

Marginalisation of some Solomon Islanders by the Australian intervention

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There has been considerable debate over the past few years about the Australian Government's focus on the 'war on terror', both at home and abroad. However, little attention has been given to the impacts of Australia's Pacific 'war on terror' through its intervention in the Solomon Islands. This article seeks to focus on the Australian intervention in the Solomon Islands and the impacts of that intervention on the human rights of some Solomon Islanders. In particular, it highlights the difficulties caused by the immunity from prosecution of the Regional Assistance Mission Solomon Islands (RAMSI) and the impacts on the rights of prisoners as a result of RAMSI's influence in the prison system. The article also focuses on how the law-and-order emphasis of RAMSI has contributed to harshness in the treatment of juvenile offenders and other minor offenders.

Introduction

In July 2003, RAMSI, championed by Australia, arrived to restore law and order to the Solomon Islands. The Australian Government premised the intervention on the need to assist failing states in order to prevent them from becoming havens for terrorists. In particular, reports of a legal vacuum so close to our shores that it would make Australia significantly vulnerable to transnational crime involving drug smuggling, gun-running, identity fraud and people smuggling operating out of the Solomon Islands prompted government action (Australian Parliament 2003, 5; Wainwright 2003, 14).

Background to Australian intervention

To understand the current issues in the Solomon Islands, it is important to consider how the difficulties began. In 1998–99, internal conflicts began in the Solomon Islands and were described by locals as the 'tension'. The conflicts had a number of complex causes. The Solomon Islands is made up of a large number of different ethnic and language groups that were administered together by the British during colonial times, until independence was achieved in 1978. Conflicts in the late 1990s arose over land, the distribution of resources, ethnic tensions, the lack of economic opportunities and

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the displacement of rural communities in a move to a cash economy. Conflicts reached a crisis point around the capital, Honiara, on the island of Guadalcanal, as different groups moved there seeking employment, education and economic opportunities (Fraenkel 2004, 49). In 1998 and 1999, these conflicts generated into armed conflicts as a group calling itself the Guadalcanal Revolutionary Army (GRA) — also known as the Isataba Freedom Movement — formed and began evicting and harassing migrant settlers on Guadalcanal, most of whom were from the neighbouring island of Malaita. As a result, an estimated 24,000 settlers were evicted from rural Guadalcanal by November 1999, together with around 10,000 from Honiara itself (Solomon Islands Government 1999, 133). In response, Malaitans formed vigilante groups, set up roadblocks around Honiara and attacked GRA sympathisers (Fraenkel 2004, 77). In late 1999, the Malaitan Eagle Force (MEF) was formed in response to the GRA and the perceived lack of action by the government to resolve the problem. On 5 June 2000, the MEF, in a joint operation with the Solomon Islands Police Force, staged a coup that deposed the Solomon Islands Government. A new government was formed and, in October 2000, the Townsville Peace Agreement was signed by the national government, the GRA, the MEF and various provincial governments (Australian Parliament 2003, 4). The Peace Agreement averted continued conflict, but did not result in the successful disarming of militia groups. The availability of guns led to continual law-and-order issues, which in turn impacted significantly on the economy until RAMSI's intervention in 2003 (Australian Parliament 2003, 3).

Before the coup in 2000, the Solomon Islands Government of Prime Minister Ulufa'alua sought Australia's direct military assistance to protect the government from such an event (Fraenkel 2004, 161). However, the Australian Government refused these requests to 'intervene' directly in the dispute. In January 2003, the Foreign Minister, Alexander Downer, still did not support intervention in the Solomons. He said:

Sending in Australian troops to occupy Solomon Islands would be folly in the extreme. It would be widely resented in the Pacific region. It would be very difficult to justify to Australian taxpayers. And for how many years would such an occupation have to continue? And what would be the exit strategy? The real show-stopper however is that it would not work — no matter how it was dressed up whether as an Australian or a Commonwealth or a Pacific Islands Forum initiative. The fundamental problem is that foreigners do not have the answers for the deep-seated problems afflicting Solomon Islands. Ultimately the answers have to come from within ... At best our intervention would only delay the inevitable which is the Solomon Islanders themselves have to come to grips with the challenges they face. [*The Australian* 8 January 2003.]

Soon after, the Australian Government changed its position and in mid-2003 it

decided that intervention in the Solomon Islands was necessary to combat its deterioration into a 'failed state'. Australia's action was based on reports and perceptions that the lack of law and order in the Solomon Islands made it susceptible to terrorism and security issues that in turn may have impacted on Australia.¹

In July 2003, Australia — together with its RAMSI partners from New Zealand, the Cook Islands, Fiji, Kiribati, Nauru, Papua New Guinea, Samoa, Tonga and Vanuatu — arrived in the Solomons as part of 'Helpem fren'.² Within a short period, RAMSI collected 4000 weapons during a weapons amnesty (Australian Government 2004, 1). Finance officials also arrived to assist with budget problems. Police began to investigate and prosecute persons involved in crime committed during the tension. RAMSI charged 4000 people — including ex-militants, police and public servants — with offences. This was a considerable number in a country of around 500,000 people (Ausaïd 2006). Most Solomon Islanders were grateful for the restoration of law and order to their country and the restoration of their economy. However, those Solomon Islanders arrested by RAMSI became increasingly marginalised by RAMSI's approach.³ This was due in part to RAMSI's heavy-handed approach to restoring law and order. Juveniles and other minor offenders also suffered indirectly as a result of the intervention, because the courts took a tough approach in sentencing any type of law and order offences.

Exemption of RAMSI from prosecution

Unlike Australian police serving in Papua New Guinea, RAMSI forces operate with complete immunity from prosecution for any actions they take in the Solomon Islands (Ausaïd 2005, 40).⁴ The Solomon Islands Government was in no position to negotiate on immunity issues, having requested Australia's assistance. In fact, the Australian Government insisted that the *Facilitation of International Assistance Act 2003* be passed by the Solomon Island's Parliament in a form acceptable to Australia as a condition precedent to the intervention (Briton 2003).

1 One key factor in the intervention was a 2003 report by Elisa Wainwright of the Australian Strategic Policy Institute. The report, titled *Our Failing Neighbour: Australia and the Future of Solomon Islands*, outlined the issues and problems caused by the situation in the Solomon Islands.

2 This translates as 'Help a Friend'.

3 In other publications, the author has argued that a reconciliation-based system would have been more appropriate to assist in resolving the conflicts in the Solomon Islands. See Ruddock 2005.

4 This is because in 2005 the PNG Supreme Court held that the legislation providing immunity to Australian police was unconstitutional. See <www.abc.net.au/worldtoday/content/2005/s1367962.htm>.

While participating forces may be subject to their own internal disciplinary procedures, they are not subject to Solomon Islands law. The *Facilitation of International Assistance Act* at s 17 provides foreign forces with immunity from legal proceedings. It states: 'Members of the visiting contingent, the assisting country and any other country whose personnel are members of the visiting contingent, shall have immunity from legal proceedings in Solomon Islands courts and tribunals in relation to actions of the visiting contingent or its members that are taken in the course of, or are incidental to, official duties.' Likewise, the *Facilitation of International Assistance Act* provides the intervening forces with the ability to use premises free of charge unless otherwise negotiated and exempts them from tax laws, visa laws and immigration inspection when entering and departing the Solomon Islands.⁵

Some RAMSI officers have used this immunity to treat locals more harshly than they would in Australia. Early in the intervention, RAMSI officials drove Betel nut vendors out of the Rove market and forced them to set up their market on the outskirts of Honiara (Fraenkel 2004, 177). Those who continued to sell betel nut in the Rove area were fined. In late 2004, one betel nut seller was imprisoned as a result of not being able to pay her fine.⁶ Likewise, controversy resulted when the Governor-General was stopped and searched at Henderson Airfield, drawing an official apology from the Special Coordinator of RAMSI (Fraenkel 2004, 177). Locals whose vehicle was hit by a RAMSI vehicle in the early hours of the morning as it left a local night spot were also left without legal recourse for the damage.⁷

There are more serious examples of RAMSI relying on its immunity to behave inappropriately. In 2004, RAMSI forces, in conjunction with prison officials, organised and participated in a raid on Rove Prison. During that raid, RAMSI officers (mostly Australian Federal Police (AFP) investigators) took documents from prisoners' cells. These documents included personal diaries and legal correspondence of prisoners on remand, some of whom were still being investigated. One AFP investigator produced an affidavit containing extracts from the diary of one remand prisoner in response to a bail application.⁸ While the evidence was arguably illegally obtained, the comments from the prisoner — 'Death to RAMSI' — were

⁵ See, in particular, ss 11, 12, 15 and 16.

⁶ The author became aware of this incident during her employment as a solicitor for the Public Solicitors Office in Honiara during 2004.

⁷ This incident was discussed at length in the *Solomons Star* during early 2004 and, as a result, restrictions were placed on RAMSI officers attending local night spots. (Personal observation of the author in 2004.)

⁸ The author became aware of this incident while working for the Public Solicitors Office in Honiara during 2004.

hardly likely to assist his case for a bail and, as a result, his bail application did not proceed.⁹ Australian Protective Service (APS) officers also held one militia leader in the cells in the back of the courts, so that their fellow AFP officers could take photographs of the militia leader in handcuffs.¹⁰ Immunity from prosecution meant that these officers had little to fear from their behaviour.

Recently, a Solomon Islander has challenged the immunity of RAMSI officers. John Makasi is suing RAMSI for a breach of his constitutional rights, alleging that during an interrogation of him following the death of APS officer Adam Dunning, RAMSI officers were heavy handed and forced him to urinate in front of them. RAMSI has decided to waive its immunity and the case is to be heard by the High Court of the Solomon Islands (Foukana 2005, 17). This case will prove an important test of the treatment of suspects by RAMSI and, if successful, will ensure that greater restrictions are imposed on the methods used in RAMSI's criminal investigations.

Rights of prisoners

RAMSI has also had an effect on the rights of prisoners in the Solomon Islands. After the intervention, the Solomon Islands prison service employed several expatriate staff, which assisted in building a close relationship between the prison staff and RAMSI police forces. Ausaid also invested in new and expanded prison facilities to house the increase in the prison population, which improved the living conditions in the prison (Fraenkel 2004, 177).

Through this close working relationship, the police would often make recommendations to the prison authorities about the conditions in which prisoners on remand should be held. As a result, the prison service, on the advice of RAMSI, segregated several 'high profile' prisoners in a separate facility within the prison complex. The prisoners were confined for 23 hours a day in their cell, and largely had no association with other prisoners. They were allowed out of their cells for 40 minutes a day for exercise and 20 minutes for clean-up and showering. They were kept in these conditions despite the fact that there was no documentary evidence of any threats against these prisoners, and they were not subject to any disciplinary action (*Idu v Attorney-General*, 2004, at 3).

9 The author became aware of this incident while working for the Public Solicitors Office in Honiara during 2004.

10 The author personally witnessed this incident while working for the Public Solicitors Office in Honiara during 2004.

The practice of segregation of prisoners was the subject of a High Court challenge in the case of *Idu v Attorney-General*. In that decision, the High Court critically examined the practices of segregation and other issues arising from the housing of the prisoners, including the inspection of legal correspondence by prison authorities. The applicants — Benedict Idu, Joseph Sangu, Alfred Fa'aramoa and Didier Farsy — were prisoners held on remand or in custody at Rove Prison in Honiara. Benedict Idu and Joseph Sangu were described in the judgment as 'currently remanded for violence and other related offences connected with ethnic troubles'. Alfred Fa'aramoa was a convicted prisoner for theft-related offences committed when law and order was at its lowest. Didier Farsy was a convicted prisoner for unnatural sexual offences.

To defend the case, the Attorney-General put forward the basis on which these prisoners were held in solitary confinement:

IDU was placed in the High Security Unit because information provided by the Participating Police Force (PPF) is that 'he could be a threat to other MEF members in custody' and he could be a possible threat from members of the GLF' IDU is also charged with serious offences of murder, abduction and robbery.

SANGU was placed in the High Security Unit because of verbal information provided by the PPF that, as he is Harold Keke's brother, he was potentially at risk from other prisoners, particularly MEF members.

FA'ARAMOA was placed in the High Security Unit because of verbal information from the PPF that he should only be held with prisoners IDU and SAENI as he may be a threat to others.

FARSY was placed in the High Security Unit for observation when he was admitted on 23 October 2003, as he was considered to be a high risk of self-harm.

The applicants' solicitor argued that their segregation was invalid because the *Prison Regulations* provides no basis for segregating prisoners on the grounds of security concerns alone, but merely age and their conviction status. The regime imposed on the applicants was the same as that imposed for the punishment of prisoners. However, even the punishment regime was restricted under the *Prison Regulations* so that confinement was for a limited time.

The court found:

There is nothing wrong in having a separate High Security Unit in the Prison to cater for such classification. What is wrong though is in imposing the same or very similar regime to such classification as would have been imposed for prison offenders. That is wrong and unlawful. I have carefully considered the reasons given to justify the decision to impose

the regime for their confinement but cannot be satisfied that it is justifiable in the circumstances. Unless they have been subjected to any disciplinary action, the punishment regime should not be imposed on them. The unchallenged evidence adduced before me is that those Applicants classified as High Security Risk Prisoners had never been subjected to any disciplinary actions whilst in prison. They cannot therefore be subjected to the same regime adopted for the punishment of prison offenders. And to the extent such regime has been introduced for High Security Risk Prisoners that must be condemned as being in breach of the Prison Regulations, ultra vires and unreasonable. [*Idu v Attorney-General*, 2004, at 8.]

The case also examined the legality of the practice of prison officers opening and reading prisoners' mail from their lawyers. The applicants argued that the *Prison Regulations* which permitted the opening of legal mail contravened the applicants' common law rights to privilege over communications with their lawyers concerning legal advice or pending judicial proceedings.

The High Court examined the common law right of legal professional privilege and its fundamental importance in the effective operation of the adversarial system. In particular, the court cited international judgments that suggested it was a fundamental, constitutional and human right, including *AM & S Europe Ltd v Commissioner of European Communities*. The High Court relied on the judgment of *Regina v Secretary of State for the Home Department; Ex parte Leech* (Leech's case), where a similar situation arose in the UK. The UK prison regulations were similarly worded to those in the Solomon Islands. Steyn LJ in *Leech's* case said: 'It will, we suggest be an even rarer case in which it could be held that a statute authorised by necessary implication the abolition of a limitation of so fundamental right by subordinate legislation.' His Lordship found that regulations that impede such a right were ultra vires (*Idu v Attorney-General*, 2004, at 11).

In considering legal privilege over mail, Chief Justice Palmer examined the principle that every citizen has a right to unimpeded access to a court. The Constitution of the Solomon Islands contains a right to be afforded a fair hearing within a reasonable time by an independent and impartial court established by law and due process.¹¹ His Lordship urged that the relevant paragraph of the *Prison Regulations* be amended to reflect and protect the rights of prisoners to access mail unopened to ensure possible abuses are avoided (*Idu v Attorney-General*, 2004, at 13). His Lordship agreed to the various declarations sought about the lawfulness of certain prison decisions,

¹¹ The Constitution of the Solomon Islands 1978, s 10.

but declined to grant mandamus to direct and restrain the prison authorities' future conduct (*Idu v Attorney-General*, 2004, at 15).

The *Idu* case highlighted the importance of the basic rights enshrined in the Constitution of the Solomon Islands and the ability of the High Court to review the conduct of the government and RAMSI. These mechanisms have been crucial to ensuring that there are adequate protections of human rights when they are ignored by RAMSI.

Juvenile justice and minor offenders

Some magistrates in the Solomon Islands thought that the breakdown of law and order necessitated a harsh response to deter similar problems in the future. In these circumstances, it is not surprising that those arrested for minor crimes directly related to the tension received lengthy sentences, particularly if they came from ex-militia backgrounds.¹² However, young male offenders involved in minor crimes were often subject to similar treatment. This was because young males were often associated with lawless activities common during the tensions.¹³

The general approach of the Magistrates Court was also complicated by the fact that not all of the magistrates in the Solomon Islands have received formal training on juvenile justice issues. This resulted in difficulties with the implementation of the Beijing Rules, an international agreement about the minimum standards for treatment of juvenile offenders and its implementation in Solomon Islands law through the *Juvenile Offenders Act*.¹⁴ In particular, the *Juvenile Offenders Act* enshrines

12 For example, Alfred Fa'aramoa, ex-MEF militia and police officer, received a sentence of two years in jail for demanding with menace an amount equivalent to A\$800 in a customary law dispute. The author became aware of this while working for the Public Solicitors Office in Honiara.

13 For example, in one case, four youths from Guadalcanal had been involved in malicious damage of a leaf hut belonging to a Malaitan family who had resettled in their village. The dispute was resolved through the intervention of the chief between the relevant villages. The magistrate was reluctant to accept the settlement on the basis that this was the type of behaviour that had caused the tension (Ruddock 2005, 16).

14 The Solomon Islands has accepted the United Nations Standard Minimum Rules for Administration of Juvenile Justice, known as the Beijing Rules, which were adopted by the General Assembly on 29 November 1985.

certain principles — including that imprisonment should only be used where there are no other suitable options available.¹⁵

The failure of magistrates to consider the requirements of the *Juvenile Offenders Act* resulted in one case where a 16-year-old and his 17-year-old friend were jailed for three months for the charge of assault occasioning actual bodily harm.¹⁶ The two offenders had pulled at the bag of a person, knocking the victim to the ground. Two other adults with the juveniles had then assaulted the victim, causing injuries.¹⁷ On the first occasion the matter came before the court, the two juveniles were sentenced to a term of imprisonment. The court did not hear from defence counsel because the juveniles were not advised of their legal rights and did not have legal representation, nor was a pre-sentence probation report from the Social Welfare Department provided to the court, as required by the *Juvenile Offenders Act*.¹⁸

15 The *Juvenile Offenders Act 1972*, s 12(2), states that no young person shall be sentenced to imprisonment if that person can be suitably dealt with in any other way specified in s 16. Section 16 outlines a number of other options, including dismissing the charges, discharging them with sureties, probation, placing the juvenile in the care of a relative, fines, an order for guardian to pay a fine and good behaviour bonds. There are currently no juvenile justice detention facilities in the Solomon Islands. The Beijing Rules outline similar provisions at Art 17.

16 The author became aware of this incident while working for the Public Solicitors Office in Honiara. These cases are unreported and came to the attention of the Public Solicitors Office some two months after the two juveniles' imprisonment, and shortly before their release, making any repeal redundant in 2004.

17 The author became aware of incident while working for the Public Solicitors Office in Honiara.

18 The *Juvenile Offenders Act 1972*, s 9(8), states:

Before deciding how to deal with the child or young person the court shall obtain such information as may readily be available as to his general conduct, home surroundings, school record, and medical history, in order to enable it to deal with the case in the best interests of the child or young person and for this purpose may direct a probation officer to prepare and submit to it a report accordingly, and the court may put to the child or young person any questions arising out of such information or report, and for the purpose of obtaining such information or for special medical examination or observation or for the purpose of considering how to deal with the case in the best interests of the child or young person the court may from time to time remand the child or young person on bail or to a place of detention.

The Beijing Rules at Art 15 state that the juvenile shall have the right to be represented by a legal adviser or apply for free legal aid where it exists (and it does exist in the Solomon Islands, through the Public Solicitors Office).

The jailing of juveniles is a serious issue because until recently there was no separate detention facility for juveniles, and any imprisonment occurred in the main adult prison at Rove. In Rove Prison, juveniles are not segregated from the rest of the prison population (other than prisoners on remand), which seriously compromises their rights.¹⁹

The treatment of juvenile offenders is not a new issue in the Solomon Islands. In considering the Solomon Islands State Report, the Committee on the Convention of the Rights of the Child recommended that juvenile justice protection be provided to all children in the Solomon Islands up to the age of 18. It also stated that deprivation of liberty should only be used as a last resort and for the shortest possible period and that the Solomon Islands should guarantee that all children have the right to legal and other appropriate assistance (Committee on the Rights of the Child 2003, 11). The Committee likewise highlighted its concerns about the recruitment of children by militias during the tension and that there were no reported measures taken to rehabilitate child soldiers (Committee on the Rights of the Child 2003, 9). It also recommended that juvenile courts be set up and children be detained separately from adults. Despite these recommendations back in 2003, RAMSI and AusAID through Australia's assistance to the legal system in the Solomon Islands have yet to address all of these matters. This delay is adversely impacting on the rights and futures of young Solomon Islanders.

Harsh sentencing of minor offenders

The Magistrates Court can be tough on minor offenders. In August 2004, the High Court in Solomon Islands quashed the sentence of a young mother, Mary Kenilaua. The Magistrates Court had sentenced her to 12 months' imprisonment, five of which were suspended with seven months to serve for unlawful brewing or distilling of liquor (a local liquor, kwaso) in commercial quantities. The High Court instead substituted a fine of \$400 (*Kenilaua v Regina*, 2004, at 1). The High Court, in quashing the sentence, considered Kenilaua's personal circumstances as the mother of two young children, one nine months old who was still being breastfed, the other four years old. As her husband had recently deserted her, she was alone in supporting both children. The High Court also considered her good character, her guilty plea and the fact that there was no evidence that she made money out of the liquor. Likewise, the court overturned the sentences of her co-accused, who had received the same sentence, and substituted them with four months' imprisonment. Palmer CJ said that while custodial sentences were appropriate for brewing commercial

19 The author became aware of this while working for the Public Solicitors Office in Honiara.

quantities of liquor, immediate sentences of short duration were the most appropriate penalty (*Sisione v Regina*, 2004, at 3).

Another example of the tough sentencing of offenders in the Magistrates Court is the case of a 51-year-old man charged with going armed in public. He received a sentence of nine months' imprisonment for reportedly having in his possession a knife while watching the Magistrates Court in early 2004. The knife was later located in a search of his house. The man pleaded guilty to the offence and appeared unrepresented before the court. An appeal against the length of his sentence was later lodged by the Public Solicitors Office. On appeal, the High Court considered the facts that the appellant had pleaded guilty, had not threatened anyone with a knife and was a family man, as well as the fact that the offence was not serious. The High Court found that as he was a family man of good character, having stayed out of trouble for many years, the man's sentence should be significantly reduced (*Kunua v Regina*, 2004, at 2). Justice Mwanasalua found that the appropriate sentence was one month, three weeks and six days, which the defendant had served at the time of the appeal.

The harshness of sentencing of minor offenders by the Magistrates Court is not assisting in the rebuilding of the Solomon Islands and in building respect for the rule of law. Sentencing those charged with minor crimes to lengthy prison sentences only disadvantages their families, providing them with fewer economic opportunities, and breeds further resentment. The High Court has been prepared to set reasonable standards for criminal sentencing and to review many of the sentences, and has performed an effective check on the Magistrates Court. Further solutions through alternative methods of sentencing need to be investigated in the Solomon Islands to provide the courts with greater alternatives to imprisonment for minor offences.

Intervention as a solution?

Politicians in the Solomon Islands are now beginning to question the intervention and its impacts on the sovereignty of the Solomon Islands Government. They have also questioned the number of Australians in key positions in the Solomon Islands Government (ABC 2005; Marshall 2005). For example, the role of Police Commissioner at present is held by an Australian, as were the roles of Director of Public Prosecutions and Solicitor-General until recently. These concerns were echoed in a recent review of RAMSI, which questioned some aspects of the intervention. In particular, it found that Australians dominated the intervention and did not involve their Pacific Island colleagues in much of RAMSI's work (Pacific Islands Forum Eminent Persons Group 2005, 6). Most of the key investigations to date have been

controlled by Australian Federal Police or New Zealand Police, with little assistance provided by investigative police from the wider Pacific region, despite many of them having suitable skills to assist. The review recommended greater Pacific leadership in RAMSI to overcome these issues and an increased focus on reconciliation (Pacific Islands Forum Eminent Persons Group 2005, 7). Another criticism was that RAMSI has not implemented appropriate counterpart arrangements with Solomon Islands officials. Without Solomon Islanders' involvement in their own future and increased opportunities for them to participate and to be encouraged, mentored and trained to hold key positions, RAMSI's mission will not succeed over the longer term. With many expatriates in key positions when Solomon Islanders are available to perform those roles, resentment is growing.

A strong appeal system through the High Court has been important in tempering the impact of RAMSI and ensuring that appropriate protections are in place to safeguard the rights of Solomon Islanders. However, relying on the courts to soften the harshness of sentencing and prison conditions will not alone address the issues. The Solomon Islands Government is in an unenviable position of having granted immunity to RAMSI and having little direct power to redress some of these issues without fundamental changes to current Solomon Islands legislation to address immunity, human rights and sentencing procedures. In sentencing, it is crucial that a proper alternative system to jail terms is developed to ensure that those involved in less serious crimes can contribute to the rebuilding of the Solomon Islands. Many Solomon Islanders would feel happier with criminals doing much-needed road building or civic works rather than sitting in Rove Prison.

Critical to RAMSI's success over the long term will be the ability of Solomon Islanders to work on solving the causes of their conflicts, including the economic causes, and developing solutions that incorporate their own custom and culture to redress these issues. Another important issue is providing increased economic opportunity, both within the Solomon Islands and abroad. For example, the proposal by farmers to allow short-term farm labourers from Pacific Islands such as the Solomon Islands into Australia to pick fruit would provide much-needed economic capital back into the Solomon Islands (Maclellan and Mares 2006). Harsh punishments for those involved in crime, and breaches of their human rights while in prison, will not solve the problems of the Solomon Islands. Such an approach will only seek to further marginalise minor offenders and ex-militants and will cause greater conflicts in years to come. Without concerted action, this could lead to further problems and tensions in the future. Alexander Downer's own words against intervention could easily come back to haunt Australia if further work is not done to ensure that home-grown solutions develop that respect the human rights of all Solomon Islanders. ●

Postscript: This article was written prior to the election in the Solomon Islands in April 2006, which sparked recent unrest. These difficulties have highlighted the huge issues still facing the Solomon Islands. They have also continued to highlight many of the problems with the intervention of RAMSI.

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