

By VICTOR LAL

## **Does Fiji Need a Military? Part One**

The National Security and Defence Review (NSDR), or the DWP, was commissioned by the previous Qarase government on 2 September 2003.

A three-member Committee comprising an USP professor, an independent Australian military analyst (who acted as chairman), and a taukei Fijian, prepared the DWP. It was submitted to Prime Minister Laisenia Qarase on 9 February 2004.

In their introduction to the DWP titled 'Safeguarding Peace & Security', the Committee declared that Fiji does not face an external military threat but the principle challenge was domestic instability. In Chapter 8 of the DWP, the Committee called upon the Government to answer a number of questions in relation to the future of the RFMF. The questions were: Does Fiji need a military for defence purposes?

If not, how will the non-military functions (navy, engineers, and youth training) be redeployed?

If it does need a military, what for?

As a backstop to assist the Fiji Police Force (FPF) maintain order?

For peacekeeping? And if so, at what level?

In early May of 2006, Qarase, as Prime Minister, had confirmed that there was a Defence White Paper (DWP), but would not disclose any details. He said when his government got back into power after the 2006 elections; it would give serious attention to the recommendations in the White Paper.

### **Selection and Appointment of Commander**

The view was put to the NSDR Committee that the Constitutional Offices Commission, to reduce the scope of nepotism, should appoint the Commander RFMF in the same manner as the Commissioner of Police. It was claimed that this would promote a professional military ethos and potentially lesson tensions that arise within the military when it is perceived that promotion to the highest ranks is not based on merit.

This suggestion was not deemed appropriate by the Committee because of military's direct link with the Head of State, even if only symbolic; and the salience of ministerial responsibility for exercising civilian control of the military.

By convention, the outgoing commander advises the Minister on the options for his replacement. The Minister makes his decision and conveys it to the Commander-in-Chief (C-in-C) for agreement. The residual strength of the Fijian social structure, the DWP observed, meant that this was not just a symbolic process. Presidents can and have influenced the choice of commander. Although appointment on merit should be the norm, the DWP stated that the selection of a military commander was the prerogative of the government of the day. The Committee considered other options for selecting a commander, like a vote of the officer corps or parts thereof, but no satisfactory alternative emerged.

The term of appointment was not mandated, although Commodore Frank Bainimarama, was appointed for 5 years and had since been granted an extension. To improve accountability, the DWP recommended that consideration should be given to shortening the term of appointment of a commander to three years with the option of one extension not exceeding 3 years.

The letter of appointment should include: a list of outcomes the government expects the commander to achieve; a list of what would constitute grounds for dismissal; and a salary package. The DWP also recommends that the Constitution should be amended to require the Minister for Home Affairs to consult the Prime Minister on the appointment of a commander before making his recommendation to the C-in-C.

## **Part Two**

### **Defence Act and Home Affairs Ministry**

The role of the RFMF is defined in the RFMF Act (Cap 81), which states as follows: "The Forces shall be charged with the defence of Fiji, with the maintenance of order and with such other duties as may arise from time to time be defined by the Minister'. Cap 81 does not specify the procedures for authorising military support to the civil power or military support to the civil community." A replacement Defence Act was drafted in 1998.

In the three-member Committee's opinion, the Draft Act needed extensive revision that should include: (a) separating the provisions relating to the establishment of military forces from the disciplinary code to form two separate bills; and (b) recasting the Defence Bill in a logical form putting the basics up front including, the authority of raising forces, the role of the forces, authority for directing their employment, and provisions for calling them out in support of the civil power or civil authority.

The Committee however felt that the size of the RFMF did not justify a separate Ministry nor did it justify the establishment of Defence Council as recommended in the 1997 Defence White Paper, which was chaired by Brigadier Ian Thorpe, a former NZ RFMF commander. It had more detail on the military but less strategic analysis of the need for the RFMF. The 2004 DWP felt that it would seem appropriate, however, to change the name of the Ministry to reflect its focus on national security issues.

The 1997 DWP recommended the establishment of formal Defence Council comprising the Home Affairs Minister, Commander, and CEO with supporting committees. This was not implemented and in the opinion of the 2004 DWP it seemed unnecessary for such a small Fijian force.

However, the DWP recommended that the Minister for Home Affairs should issue a directive that defined control and how he intended to exercise it. The directive should require the CEO to advise and assist the Minister in exercising control. It should also advise the Commander that, while his responsibilities and relationship with the Minister for Home Affairs are undiminished, it is expected that he will furnish the CEO with the information necessary to formulate advice to the Minister on those matters relating to control of the RFMF.

The DWP recommends that the control measures include approval of:

- (a) defence legislation and regulations;
- (b) defence instructions;
- (c) defence policy;
- (d) organisations and establishments; and
- (e) major equipment proposals;
- (f) personal policy matters, such as conditions and terms of enlistment and discharge;
- (g) defence budget submissions;

- (h) the selection and appointment of officers to the rank of lieutenant colonel and above;
- (i) requests for foreign assistance; and
- (j) defence cabinet submissions.

Furthermore, since there was virtually no structured parliamentary scrutiny of security and defence policy or the performance of the relevant agencies, the DWP recommended that Parliament redress this deficiency.

### **Part Three**

The Defence White Paper Committee members recommended that the RFMF personnel should be slashed from the current 3,300 (in 2003) to 1600 to 1700. The cuts, except for the engineer regiment, should be made at Force headquarters, in the Infantry Force etc. The package of recommendations was designed to ensure that they provide no excuse for the RFMF to involve itself in domestic politics.

It did however very strongly recommend that the Fiji Police Force (FPF) must be reconstituted to assume full responsibility for maintaining law and internal security in the country rather than the military, which should have a secondary role of providing support to the police in times of crisis.

The DWP recommended that peacekeeping be the primary role of the RFMF, with a secondary role, to assist the FPF contains large-scale social unrest, terrorist incidents, search and rescue and other tasks when so authorised by the Minister. The DWP also called on the RFMF to freeze recruitment immediately.

The DWP was mindful of the potential backlash on its recommendations; for example, it might incite a revolt by the RFMF or elements of it, but was confident that the risk could be minimised by informing the RFMF of what was intended and the provision of adequate demobilisation arrangements.

As the likelihood reaction from Fijian extremists who saw the RFMF as the last bastion of Fijian rights, this risk could be minimised by a combination of public information and rapid intervention if violence erupted.

### **Part Four**

## **Prime Minister Qarase should lead National Security Policy**

The Defence White Paper recommended that the Prime Minister Laisenia Qarase led coordination of national security policy making and implementation. In particular, it recommended the following:

- (a) Responsibility for the direction and coordination of national security policy making and implementation be elevated to the PM's office;
- (b) A departmental CEO's committee on national security (CEOC-NS) be formed to review all policy submissions to the National Security Council (NSC) and that it subsume the functions of the Fiji Intelligence Committee (FIC), and other national security related committees;
- (c) A Directorate-General of National Security (DGNS) be formed within the PM's Office to provide a focal point for the coordination of national security policy and implementation, to provide the secretariat to the NSC and CEOC-NS, and be responsible for policy and intelligence assessment;
- (d) The Ministry of Home Affairs and Immigration (MHA&I) be restructured on functional lines.

On the other hand, if the status quo was to be maintained, the DWP recommended that, (a) the capacity of the MHA&I be strengthened; and (b) the secretariat of the NSC be separated from the intelligence staff wither by forming a separate office or transferring responsibility to the PM's office.

Regardless of which option was adopted, the DWP recommended that (a) membership of the NSC be explained to include the Minister of Transport and Civil Aviation (MT&CA) and the ministers representing the provincial administration (currently Fijian Affairs and Rural Development), and the Minister for Women (MWSW&PA);

- (b) the MHA&I give greater attention to personnel management, including education and training;
- (c) the MHA&I define the national security and intelligence responsibilities of provincial administrators for inclusion in their character or contracts;
- (d) the MHA&I be renamed the Ministry of National Security; and
- (e) the University of South Pacific (USP) be encouraged to establish a centre for security studies or incorporate it in the Pacific Institute for Advanced Studies in Governance and Development;
- (f) these recommendations take effect as soon as suitably qualified and experienced people can be found to coordinate the implementation of policy flowing from this review and ensure readiness of internationally mandated air and maritime transport security measures by mid-2004 and other deadlines.

## **Racial and Gender Composition**

Some senior military officers expressed to the Committee a desire to redress the gross racial imbalance in the Fijian dominated military as a way of improving community acceptance. For a military with a role in internal security, the DWP noted that there was a strong desire for redressing the imbalance but it should be deferred until the policies that might flow from this review had been implemented.

Thereafter, the DWP recommended, that an affirmative action would be required to breach the cultural barriers obstructing other races and ethnic groups joining the RFMF.

The small size and nature of the RFMF did not leave a lot of scope to employ women but the DWP suggested the gender balance needed to be addressed on the same basis as that of racial composition.

## **Part Five**

### **The RFMF: Dysfunctional Institution**

In the Defence White Paper's opinion, the RFMF was disoriented after years of policy neglect, the 2000 events and their aftermath, and withdrawal from Lebanon. Though the RFMF restored order in Fiji, it did not display cohesion throughout the events of 2000.

The Committee noted in its Report: 'Fiji has a strategic interest in the cohesion and professionalism of the RFMF. The RFMF is widely credited with 'saving the nation' in 2000 but in doing so it exhibited internal strains based on provincial rather than national loyalties.' Provincialism also undermined the unity of the RFMF in the 2000 crisis.

Several key personalities shared their time, knowledge, and experience to provide the background and information on which the review was based. The Committee also consulted the then Police Commissioner Andrew Hughes. The DWP concluded that the principal decision to be made was whether the police were to be given full responsibility for maintaining order. If so, judgements were needed as to when they would be ready to assume those responsibilities.

To recapitulate, the Government, the DWP recommended, needed to give the RFMF a clear and defined role, an external focus – peacekeeping- and cut away anything not associated with the role which might provide an excuse for the RFMF to involve itself in domestic politics.

*Editor's Note: In his conclusion, Victor Lal had added the following to the above in his 2006 expose:*

Commodore Frank Bainimarama, on the other hand, was still maintaining after the election that no one can remove him because he is not a civil servant but the military commander. And he refused to rule out martial law as commander of the RFMF. Let us hope that we do not provide him the opportunity to indulge in his flight of fantasy.

And if he continues to make unwarranted threats, the duly elected Government of the day must be prepared to charge him with insubordination or simply sack him from his dismissable post for terrorizing the nation in peace time.

The *Constitution of the Republic of the Fiji Islands 27<sup>th</sup> 1998* affirms the continued existence of the RFMF and provides for the military commander to be appointed by the President, on the advice of the Minister for Home Affairs, and for the commander to exercise executive military command subject to the control of the Government Minister.

It also provides for Parliament to make laws relating to the RFMF. These provisions are a firm base for civil control of the military. Commodore Voreqe Bainimarama has, for too long, been a law unto himself. He must be held accountable by the legal and constitutional bootstrap. The people of Fiji have spoken at the ballot box, and presumably his taukei Fijian foot soldiers, with them.

The President, as his Commander-in-Chief, must read to him the riot act or alternatively, thrown him and those who want to follow him, out of the military barracks. No democracy is safe from a raging and erratic 'military bull'.

## **Part Six**

## **Police take control of internal security**

### **The DWP and Fiji Police**

The Defence White Paper strongly recommended that internal security should be the preserve of the police rather than the military. Likewise, domestic intelligence gathering should be the task of the police and not the military, as the latter was engaged in during the 2001 general election.

The Fiji Police Force (FPF) has statutory responsibility for law and order, including internal security and anti and counter-terrorism. However, the DWP recommended that the military role in assisting the police maintain order in times of crisis be continued, when so authorised by the Minister for Home Affairs.

It also recommended that the police and the military agree on a list of possible assistance tasks and initiate or revise appropriate contingency plans and joint training. In its introduction to the DWP, the Committee noted that the FPF had a newly appointed Commissioner of Police, Andrew Hughes, who had begun instituting reforms that will take several years to reach fruition.

To succeed, however, police reform must be accompanied by reform of the whole justice sector as outlined in the SDP. As the FPF was preparing a 5 year strategic plan for endorsement by the National Security Council (NSC), the DWP on the FPF was restricted to those law and order issues that required external coordination and clarification of responsibilities. They included (a) the requirement for military assistance in times of crisis or emergency; (b) counter-terrorist responsibilities; (c) the division of responsibility between the RFMF Naval Division, or its successors, and the FPF; and (d) specialist skills, particularly divers and explosive experts.

Although the FPF was responsible for maintaining order and internal security, the RFMF had also been involved from time to time. If the RFMF was disbanded, the DWP suggested the police would have to maintain law and order and internal security against all corners.

If the RFMF was to be retained, as recommended previously, a decision had to be made about what police functions, if any, they might be called upon to perform and, correspondingly, what functions the police need not develop.

The 2004 Budget authorised the FPF to employ 2170 regulars and 1220 special constables giving a police population ratio of 1:266 citizens (assuming a population of 900,000), more than adequate by world standards. However, the archipelagic nature of Fiji, the poor road systems, the relatively large and dispersed rural population, and the volatile politics of Fiji, warranted the authorised manpower base and probably more.

The Police Mobile Force (PMF) was being rejuvenated and will comprise about 200 men, the DWP observes. The PMF was being modelled on the South Australian Star Force and will have responsibility for armed hold-ups, counter-terrorist incidents, search and rescue, riot control, explosive ordinance disposal (EOD), and diving.

However, according to the DWP, given the deep seated political tensions in Fiji there might be times when these resources could be overwhelmed by mass political movements or dissent. In these military assistance will be sought.

The DWP noted that the FPF was rundown over the last 15 years and the RFMF usurped or was required to exercise some police functions on a routine basis. The Government had now given priority to rebuilding the FPF, including the PMF, but this will take several years. Nevertheless, the threshold at which military support is needed is rising as FPF resources and professionalism rebound.

Consequently, the DWP recommended, when police reform has produced the desired result, final decisions could be made on whether to retain a military backstop to assist the police maintain order. Meanwhile, the DWP strongly recommended, the FPF should discuss with the RFMF the sorts of tasks that they could be expected to undertake should they be called out to assist the police and develop or maintain the appropriate plans and joint training.

On counter-terrorism, the DWP stated that the Government should be aware that the FPF's specialist assault capability, if required. Consequently, the FLP will need to develop understandings with potential suppliers of specialist assault units, particularly Australia and New Zealand, about how such operations will be conducted. A Memorandum of Understanding (MOU) has been signed with Australia covering many of these issues but it will need to be complemented by procedures, and practice.

Regarding maritime and waterway security, the DWP recommended that the current division of responsibility for maritime patrol between the FPF and RFMF Naval Division, or its successor, be retained due to the need for close coordination between inshore and shore based security needs. However, provision will have to be made for establishing and maintaining the water police units (or private security units) in the major ports and waterways.

The DWP, like its recommendation on the RFMF, recommended that the FPF should be encouraged to maintain the racial balance and accommodate female representation to the maximum degree possible. Moreover, although the CEO Ministry for Home Affairs and Immigration had no responsibility under the 1997 Constitution for the administration for the administration or operation of the FPF but he should retain the capacity to advise the Minister for Home Affairs on major policy and resource issues.

The FPF had played a substantial role in peacekeeping and continues to do. This experience, the DWP noted, will be useful in the future regional peacekeeping missions. Nevertheless, the DWP recommended that the Government and the FPF agree to a cap on UN peacekeeping commitments.

The DWP examined Fiji's strategic interests globally, regionally, and domestically and has identified and assessed the threats and challenges to Fiji's security. It concluded that (a) there is no external military threat to the sovereignty of Fiji; (b) trans-national crime and unsustainable resource exploitation is a growing threat to Fiji; and (c) that the greatest threats to Fiji's security are internal.

At the broadest level, the DWP concluded, the threat to internal security derives from the fundamental division of Fiji population into two large ethnic communities, and from the problems experienced in any cultural transition from traditional social and political life to modernity. The 'wild cards' most likely to challenge Fiji's national interests, ignoring global phenomena such as pandemics, major global economic collapses, and terrorist attacks elsewhere are:

- (a) governments that ignore the relentless drumbeats of progress and fail to implement the development plans effectively;
- (b) systemic decay from failing to tackle domestic and international crime and institutionalised corruption; or

(c) the convergence of events that might be managed individually but in concert can overwhelm the community, for example, the convergence of economic stagnation or decline with political instability, systemic decay and natural or man-made disasters.

## **Part Seven**

### **RFMF should not be involved in domestic intelligence gathering**

Another area the Defence White Paper examined was the issue of intelligence. It noted that the Government and its agencies required an intelligence system that could forewarn of emerging trends and threats in time to allow considered policy responses to pre-empt or ameliorate, or take advantage of threats or challenges as opportunity allows. It asked whether Fiji needs a national intelligence agency, and should membership of the Fiji Intelligence Committee (FIC) be changed?

The failings of the national security and intelligence machinery had been well documented in a Cabinet Memorandum dated 15 January 2002. The memorandum indicated that national direction was weak or non-existent, staffing of the National Security Assessment Unit (NSAU) had been run down and had become entwined with protective security, Special Branch (SB) responses to requests have been slow, SB lacked analysts and interpreters or access to reliable translation services, the NSAU did not have access to raw data, assessments were reactive rather than strategic, and little action flowed from assessments.

In summary, while the organisations listed above existed and functioned with varying degrees of effectiveness, collective performance had been deficient for a number of reasons, including (a) inadequate support to the National Security Council; (b) lack of priority and direction from Government; (c) lack of cooperation from relevant organisations; (d) the absence of an institutional culture; (e) inadequate policy and legislation, and (f) insufficient resources.

The DWP however recommended that according to democratic practice, the RFMF should not be engaged in domestic intelligence collection unless authorised to support the civil power. Nevertheless, it had been engaged in intelligence collection and public relations as part of the post-2000 recovery process. The DWP noted that all these functions should be the responsibility of the police and the departments and agencies of government.

The RFMF, on the other hand, should be collecting strategic intelligence related to its present and prospective peacekeeping operations and the basic intelligence needed to support the police when called out in support of the civil power. It should also ensure security of military personnel, weapons, equipment, classified information and infrastructure.

Moreover, the close relationship between criminality and politically motivated violence suggested that responsibility for covert intelligence collection and law enforcement should be vested in the one body – in this case the police and the Special Branch, recommended the DWP.

There was no need to establish another intelligence agency like the Fiji Intelligence Service that was disbanded in 1999. However, measures would be needed to ensure a proper division of tasking between criminal intelligence and the tracking down of individuals and organisations that had the potential for politically motivated violence.

Also, divisional security and intelligence committees were largely inactive due to lack of direction and feedback. The district security and intelligence committees had largely fallen into disuse for much of the same reasons. What reporting had been sighted was of a petty political nature illustrating the lack of national direction.

The reorganisation of regional security structures, the DWP recommended, needed a review of regional security structures and a revised directive to ensure that the necessary functions were incorporated in the responsibilities of provincial administrators.

Corruption, the DWP noted, was also bound to increase if trans-national criminals consolidated their existing operations in and through Fiji, if Fijians continued to view unaccounted public funding as a means of redressing the wealth imbalance, and if unscrupulous investors in natural resource exploitation, in particular fishing and forestry, saw advantage for quick returns. The potential for this was high and the consequences potentially devastating.

In this strategic setting, how best could Fiji organise its structures, processes and agencies to guide it towards a democratic, peaceful, secure and prosperous future?

In view of all the above factors, the DWP strongly recommended that the Fiji police assumed full responsibility for maintaining order and internal security in the country.

## **Part Eight**

### **‘Fiji Muslims potential incubator for Bin Laden’**

#### **Nadi Airport vulnerable to Islamic terrorist attacks, warned DWP**

The small Muslim community in Fiji, which has historically proved conspicuously law-abiding and loyal to the country, was a potential incubator for religious zealots in the age of al-Qaeda related global terrorism, said the controversial and secretive Defence White Paper (DWP) 2004 that was prepared for the previous SDL government.

But in order to counter the influence and infiltration of the al-Qaeda in the country the Fiji Muslims, the Defence Paper recommended, should be recruited as an ally for the Fiji authorities in the war on global terrorism. The Nadi international airport was another potential terrorist target from international Islamic terrorists, warns the DWP.

Global terrorism had global reach, and therefore, said the DWP, threatened Fiji. Osama bin Laden’s al-Qaeda network of Islamic extremists had links to organisations in Southeast Asia such as Jemaah Islamiyah and Laskar Jihad. While such groups had more reason and opportunity to mount attacks within Southeast Asia than in the Pacific Islands, the Bali bombings in 2000, the DWP stated, showed the havoc that can be caused by a single attack on an international tourist destination. Australians, who were an increasing proportion of Fiji’s tourists, may have been a specific target in the Bali bombing. This was because of Australia’s close alliance with the United States of America, the DWP noted.

As regards the potential terrorist attack on international airports, especially the Nadi international airport, the DWP pointed out that such an attack could take the form of a bombing within or close to the airport terminal, the placement of a bomb on an aircraft, the hijacking of an aircraft bound either to or from Fiji, or the launching of a short-range missile by a terrorist near the perimeter of the airport against an aircraft landing or taking off.

Moreover, according to the DWP, Fiji was vulnerable not only as a target for international terrorism, but also as a transit point for terrorists organising an attack elsewhere in the region. A terrorist attack targeted against the transport or tourism industry anywhere in the region, and especially in Fiji, would have a devastating impact on the national economy of the country.

Although the DWP did not directly impute any terrorist intention to the Muslim community of Fiji, it did highlight the danger of al-Qaeda inspired infiltration of the community: ‘The small Muslim community in Fiji, mainly Sunni but with a minority of Shia adherents has historically proved to be conspicuously law-abiding and loyal to Fiji. The community is unlikely to harbour or tolerate Muslim extremists. The Muslim community should be recruited as an ally for the authorities in the war on terrorism, but the conjunction of anti-Americanism, Fijian participation in Iraq’s transition-despite being on private contract-and perceptions of discrimination at home is a potential incubator for zealots.’

In a separate but related analysis of Fiji’s participation in the Iraq conflict, the DWP however discounted any potential threat to the country’s internal security from the former soldiers and police recruited by the Global Risks Strategies (GRS) to act as guards and escorts in Iraq. The three-member Committee had also consulted the GRS in the preparation of the DWP.

There was some concern, noted the DWP, that returning GRS employees who failed to find other employment may become a security risk themselves. This may be so but the people employed have previous military or police training so this ‘industry is not adding to the potential problem of unemployed miscreants with military skills’.

Moreover, the DWP concluded, ‘they have witnessed the political power of the gun at home so will not be exposed to anything new there either’.

On 21 February 2003, the Sudanese-born Sheikh Majid was expelled from Fiji, despite being resident here for 18 years, when his work permit expired. The Fiji immigration authorities, acting on US and Australian ‘intelligence’ reports, claimed that Sheikh Majid represented a security threat, despite non-disclosure of the alleged evidence. Sheikh Majid was the director of the Islamic Institute of the South Pacific, based in Suva, and had worked closely with Fiji’s Muslim community.

The president of the Fiji Muslim League and former Government senator Hafiz Khan, while denying that the expulsion was a part of the anti-Muslim phenomena sweeping around the world, had however expressed regret at the manner and haste in which Sheik Majid was expelled from Fiji.

The immigration officials had found \$30,000 cash in the Sheik's home, the money said to be a gift from a wealthy Saudi benefactor to the Fiji Muslims to celebrate Ramadan. The Muslim community had claimed that it was aware of the large funds and that no money had been spent without the approval of the Fiji Muslim Council.

The former Director of Immigration, Joseph Browne, went out of his way to reassure the Fiji Muslims that they were not being specifically targeted as a special religious group. Following Sheik Majid's expulsion, on March 3, Fiji signed an "anti-terrorism" pact with the Australian government. A year later, in 2004, the DWP once again focused on the Fiji Muslims.

Although the DWP had been with the SDL government since 2004, it was only in 2006, during the election campaign, and following the dangerous standoff between the Prime Minister Laisenia Qarase and Commodore Voreqe Bainimarama, that the former admitted its existence. Prime Minister Qarase however had refused to divulge the contents or recommendations contained in the DWP.