring to the island in the Comoro archipelago off East Africa that France has been retaining as an overseas possession based on the argument that its inhabitants voted against independence, unlike the three other Comoro Islands—and deemed the prospect “unacceptable” (LNC 2019a). Backès then announced her perspective: “Give almost all of the powers to the provinces so that each can implement its own political orientations, leave the French State to exercise sovereign powers, and reconstitute a kind of

council executive bringing together provincial presidents to harmonize what needs to be" (*LNC* 2019d). The political leader of the right implicitly supported the dividing of the country into three parts concealed behind a type of unity.

For its part, the French government has replaced its high commissioner in New Caledonia. On 10 July 2019, Laurent Prévost was appointed high commissioner through a French Cabinet decision, replacing Thierry Lataste. During an interview just before his departure, Lataste warned about what the French state would do in the event of a triple "no": "If the link with France is maintained, there will no longer be any basis for everything that derogates from the French Constitution in the statute of the Nouméa Accord. Which electorate for the 2024 provincial elections? What provisions on local employment?" (*LNC* 2019k). What he blandly announced was the assumption of a "sunset clause" of the Nouméa Accord—of going back to "normal" rules. However this assumption is directly contrary to the constitutional irreversibility rule stated in point 5 of the accord: "For such time as the polls have not been in favour of the new political organisation proposed, the political organisation set up by the 1998 Agreement will remain in force, at its latest stage of evolution, without there being any possibility of reversal, such 'irreversibility' being constitutionally guaranteed."

The management of everyday business took up the rest of the year. International diplomatic visits showed the parallel and contradictory diplomacy of the presidents of Congress and the government, and management of the

economic slowdown became difficult, with worsening public and social deficits. In February, New Caledonia and Vanuatu entered into a free trade agreement, without customs duties or quantitative restrictions, that would initially be limited to forty products per country, including not only food and agricultural products but also building supplies—a tiny step toward regional economic integration. In August, an exploratory economic mission from New Caledonia traveled to Fiji to determine the sectors of interest for exported services, with health and construction taking priority. In March, the specific agreement with Wallis and Futuna was reviewed. Later in the year, New Caledonia participated as a full member in the fiftieth Pacific Islands Forum Leaders Summit, held from 12 to 16 August in Funafuti, Tuvalu, around the theme "Securing our future in Oceania."

The first weeks of a mandate are often the subject of a significant political display: Wamytan went to New York in June to make a statement as chairman of the Congress during the session of the Special Committee on Decolonization. He also met the Speaker of the Vanuatu Parliament to assess the interparliamentary cooperation agreement. In Paris in October, he also signed a partnership agreement with the Corsican Assembly, chaired by independentist Jean-Guy Talamoni, sparking controversy.

Budget deficits dominated much of the second half of 2019, without any lasting solution. The observed deficits were huge, as an optimistic budget forecast for 2019 (including an increase in the overall budget of 3 percent and an increase in the distribution

budget allocated to the provinces of up to 4.3 percent) had obviously not been realized in a year of provincial elections. The general consumption tax collected 9 billion CFP less than expected, and New Caledonia had to borrow to overcome the cash flow deficit (*LNC* 2019h; US\$1 = about 107.23 CFP). On 19 November, CAFAT announced that it faced imminent insolvency and suspended paying health professionals. The government urgently released 4.5 billion CFP in subsidies, drawn from New Caledonia's treasury, and postponed other expenses. The most common solution discussed would consist of establishing an administrative public body to manage the CAFAT's debts, a body that would be financed by a dedicated tax, such as a government-proposed behavioral tax on sweet products. However, this would likely be insufficient, so the government president, Santa, is considering borrowing, particularly from the pension reserve fund (*LNC* 2019j). The CAFAT deficit led to harsh sparring between pro- and anti-independence leaders. Southern Province President Backès accused the Kanak of the North and the Islands of migrating toward the South, despite the Southern Province being limited by the legal distribution key to 50 percent of budgetary revenue. Northern Province President Néaoutyine was uncompromising in his reply, stating that the interprovincial migratory rate of Kanak has greatly reduced and that the population increase in the South is instead due to French immigration, which has seen 42,758 people arrive in ten years (*LNC* 2019g). Once again, these words do not bode well for a common Caledonian destiny.

After social services, public debate focused on hotel deficits. In New Caledonia, the main hotels belong to the provinces and are all in trouble, with an average 32 percent occupancy rate. The latest jewel in tourism, the Sheraton Déva, funded entirely by public money from provincial subsidies and tax exemptions, had a large operating deficit and jeopardized the Société des Hôtels de Nouméa (the Nouméa Hotel Corporation) (*LNC* 2019c). There was no magic wand, only more government subsidies. Housing was also heavily subsidized to save jobs in the years leading up to the referendum. The country has built far too many mid-range apartments (between free market and social housing) for tax exemption. Today, these tax exemptions are weighing heavily on public finances, and in November, the Société Immobilière de Nouvelle-Calédonie (SIC, the New Caledonia Real Estate Company, which builds social housing) had five hundred empty mid-range dwellings (Southern Province 2019). Its older housing stock is now difficult to rent. However, lowering rent prices, would result in financial losses for the SIC and create social ghettos. The decision will be difficult to make.

Two notable events ended the year, one bringing hope, the other sadness. On 17 December, the Parliament of Vanuatu passed, with the support of the University of New Caledonia, the National University of Vanuatu Act, the purpose of which is to provide higher education advancement and lifelong learning in Vanuatu through research, international cooperation, and training, teaching, and learning in both English and French. The sad

news was that New Caledonia burned like Australia. In November, a cloud of smoke caused by the megafires in Australia overtook the country and added to its own fires (37,000 hectares burned). Nature reminded us that the destinies of Pacific countries are interlinked.

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PAPUA

Renewed violence, access restrictions for outsiders, and imprisonment best encapsulate Papua’s calendar for 2019. Unlike in previous years, which each featured numerous issues, in 2019, two major issues dominated the whole Papua chronicle: the protracted conflict of Nduga and the racist attacks on Papuan students in Surabaya, East Java. Both issues not only have colored the media but also, more importantly, have affected local, national, and international politics.

The aftermath of the killing of road workers in Nduga District in December 2018 remained unresolved at the end of 2019. The joint operation of police and the Indonesian National Armed Forces (TNI) to hunt down the West Papua National Liberation Army (TPN-PB) led by Egianus Kogoya started in April 2019 when some six hundred Indonesian military personnel were deployed to the Nduga area (Pramono 2019, 30). The government troops took control of the district capital of Kenyam and remained stationed there. By the end of 2019, the joint operation had not yielded in either capturing perpetrators or securing the area. Colonel Jonathan Binsar Parluhutan Sianipar, the commander of the Nduga operation, made it clear that he will not stop “until the Free Papua Movement (OPM) is crushed” (Pramono 2019, 38).

On the other side, the Egianus-led TPN-PB continued their guerilla tactics, launching sporadic attacks on TNI posts and killing soldiers in Mugi district in March, May, and December (*Jakarta Post* 2019b; *Jakarta Post* 2019a; JPNN 2019). These attacks