8. France’s future role in the region

France has a long history in the Pacific region (see Chapter 1), and derives strategic benefits from being there. In recent years, France has exercised innovation and flexibility, backed by military force, along with significant economic and political investment in its collectivities and, to a lesser extent, the region, to maintain its presence.

As explored in Chapter 2, just 20 to 30 years ago, France’s behaviour created serious disruption and instability in the region. Its resistance to Vanuatu’s independence left a legacy of suspicion, resentment and violence, and was an indicator to Pacific neighbours of what might follow should similar circumstances arise in its other Pacific entities. France initially withdrew financial and other resources, supported rebellious forces, and intervened politically in the aftermath of Vanuatu’s independence, despite the democratic vote in favour of independence.

Chapter 2 also shows how France’s nuclear testing program, which persisted to 1996 despite regional opposition, strengthened negative feeling in the region towards France and, together with its veto of discussions of non-development problems in the Secretariat of the Pacific Community (SPC), resulted in the region forming a new regional grouping, the Pacific Islands Forum (PIF), in 1971. France’s mismanagement of Melanesian independence demands in New Caledonia alienated Melanesian and broader Pacific opinion further, resulting in the formation of the Melanesian Spearhead Group (MSG), potentially dividing hard-won South Pacific co-operation and consultation mechanisms. France’s policies in New Caledonia also prompted violence, and introduced destabilising extraneous terrorist factors such as Libyan links with Melanesian political parties.

Despite overtures in the 1980s to improve its image (set out in Chapter 3), it was only after France changed its policies, by ending nuclear testing and by concluding the Matignon and then Noumea Accords to address Melanesian independence concerns peacefully, that regional leaders, and the civil society they served, responded more positively towards France (Chapter 6).

As Australia and its immediate Pacific region confront the consequences of failures in governance within the region, against the background of global economic and environmental pressures, including climate change, and a tectonic shift in power relationships between the two great Pacific powers, the United States and China, they may well welcome the energy and resources of France, a significant Western ally present in the region, with similar values and interests here.
But, the history of France's presence, its motivations and recent practices in the Pacific, point to areas of risk to future stability, both within the French collectivities, and the wider region. These risk areas potentially undermine France’s ability to achieve its objectives in the region, i.e., to remain present, and to integrate its collectivities there. At the same time, they threaten regional security.

The uncertainties centre around two main areas: continued acceptance of the French presence by Pacific island leaders; and the continued peaceful, workable, democratic status of France’s Pacific collectivities, particularly New Caledonia, on which wider regional acceptance hinges.

**Regional acceptance**

Chapter 6 shows that, at the broadest level, France has succeeded in establishing itself as an accepted presence and major bilateral partner in the region, albeit with some continuing unease, and certainly with perceptions that it is an outside power. In the wider Pacific, France moved beyond its activity, initiated in the 1980s, simply to alter perceptions in the region about itself, by working to change its unpopular policies and to support concrete regional and bilateral aid programs relevant to the region’s own needs. It has built up regional credit by stopping nuclear tests, continuing to address some of the lingering issues related to the tests, and introducing responsive change in New Caledonia. It has also engaged itself more productively in regional bodies, including the PIF, SPC, Secretariat of the Pacific Regional Environment Program (SPREP), and in selected bilateral activity. It has presented itself as a close partner of Australia and New Zealand. It claims to want its collectivities to integrate more in the region.

With its dual role as a major Western power, and a vehicle for a greater European Union (EU) presence in the region, France is a strategically important partner to other Pacific powers, notably the United States, Japan, Australia and New Zealand. France supports and complements their own strategic presence in the Asia-Pacific region, and reinforces the balance to the forays that China is making into the region. Facing the heavy demands of governance failure, particularly in Solomon Islands, and ongoing needs of development co-operation in the region, Australia and New Zealand in particular welcome the stability and burden-sharing that have flowed from the French presence (see Chapter 7).

But France has yet to achieve full acceptance of its presence within the region. Partly this derives from its own ambiguous presentation of its interests. As discussed in Chapter 7, there is relatively little high-level articulation beyond its own borders of France’s strategic interest in being in or staying in the South
Pacific. The rare references to the South Pacific, or even the French Pacific, in strategic documents such as the 2008 foreign affairs and defence white papers, underline that the priority areas for France lie elsewhere in the immediate geographic vicinity of metropolitan France, and that key policy advisers undervalue the strategic returns the Pacific presence delivers. The language that France uses when talking about the Pacific is at best ambiguous over whether it sees itself as an outsider or as a resident South Pacific power with strategic interests stemming from that presence (Chapter 6). Despite France’s proclaimed interest in enmeshing its collectivities more in the life of the region, there is uncertainty, and wariness, about whether France’s three collectivities speak for themselves or only channel French views and policy. So, as Chapter 6 shows, perhaps it is not surprising that others in the region do not see or welcome France clearly as a resident power.

In Australia’s 2009 defence white paper, France is mentioned along with other North Atlantic Treaty Organisation (NATO) countries such as Spain, Germany, Italy and Sweden, as a co-operative European partner, with a brief reference to practical co-operation in the Pacific and southern oceans and Afghanistan; and as a donor in the South Pacific to support capacity building (Defence White Paper 2009, 98 and 100). No mention of France is made in sections on interoperability, intelligence, and science and technology, nor even when the paper discusses coalitions with others in military operations, disaster and humanitarian relief in the Pacific and Timor Leste, where France has specifically played a role (in FRANZ and in INTERFET, International Force for East Timor) (Australian Defence White Paper 2009, 50, 54 and 105). The paper does not indicate that France is considered other than as a co-operative European partner and donor, and certainly not as a regional Pacific power.

Chapter 6 suggests that many regional island country leaders remain cautious about France. Some remember the period of French opposition to, and frustration of, Vanuatu’s independence process; French nuclear testing; and the long refusal to respond to Kanak independence demands. Their caution is not allayed by France’s assertion of its claim to the Matthew and Hunter Islands, contested with Vanuatu (Chapter 4). France’s own efforts in the region have been well received, but remain modest in financial terms, fitful (for example, President Nicolas Sarkozy’s non-attendance at the French Oceanic Summit, the desultory holding of bilateral talks between Australia and New Caledonia under the 2002 Trade Arrangement, Chapter 6), and generally involve joining existing, longstanding initiatives by Australia and New Zealand with low budgetary outlays. While working for an accepted role for its collectivities within the PIF, which the Forum acceded to, France has only reluctantly acquiesced in the Forum mechanisms to monitor its policies, such as the regular Forum ministerial committee visits to New Caledonia in 1999, 2001 and 2004, but with none since
then. French officials privately claim that Pacific island leaders themselves are no models of good governance and should not be judging France’s performance in the Pacific. But they overlook the fact that regional leaders have been fair and balanced in their conclusions from these visits, and restrained in responding to calls by French Polynesian and New Caledonian indigenous pro-independence leaders for the Forum to take positions on French policy. At the same time, regional leaders expect more of a Western sovereign power and will judge French action in its collectivities by higher standards than they apply to themselves, however unfair this might seem.

So long as France sees itself as an outside power in the region, regional countries know that ultimately France will pursue its own national interests, to which their interests, and those of the French collectivities located in the Pacific, will always be secondary. The bigger states, Australia and New Zealand, know that France sees them as useful regional allies and information sources, but only up to a point, the point where France’s overriding national interests as a UN, EU, NATO and global player become engaged. France seems to undervalue the leverage these regional relationships can provide for it in pursuing its own interests; for example, with China and the United States. Thus, France can probably not expect to do much more with the big Pacific countries in the defence and intelligence area than participate in exercises and exchanges to promote interoperability, and exchange intelligence in practical areas such as fisheries, as it is currently doing. The regional powers will continue to be wary of closer co-operation in sensitive areas such as intelligence exchanges so long as they perceive France may use these resources to further interests and relationships different to those of the region.

Island leaders have successfully used regional and international mechanisms to influence French policy in the past. The UN Decolonisation Committee, the PIF and the MSG have been useful, and remain potential instruments should differences with France arise. In May 2008, UN Secretary-General Ban Ki-moon urged administering authorities to discharge the UN’s mandate on decolonisation, arguing that ‘Colonialism has no place in today’s world’ (Ban Ki-Moon 2008). The UN Decolonisation Committee has the mandate to send visiting investigatory missions to New Caledonia, although it has not exercised this mandate to date (mid 2012), not even when the Committee agreed to host its regional Pacific seminar there in May 2010. Through the PIF, regional leaders have a watching brief on how France deals with Melanesian and Polynesian demands for independence (see Chapter 6). They have an ongoing mandate to send visiting missions to the French collectivities should they wish to do so. The MSG has remained active, reminding the Forum of Kanak concerns related to New Caledonia, such as French handling of the restricted electorate and the ethnic category of the census, sending a visiting team there in 2010, and
supporting New Caledonia’s Melanesians on important issues such as Vanuatu’s Matthew and Hunter claim. All three mechanisms remain safety valves for the expression of Kanak and French Polynesian frustrations (for example, Roch Wamytan continues to make submissions to the UN Committee; Oscar Temaru and the MSG have respectively raised self-determination concerns in the Forum, and Temaru in the UN Decolonisation Committee, see Chapter 6) and are tools that remain available to Pacific leaders, should France transgress (see also Mrgudovic 2008, 390).

Chapter 6 shows how France has sought to insert itself and its supporters into these mechanisms in recent years, presumably in order to neutralise their potential to be used against it. Having secured a special status of associate membership for the two larger Pacific French entities in the PIF, France and its pro-French supporters are now seeking full membership, even before the full status of New Caledonia is decided. The pro-France President of New Caledonia, Philippe Gomès, has called for New Caledonia to become a full member of the MSG, in a bid to displace or weaken the voice of the current member, the Kanak coalition Front de Libération Nationale Kanak et Socialiste (Kanak Socialist National Liberation Front, FLNKS). And France has begun to report as administering authority for New Caledonia to the UN Decolonisation Committee, and has hosted the Committee’s May 2010 regional Pacific seminar in Noumea (and treated Kanak protestors and the French Polynesian President dismissively when they set up protests there), thereby diluting the effect of petitions to the Committee by Kanak groups. Whether France is successful in its efforts to head off future criticism from these various organisations remains to be seen.

More broadly, the adoption by the UN General Assembly (UNGA) in October 2007 of a Declaration on Indigenous Rights (A/Res/61/295 of 2 October 2007) has set the stage for another avenue of pursuit of grievance by aggrieved Melanesian people. The declaration specifically provides for the right of indigenous peoples to self-determination (Declaration on Indigenous Rights, Article 3), and enshrines their right to control their education (Article 14) and not to be forcibly displaced from their lands arbitrarily (Article 10).

In the international and Pacific regional context, debate is under way over the rights of indigenous peoples to self-determination, as distinct from rights of non-self-governing territories. Jan Furukawa, Guam’s Decolonisation Commissioner, has argued that the right of Guam’s colonised people, however few they might be, to ‘forge their own permanent, political identity’ was not dismissible but ‘inalienable’ (Furukuwa 2003) and US-administered Guam has prepared legislation for a future self-determination referendum for the minority indigenous Chamoru people.
New Caledonia’s own Sarimin Boengkih in 2010 made a distinction between the voting rights of the ‘colonised peoples’, as opposed to immigrant settlers in New Caledonia (Boengkih 2010), referring to the requirements of UNGA 35/118, which, as noted in Chapter 6, calls for member states to discourage the systematic influx of outside immigrants and settlers into territories under the Committee’s auspices.

Against this background, whatever bilateral arrangements France works out within its sovereign borders, indigenous peoples may, in theory, continue to raise their grievances and receive support in an international context. Given the untested nature of the relatively new Declaration on the Rights of Indigenous Peoples, which France supports, there may be considerable scope for differences to arise in New Caledonia over indigenous rights. The 2011 Report of the Special Rapporteur for the Rights of Indigenous Peoples, after his February visit to New Caledonia, which was critical of elements of France’s implementation of the Noumea Accord, is an initial sign of this.

Within the region, France will need to continue to work hard to build confidence in the Pacific in its policies and presence.

**Facilitating closer links in the South Pacific**

The history of France’s presence in the South Pacific suggests that there remain ways in which France could improve its regional links.

**Institutional factors in Paris**

From an outside observer’s perspective, aspects of France’s inchoate institutional arrangements in Paris relating to its Pacific collectivities are not compatible with the best management of its own strategic interests, many of which are shared by Australia and New Zealand.

France’s wish to remain as a sovereign presence in the South Pacific suggests that there would be value in continuing to build expertise on the Pacific within its bureaucracies which deal with the region (foreign affairs and defence ministries, offices of the President and the Prime Minister) and those dealing with its Pacific collectivities (the secretariat for Overseas France and its posted officials in the South Pacific from the interior ministry); and to provide for sound, ongoing coordination between the two, and between them and the rest of the French domestic bureaucracy (environment, health, education and other ministries).

As the disastrous, but relatively recent, experiences of the Gossanah cave crisis and the *Rainbow Warrior* affair show, maintaining the most effective Paris-
based decision-making apparatus relative to the Pacific entities is critical to France’s international image and prestige. As these incidents and the événements themselves recede in history, and as new challenges arise (see New Caledonia outcomes, below), the idea of continuing to administer the French Pacific entities on the basis of past policy reflexes, is risky.

We have seen how, from its first foray into the region, France’s policy on the South Pacific and towards its possessions there has been subject to the ebbs and flows of its domestic and European preoccupations. It goes without saying that France’s direct national interests must come first for France. Given occasional talk of reorganisation of the French Overseas structures (such as Jégo’s suggestion to abolish the Overseas France secretariat itself, Chapter 4), retaining a distinct, effective institutional unit for the French Pacific collectivities will be all the more important to ensure that their political, cultural and regional circumstances are understood and not subsumed in large domestic bureaucratic structures.

In view of the strategic value of the French Pacific entities, and the desirable ongoing engagement of the most senior of the ministries such as defence and foreign affairs, it is anomalous that the Overseas France secretariat is a junior ministry. If the office is to remain headed by a secretary of state or junior minister, as has been the case to date, then moving the office to the office of the Prime Minister, or the President, would enhance its bureaucratic weight relative to the ministries it needs to consult. Its senior officials should desirably have a history and experience in Overseas France, particularly, as critical deadlines fall due in New Caledonia.

Specific, ongoing, inter-agency steering committees in Paris on the French Pacific collectivities, coordinated by an appropriately senior Overseas France minister or secretary reporting direct to the Prime Minister or President, as New Caledonia’s deadlines approach, would keep communication lines open and minimise the potential for a repeat of past disasters. Such a committee would desirably include, apart from the Pacific unit of the Overseas France secretariat; the foreign affairs ministry, especially its oceanic division; the defence ministry; and, from time to time, the Paris-based offices of the French Pacific entities, and other ministries such as environment, health and education. Sarkozy’s temporary interministerial committee for Overseas France, (see Chapter 4), with its focus primarily on France’s Caribbean entities, has not taken on this role. What is known, from the past subsuming of France’s Pacific collectivities into the Overseas France structures (whether an Overseas France ministry or secretariat under the interior minister), is that French Pacific issues can get lost in the mix.
Policy ambiguities

The policy ambiguities enshrined in France’s behaviour, sometimes as a power ‘in’, and sometimes as a power ‘of’, the Pacific, outlined in Chapter 6, reflect inadequacies of the inter-agency consultation process. They also reflect the understandably Eurocentric character of French policy-making, which has generally served French interests well, albeit on occasion leading to disruption in the Pacific. In recent years, France is both ‘of’ the region, by virtue of its collectivities, and ‘in’ the region as a European country with sovereignty in the Pacific. France can, in some ways, be all things to all interests: European to Europe, French to its citizens in the region, a helpful, but not extravagantly so, external donor to the Pacific, a benign supporter to its collectivities’ regional engagement, all without much cost.

The dualities of this position are unlikely to be resolved until New Caledonia has expressed itself democratically on the question of independence. The implementation of credible democratic principles in French Polynesia will also be important, but the unsatisfactory 2011 statutory reforms there give no room for confidence. If New Caledonia were to endorse staying with France by a vote before 2018, without dissension, and if French Polynesian electoral outcomes are respected, then France could consider identifying itself more as a rightful regional presence ‘of’ the Pacific, with a unique identity, similar to that of Australia and New Zealand. France might then reasonably expect that it and its collectivities be accepted fully into regional organisations. Even in this case, it is not clear that France would be prepared to project itself unambiguously as a resident regional player, for example in playing its full role as an aid and trade partner.

If, however, there is political opposition and unrest in New Caledonia as the Noumea Accord application period comes to a close, and/or if France’s role in French Polynesia continues to appear partisan with associated political instability and disturbance, then regional leaders may well continue to be hesitant to embrace a more fulsome French/French collectivity presence in their regional structures. This hesitancy would be compounded should such instabilities again lead to the engagement of external powers hostile to Western alliance interests.

France supporting its collectivities in regional engagement

France’s effectiveness in engaging constructively for its own benefit in the region would be enhanced not only by more financial support to the region, but...
by more concrete practical assistance to the three French Pacific collectivities to participate in the region in their own right, an objective which France openly espouses but to which it has devoted few resources.

Fundamental to regional integration of the French collectivities is a letting go of any idea of cultural competition in the region.

History has shown how emphasising the ‘Anglo-Saxon’ distinction has contributed to misunderstanding and instability in the region. Just as France has made large gestures towards the indigenous people in its collectivities and in the region, French authorities could lead a change in how it views what is undeniably an Anglophone neighbourhood. Accepting the realities of the Anglophone region around the French collectivities means accepting at face value that the bigger regional governments, Australia and New Zealand, are no longer mere ciphers for their former British colonisers and, indeed, that they have not been so for most of the last century. Even in recent years, both in Canberra and in the French collectivities, European diplomats and officials in private communications continue to assume that Canberra’s policies reflect British policy. French analysts have made revealing references to Australia and New Zealand as ‘dominions’ in their academic writings, a quaint throwback to pre-federation (1901) status in the case of Australia (see for example Cordonnier 1995a). Sweeping comments that Australian and New Zealand policy positions are ‘Anglo-Saxon’ mean little in these countries, which have been built on immigration from all over the world, with multicultural populations and leadership. France has taken great pains in recent years to cement closer relations with Australia and New Zealand. Better efforts to understand regional positions on their own terms would ensure continued partnership within the region on an equal basis.

Equipping the leaders and officials of its own collectivities with the appropriate language training would enable them to participate confidently, in ongoing communication with neighbouring governments. In the Pacific, as elsewhere, France has handicapped itself with its insistence on the use of French when English is the international language. Despite the SPC having provided full interpretation facilities for the benefit of the three French entities and France for over 60 years, it is not realistic to expect the South Pacific region, with all its underdevelopment and multiplicity of languages of its own, to provide French language interpretation to facilitate integration of the French Pacific collectivities in the many Council of Regional Organisations of the Pacific (CROP) bodies and working committees. The practice, implemented when the full New Caledonian government delegation visited Australia in March 2010, of French Pacific delegations travelling in the region with their own interpreters and portable interpretation equipment is an impressive sign of genuine willingness to participate in the region.
Such an approach would not undermine the important process of retaining, and indeed promoting, the exquisite and unique French language and culture at home in the collectivities. For the collectivities, there is nothing to be lost, and much to be gained, by actively engaging with the wider region in the English language. Regional island country leaders, most of whom are multilingual themselves in indigenous languages, would recognise and welcome the gesture. One can envisage useful exchange programs whereby indigenous Pacific island state officials and researchers work side by side with their French collectivity counterparts in work exchanges in the collectivities, in Pacific island states, and in Australia and New Zealand.

A key element contributing to regional stability and understanding is the capability and effectiveness of a professional regional affairs unit in each collectivity, appropriately resourced and staffed with personnel trained in diplomacy and the English language, to provide day-to-day guidance for the collectivities’ participation in regional affairs, to monitor and participate actively in regular regional meetings. Provision for exchanges between the regional affairs unit staff and diplomatic officers of the island governments would substantially boost understanding in both the collectivities and Pacific island governments of their respective contributions and potential contributions to the region. An active role by the English-speaking Pacific governments, including Australian and New Zealand, in funding and supporting such inter-PIF exchanges, and funding expanded English-language training for personnel of the French collectivities, perhaps with co-funding by France, would maximise the benefits of such regional co-operation.

Such a unit would simplify interactions by foreign interlocutors with the French entities. Currently, in New Caledonia alone, outsiders such as officials from neighbouring foreign governments and regional bodies, need to deal with three critical layers of government: the French State authorities, in areas of their power and also for courtesy’s sake; the New Caledonian government; and the provincial governments in their areas of responsibility. Australia and New Zealand, and to a lesser extent, Indonesia, as countries with resident representation in Noumea, understand this. But other governments, particularly Pacific island governments with their own capacity constraints, regional organisations and other potential interlocutors such as non-governmental organisations, do not. Simplifying the government structures through an effective, professional, one-stop regional affairs unit would facilitate interchange with neighbouring governments. The unit could provide valuable support for officials and leaders of the collectivities when they travel throughout the region. It would facilitate integration of the French entities in the region. It would also enhance understanding by island governments of French motives and actions in the region. There is currently very little knowledge in the region of innovative French practices of potential
interest elsewhere in the Pacific, such as the involvement of customary indigenous authorities in judging civil law cases, the presence of central officials in remote areas, the application of gender parity law which has significantly boosted the representation of women in the assemblies and congress (Berman 2005), and the implementation of collegial government in a multi-ethnic society.

Visits by metropolitan, collectivity and island government leaders and politicians

The regular regional meetings of senior French officials in the region (French regional ambassadors, High Commissioners of the collectivities, and Paris-based officials) are a valuable input into informed policymaking in Paris. More visits by young French politicians from the hexagon to the Pacific collectivities, and to the Pacific region; and by Pacific leaders from the collectivities and the Island countries to Paris to meet French politicians and officials, could assist in informing members of the French national assembly and the Paris-based French administration about issues, history and preoccupations, and in enabling the appointment of responsible ministers or permanent secretaries with a background knowledge of the region. A tailoring of the rhetoric during these visits, which places less emphasis on the fact of French sovereignty and focuses, rather, on the particular needs and experiences of the islanders, would be beneficial.

Development co-operation, economic engagement and investment

France’s development assistance to the region has grown in recent years, and it has contributed to increased assistance by the EU. But France’s annual financial contributions to the region outside its own sovereign territory remain minuscule, at most EUR103 million or $A146 million (converted May 2010) in 2008, some of which is EU aid, see Chapter 6). This compared poorly to its expenditure in its own Pacific collectivities ($A4.6 billion), and its expenditure elsewhere (it was two per cent of its overall aid effort compared with 43 per cent to sub-Saharan Africa). And it compares poorly with the aid expenditure in the region by Australia ($A1.092 billion in financial year 2009–2010, Minister for Foreign Affairs press release 12 May 2009) and New Zealand ($NZ205.5 million in 2007–2008, NZAID website accessed 25 June 2009).

Its relatively low expenditure in the region reinforces the view that France, with a sovereign presence in the Pacific, does not see the region as part of its own area of responsibility.
One could argue that France’s own effort to engage more in the region in the last few years, itself increases expectations, and the potential for misunderstanding and retrograde thinking, towards France. Its encouragement of exchanges and visits to its entities by regional figures, which is desirable, while impressing them with the prosperity in the French collectivities and in Paris, heightens expectations about potential aid in the minds of officials from countries, almost all of whose entire GDP is less than what the French spend in New Caledonia alone each year (see Chapter 6). It would be helpful if such visits were matched by more visits in the other direction, by leaders and officials of the French collectivities, and French officials from Paris, to other island countries.

The EU activity that France has encouraged, although welcome, is not large, averaging a planned $A90 million per annum for the five years to 2013, of which approximately 20 per cent comes from France and is included in France’s regional aid figure above (see Chapter 6). While some changes are being made, in the past this aid has proven at odds with existing mechanisms. The EU process of shifting from an aid donor/Africa–Caribbean–Pacific (ACP) basis to new trade partnerships through EPAs, was complicated by initial disregard for the region’s own evolving trade arrangements. Despite its proclaimed 2006 Strategy for the Pacific, the EU’s endemic bureaucratic requirements and a tendency to a one-size-fits-all approach in a varied and disparate group of archipelagos has resulted in delayed and inefficient aid delivery, generally outside of existing regional mechanisms such as the SPC. These efforts are complicated by the growing gap between the way the EU treats its Overseas Countries and Territories (OCT) and the way it treats ACPs (Chapter 6). Pacific leaders remember, too, that EU aid is a two-edged sword, bringing with it unflinching standards of human rights standards and the threat of economic sanction. The EU has used its muscle to sanction Fiji, and France threatened to cut off New Zealand’s access to EU markets in the post-Rainbow Warrior period (see Chapter 2).

The increased presence of the EU in the region has the further strategic consequence for France that any opprobrium attaching to France amongst regional leaders will, by extension also attach to the EU, and vice versa. Whereas in the past, pressure on France came from the regional island countries and the UN, in any future situation of concern to the region, France is likely also to come under pressure from the EU itself (as indeed it did when the European Court of Human Rights endorsed the restricted electorate in New Caledonia). Thus, France’s European engagement can act as a helpful brake in its wielding of power within the region. On the other hand, action by the EU, for example in its dealings with Fiji, which might be perceived as negative, will also have an accompanying residual effect on regional attitudes to France.

In the grand scheme of things, the reality is that the Pacific islands are low in the pecking order of Europe’s foreign policy priorities. In this context, as a
major EU and Pacific power, France is in a privileged position to promote the regional economic efficiencies, which the PIF countries aspire to, enunciated in the Pacific Plan. It could facilitate better information flows between the Pacific island states, the French Pacific collectivities, and Paris and Brussels, on trade matters to ensure that the EU, in pursuing its Pacific strategy, works within the Pacific Plan, Pacific Agreement on Closer Economic Relations (PACER) and Pacific Island Countries Trade Agreement (PICTA) (for example, in implementing its EPA arrangements); and to ensure better communication and understanding between its Pacific EU OCTs and the Pacific island ACP states. Again, equipping local officials in its collectivities with training and a working external affairs secretariat would be important.

Apart from increased funding more commensurate with the needs and status of the Pacific island states as neighbours to France in the region, France could also do more to encourage the EU to work through regional mechanisms which have proven to be effective, such as the SPC, the CROP organisations, and bilaterally, in consultation with the government and non-government aid organisations of Australia and New Zealand, which are experienced in working in the small and remote communities of the Pacific islands.

Just as France devotes considerable expenditure to supporting commercial activity within its Pacific collectivities, regional integration of its collectivities would benefit from France providing funding to examine economic links between the Pacific island states and the French Pacific collectivities, and to promote private French investment in there. So long as the collectivities’ dependence on European and French imports is unlikely to change substantially, given tastes and preferential tariff arrangements, true economic integration is unlikely to occur without a re-examination of the high tariff protection the French collectivities maintain against regional imports. Whereas full PICTA and PACER participation might be too large a concession to make by the French collectivities, some review of their high tariff walls would be a welcome gesture.

One of the most valuable targets for any increased expenditure by France and the EU would be increasing people-to-people links, both ways, between the French entities and the rest of the region. Apart from promoting training exchanges in the field of diplomacy to address the desire of France to integrate its collectivities into the life of the region, such exchanges could take place in areas of regional trade, engaging for examples the officials of Agence de Développement Économique de la Nouvelle-Calédonie (New Caledonia Economic Development Agency, ADECAL), New Caledonia’s trade promotion arm, with those of neighbouring counterparts. Exchanges involving regional organisations could also be helpful.
Greater funding and engagement by France and its national and regional experts could build on France’s solid start in focusing on the big challenges for the Pacific region, those of climate change and sustainable development, food security and the protection of the environment, particularly marine resources and fishing stock management, in which France has expertise.

There is scope for France to engage regional neighbours more in its technological and scientific activities, which are second to none within the region but often little known about and under utilised. Institutions such as the Institut Français de Recherche pour l’ Exploitation de la Mer (French Research Institute for Marine Exploitation, IFREMER), Institut de recherche pour le développement (Development Research Institute, IRD), and agricultural institutions (Institut Pasteur, Institut agronomique de Nouvelle-Calédonie) are represented in the French entities and have a valuable role to play in the region in hosting more workshops and exchanges at the grassroots, working level, which would be welcomed, if language issues are seriously addressed. The cultural context of exchanges needs to be recognised. Pacific island researchers themselves have valuable expertise. Many good intentions, and considerable financial expenditure, can be wasted by seminars in the European tradition, for example the idea of ‘Assises’, or stocktakes of existing European research, which is alien idea to the Pacific island researcher, and involves presentation formulas that can appear to be talking at, rather than talking with, regional experts.

As indicated in Chapter 6, France or its collectivities have formal links with all the CROP organisations except the three specifically involving tertiary institutions. Whereas there are systemic differences in the operation of French education institutions, with changes to the European tertiary system of the last few years aligning European degrees more closely with those of the Anglophone system, there may be opportunities for further collaboration between the two French Pacific universities and regional tertiary institutions.

France has supported ongoing cultural links between the indigenous peoples of its collectivities and their neighbouring peoples. New Caledonia hosted the Melanesian Arts Festival in 2011, which is held every four years under the auspices of the MSG. It supported the meeting of Polynesian royal families in Tahiti in 2007. It promotes sporting participation by the French collectivities in regional sporting events, which is valued in the region. The Pacific island state participants could benefit from more training funds to ensure more equal competition with the well-funded French athletes who have tended to scoop most events.

In the cultural context, France has understood the need to proceed gently. The explicit use of expressions and concepts such as rayonnement, or the national mission to expand cultural influence, has notably reduced in recent years,
perhaps in response to the sensitivities of the small island states. The role of French culture is an idea unique to French people. The justified pride and emotion with which the French approach their culture and intellectual heritage, and their feeling of the responsibility to share it, can be misunderstood. Introducing others to a body of literature, culture and thought not accessed without an understanding of the French language and thinking, is a valuable contribution to the region that only France can make. It can be achieved through more two-way exchanges, visits, scholarships, sport sponsorships, promotion of Alliances Françaises (French clubs) and other study opportunities, building on existing programs that France is funding. France is also in a unique position to expand exchanges to enhance understanding of the indigenous Pacific cultures in its collectivities, for example exhibitions and visits to highlight Kanak and Polynesian culture in other parts of the Pacific, including Australia and New Zealand.

Further French underwriting of the tourist industries in its Pacific collectivities would enhance regional understanding of its presence. New Caledonia, French Polynesia and Wallis and Futuna each represent unique cultural showcases, and yet are considerably more expensive tourist destinations than other Pacific islands and therefore out of reach for travellers from most other Pacific countries.

Building on France’s own development co-operation, and on EU activities, its cultural links, and its investment and trade links, would balance France’s projection of itself as a defence player, along with Australia and New Zealand, an aspect which Pacific leaders find disquieting (see Chapter 6).

Successful outcomes in French collectivities

By far the most important medium-term outcome that France can continue to provide for the region is continued democracy, stability and economic prosperity in the French collectivities. France faces particular challenges in achieving this outcome within the next 10 years. The key to France’s success lies in New Caledonia, to whom the other French collectivities, French Polynesia and Wallis and Futuna, look as a guide to their future.

Within the Melanesian ‘arc of instability’, New Caledonia has, to a degree, been a shining light of democratically based stability, at least for much of the period of the Matignon and Noumea Accords (a period that was marred by the assassination of Jean-Marie Tjibaou in 1989 and ethnic problems in Saint-Louis). As the critical deadlines under the Noumea Accord fall due from 2014, new uncertainties arise within the Melanesian arc. Transitional arrangements in Bougainville in Papua New Guinea, which were themselves based partly on the Noumea Accord model, fall due from 2011 to 2016. In Indonesia, West
Papuan issues remain a potential trouble spot, and West Papuan independence leaders have links with New Caledonian counterparts. The Solomon Islands will be reconsidering the mandate for the Regional Assistance Mission to the Solomon Islands (RAMSI), which will have been in operation for a decade. Fiji is a military dictatorship. Democracy in Vanuatu is also fragile.

Against this background, Pacific island leaders and Australia and New Zealand will be alert to any new difficulties or instabilities in the French Pacific collectivities, particularly in New Caledonia, where the terms of continued French control are yet to be agreed.

**French Polynesia**

In French Polynesia, we have seen that democratic expression in a personality-dominated political culture with an economy bankrolled generously by France has led to constant changes of leadership, and shifts of alliances around increasingly French Polynesian local interests, as distinct from pro-France interests. This coalescence of local interests has in part been brought about as a reaction to the French State’s own intervention, through statutory and other means, to favour pro-France political outcomes (Chapter 5). Such actions, with accompanying corruption and frequent changes of government, hardly help French credibility in the region.

In real terms, such instability has had a low level of impact locally since it is the French sovereign power that delivers budgetary support, all services, and a flow of high quality consumer goods. And France controls law and order. The lack of any substantial economic resource means that few see long-term benefit in pushing for true independence. So long as that continues, and France is prepared to pay, stability is assured. The implementation of the latest reforms of French Polynesia’s statute applying to elections will, however, be a test. If the reforms are used to favour the pro-France group, as has occurred in the past, they may exacerbate rather than reduce political volatility. And already, the mere terms of the reforms have provoked controversy (Chapter 5).

In the best of times, it is a difficult, expensive, and thankless task for French authorities to foster democratic processes, while maintaining first world standard services and civil law and order in the remote archipelagoes of French Polynesia. If there were a significant downturn in French economic support, local protests and heavy-handed responses by French security services could create further instability. With global financial pressures and the weakened eurozone, French systems and processes, already under pressure from shifting local groupings, may be tested further.
French Polynesia, like New Caledonia, has a record of recent violence (1987, 1991 and 1995). The influence of Gaston Flosse who, through his personality and close relationship with the now departed Jacques Chirac, had been able to secure increasingly favourable autonomy measures, has faded. Young French Polynesians are well aware that the big changes occurred in New Caledonia only after the violence of the 1980s. A French Polynesian participant at a colloquium on New Caledonia in Paris in May 2008 noted that there had been no Rocard-type mission to French Polynesia because there had been no violence there (Comments to Colloquium 2008). Nathalie Mrgudovic (2008, 244) signals that, of the many statutory changes applying to New Caledonia since 1958, only the 2004 statute was negotiated, suggesting that it was violence which was the factor leading to a negotiated outcome. In a contracting global economy, which inevitably impacts on the one resource employing French Polynesians, tourism, the possibility of French Polynesians seeking further political autonomy through violence cannot be ruled out.

Unlike Flosse, whose record in the region was mixed, Oscar Temaru has a strong network amongst regional island leaders, many of whom have supported his cause. This can be an asset for France. Respect for Temaru has meant some regional tolerance even for his recent temporary alliances with pro-France groups, and the dilution of his demand for independence. But, should Temaru up the ante on independence or autonomy issues, he would find ready support in the PIF and the region. He has shown he is prepared to use the Forum card, regularly calling for reinscription of French Polynesia on the UN decolonisation list in recent years (and meeting strong French official reaction) and advancing ideas on further autonomy at the 2007 Forum summit (Chapter 6), including his idea of a Tahiti Nui Accord for autonomy for French Polynesia, based on the Noumea Accord. His quiet but protesting presence outside the SPC headquarters in Noumea, the venue for the UN Decolonisation Committee’s regional pacific seminar in May 2010, reflected his continuing determination to use UN avenues to put his case where possible. And the support he secured from the subgroup of Pacific island leaders on the eve of the 2011 PIF summit (Nadi Communiqué 2011) suggests that he is likely to have some success, even as successive Forum communiqués, including in 2012, continue to use non-controversial language in referring to the issue.

French Polynesia will continue to look to the treatment of New Caledonia as a model for its own future. An unstable long-term outlook for New Caledonia will have repercussions there.
Wallis and Futuna

For the time being, there are few forces for change in Wallis and Futuna. France has done virtually nothing to connect the collectivity with its near neighbours. Despite its location neighbouring Fiji and Samoa, Wallis and Futuna remains isolated, with more flights to and from New Caledonia, 2500 kilometres away, than from Fiji, 800 kilometres away, and none from Apia, just 500 kilometres away. There are no ferry services to any of these places. The archipelago has little infrastructure, including roads, shipping and air services, both within the collectivity and to other parts of the Pacific. The potential for tourism has not been developed.

Sarkozy’s promise of a review of the 1961 statute (Sarkozy 2010a) that still governs the collectivity has yet to be implemented. The dependence and remoteness of the archipelago suggest few problems for the French administering authority, which works closely with the two other pillars of Wallisian society, the Catholic Church and the three Kings (one on Wallis and two on Futuna). Events surrounding the succession of the King of Wallis, Kulimoetoke, in 2008 suggest, however, some strain on the existing system. Kulimoetoke reigned for 40 years and signed the 1961 pact with France on which the statute is based. Perhaps it is not surprising that, after such a lengthy period of stability, the succession procedures were time-consuming and initially divisive. Moreover, in 2005, the King had sought to protect his son, who was involved in a manslaughter case, from French law, claiming that customary law should apply. At that time, the King’s supporters rioted in the streets and successfully foiled attempts to replace him. After his death in 2007, a successor was agreed upon, following the traditional lengthy processes of consultation, and notwithstanding the opposition of the two other kings, in Futuna, who abdicated over the issue. A successor to one of the Futuna kings was agreed in 2010. The other had not been replaced by mid 2012. This suggests that old systems may not necessarily measure up to future challenges. And prosperity and peace in Wallis and Futuna rest largely on the continued ability of the bulk of its citizens to find work in New Caledonia. So, what happens in New Caledonia matters in a real sense for Wallis and Futuna and could provide a model for it as well.

Long-term solution for New Caledonia

In New Caledonia, the first test for France will be in fulfilling its Noumea Accord commitments, respecting its *parole*, or word, and being seen by Kanak and regional leaders alike to be doing so. This is a critical prerequisite given France’s history of dealing with autonomy provisions, revising and often breaking promises from 1956 to 1988 (Chapters 2 and 4). The current generation of Kanak and regional leaders are aware that the most recent, post-1988 French
promises, were obtained under the duress of civil war and loss of life on both sides, for and against independence. Tjibaou was murdered only 23 years ago, within a year of negotiating the Matignon Accords, by Kanaks who felt he had sold them out and succumbed to France’s manipulation. Already the Noumea Accord, deferring the vote promised by the Matignon Accords for a further 10 years, has been seen by some as simply a delaying tactic. In the years to come, the test for France will be to respond to the frustration expressed by Kanak leader Roch Pidjot in his last speech to the National Assembly in Paris, in 1984, when he said:

France’s sole preoccupation is to maintain its presence in the Pacific. In order to do this, it privileges the interests of Europeans and of other immigrants … convinced that New Caledonia must be governed at the centre, you play into the hands of the most reactionary elements in this country and those of small political groups, thereby providing an unexpected chance for them to appear much more important than they are in reality. … it is a classic strategy: you divide to rule …. Our human dignity is profoundly wounded by declarations to the effect that Kanak independence would be racist …. Our wish is that the referendum be held and that New Caledonia becomes independent …. You have hurt us too many times. So we have become skeptical, and we will judge the Government not on its declarations but on its actions. (my italics, Waddell 2008, 128).

For his part, Sarkozy, when he addressed Overseas France in January 2010 repeatedly underlined that ‘the State would keep its word’ in undertakings that it made (‘we don’t just say something, we do it’, Sarkozy 2010a). But, in the same speech, he said he would not allow independence (see Chapter 7), although Françoise Hollande in May 2012 pledged to respect the wishes of the New Caledonian people.

As Chapter 4 shows, the record of the French State in keeping its commitments under the Noumea Accord has been mixed. It has a positive report card in the areas of setting up relevant institutions, innovative democratic systems and financial support for increasingly autonomous government, engaging all political groupings, Melanesian and Caldoche, pro-independence and pro-France alike. These are themselves major achievements. But the French State has recorded serious minuses in its handling of the sensitive restricted electorate promise; allowing, if not encouraging, continued immigration of French nationals from elsewhere; altering the basis of entity-wide censuses to obfuscate the ethnic composition of the population. It has also sought decisions on one of the five sovereign powers which are reserved for treatment only by referendum after 2014, that of currency, before time. And it has also acted to entrench its
presence in another, similarly reserved, sovereign power, defence, well before the Noumea Accord deadline. There have also been delays in the scheduled transfer of important responsibilities.

Moreover, on sensitive economic rebalancing promises, despite all of France’s considerable inputs to facilitate better production and distribution of the nickel asset across the peoples of New Caledonia, the pace of progress has been slow. So, to date, the only producer of the valuable commodity remains in French hands and in the European-dominated south, and there has been increasing French control of investment in the critical northern project. France has reasserted its intent to maintain control of the principal investor, Eramet (Sarkozy 2011).

France itself faces difficult dilemmas, injecting their own uncertainties into the situation, as it shepherds New Caledonia to its next stage. France claims to be impartial arbiter at the same time as it is an active participant in the transition process (see Chapter 7). But it was this dual and conflicting role that impeded implementing the Pons and Pisani proposals in the mid 1980s, a role that led to Tjibaou’s prescient warning that France was not a judge but an actor (Chapter 2). Despite these early lessons, France has been open in its support for New Caledonia remaining within France, and supporting the pro-France political groups, undermining any claim to impartiality. Its record in French Polynesia, of blatant partiality for particular pro-France groupings (see Chapter 5), despite electoral outcomes supporting the pro-independence groups, with serious effect on political stability, suggests what lies ahead for New Caledonia if the final stages of the Noumea Accord are frustrated by pro-independence activity.

A practical problem for France arises from statutory arrangements which provide for the French State to be responsible for law and order in New Caledonia, while many of the decision-making powers underpinning stability are in the hands of the New Caledonian government. For example, congress decides the regulations and legislation that may give rise to workers’ grievances leading to strikes and disruptive barricades and burning of tyres; but it is the French authorities who are responsible for imposing order. Procedurally, the common link between development of the policies (in many key areas the responsibility of the New Caledonian government) which will impact on security, and the security responsibility of the French State, is the French High Commissioner, who is present at all meetings of the New Caledonian executive and the implementer of law and order as senior representative of the French State. But, since the Noumea Accord, he no longer has executive power in the areas of responsibility of the New Caledonian and provincial governments. These considerations have become more relevant with the emergence of the Labour Party and its capacity to stage violent industrial protest, and the tendency, particularly since Sarkozy’s presidency, for the French State to treat protest with a firm hand.
Possible radicalisation of pro-independence demands

As New Caledonia looks ahead to the final denouement of the Noumea Accord processes, local political forces are divided, not only between the pro-France and pro-independence groups, but within each side as well. There has been some effort on the part of the pro-France groupings to unite around the idea of holding discussions on the future of New Caledonia after the Noumea Accord (l’après Accord), but divisions persist. And the pro-independence groups include a raft of viewpoints within the mainstream FLNKS grouping that signed on to the Accord. The mainstream FLNKS itself, the more influential because of its status as signatory to the Accord, has responded mutely to pro-France overtures to consider an ‘association with France’ style outcome, and has accused the French State of meddling. One of its constituents, the UC, has frustrated the signature of a framework for the further transfer of responsibilities and called for a review of progress in transfers to date (Chapter 4), while playing into the hands of divided pro-France groups over the flag issue. These are hardly promising signs for the future.

Many analysts have signalled that a major risk to the continued stability of New Caledonia in its transition phase under the Accord could arise from the rift between the young and the older generations, with the emergence of a new, possibly young, idealistic Kanak leader to lead a new push for full independence (see Maclellan 2005b, 412; Faberon 2002, 57; Dornoy-Vurobaravu 1994, 28; Christnacht 2003, 10; Personal communication, senior official May 2008). The emergence and effect of the avowedly pro-independence, mainly Kanak, Labour Party, with a capacity to mobilise large numbers of people, including the young (see Chapter 4), and with a record of violent strategic protest, including blocking flights at the international airport, create worrying uncertainty and the potential for instability and even violent protest. Whether the Labour Party will provide a radical leader, or whether the pro-independence mainstream groups will become radicalised, remains to be seen. Much will depend on the inclusiveness and realism of the negotiation process. As a commentator warned in 2006, the ‘status quo, or the no-change’ option ‘will heighten the intensity of that [Kanak] resistance and lead to increasing local and regional instability’ (Rumley 2006, 241).

Another, related, question on which future stability will rest in New Caledonia is whether or not, given a certain commonality of interest between long-term European residents and Melanesian leaders, social, economic and generational cleavages might assume greater importance than ethnic ones. Such divisions have the potential to bolster the support for the traditional pro-independence group and break down traditional pro-France loyalties, as has been evident in the political realignments of the early 2000s (see Chapter 4).
Next steps for New Caledonia

Chapter 4 sketches the next steps under the Noumea Accord process, which include the continued transfer of responsibilities followed by the holding of a referendum on three questions: the transfer of the sovereign responsibilities, access to an international status of ‘full responsibility’ for New Caledonia, and organisation of citizenship into nationality (Noumea Accord Article 5), described as a vote on ‘accession to full sovereignty’ in the Organic Law (Titre IX). The scheduled transfer of specified responsibilities has already slipped, with some significant responsibilities, such as education and aspects of civil law, still to be transferred (at the time of writing, mid 2012).

Non-acceptability of deferring a referendum beyond 2018

The holding of a final referendum, specifically on the independence issue, became a contentious issue during the 2009 provincial election campaign. Chapter 4 outlines the demographic and psephological pointers to any vote on independence probably resulting in a ‘no’ vote. The unique electorate for the final referendum, suggesting more pro-France voters (as it includes more newcomers, i.e., those with 20 years residence to December 2014, than the electorate for provincial elections, who have residence from 1988), the decline in relative numbers of Kanaks (from whom the largest numbers of pro-independence support come) and the record of the greater weight of the pro-France vote in provincial elections to date, suggests that the likelihood of any pro-independence outcome is slim. The most recent provincial election in 2009 nonetheless showed a sizeable, and growing, part of that electorate supported the pro-independence groups. But, so far, the restricted electorate has applied to the provincial (local) elections within the Noumea Accord process. How the (differently defined) restricted electorate for a referendum (i.e., those with 20-years residence to 2013 or 2014) might vote on post-Accord issues has not been tested. Moreover, demographic trends show a majority of the population (at least 57 per cent, see Chapter 4) are Pacific Islanders. While many of these are from the Polynesian French collectivities, who have tended to vote pro-France in provincial elections, there is no guarantee that they would vote that way in a referendum on New Caledonia’s future.

Recent history has shown that holding a vote on independence, which would be likely to result in a ‘no’ vote, would rouse sensitivities on the part of extreme pro-independence voters, with the risk of violence and civil war once more. It was for these reasons that the Matignon Accord deferred a vote for 10 years from 1988, and that the Noumea Accord deferred a vote, yet again, for 20 years. And, as Chapter 4 notes, it was this thinking that led pro-France leaders Jacques Lafleur and Harold Martin to propose yet another deferral of a vote. In early 2009, seasoned leader Lafleur, who was a signatory to the Accords and who
remembers the civil war of the 1980s, proposed a deferral by up to 50 years, reflecting the gravity of his concern. But these proposals did not meet with general approval. Indeed, the results of the 2009 provincial elections showed that not proceeding to a referendum as provided under the Noumea Accord was not an option. In that election, parties arguing for an early referendum (from amongst the pro-France and pro-independence groups alike) attracted strong support, highlighting the paradoxical polarisation around the issue.

Arguably, one reason why the deferral option was not viable related to the poor record of the French State over the years in delivering on its promises. Its early track record was one of successive statutory measures bestowing then revoking various powers (Chapter 2), and delays in meeting the deadlines of its own complex, scheduled transfer of responsibilities under the Noumea Accord, generous though the promised transfers might be (Chapter 4). In particular, the French State’s perceived early reneging over the central ‘fixed’ restricted electorate issue, allowing continued inflows of migrants from other parts of France and frustrating the census process applying to ethnic categories, was not well received by pro-independence groups. Deferring a vote would raise the difficult question of the continued application of a restricted electorate beyond 2018. It is inconceivable that the pro-independence side would accept abolishing the hard-won concept of a restricted electorate for the final vote, given the swelling of the non-indigenous population. At the same time, it is difficult to see the pro-France side agreeing to prolong the application of the restricted electorate after 2018, given the influx of many pro-France supporters in recent years who, as French citizens, would expect the right to vote.

So, in a sense, either choice — that of deferring a referendum as in the past, or proceeding to a referendum resulting in the rejection of independence — risks serious negative reactions and possibly violence. While it is impossible to predict the future, developments to date, outlined in Chapter 4 and 7, suggest that the French State will encourage all parties to agree to a referendum focused on a result that will be acceptable to all in the long-term. The stakes in ensuring stability in coming years by seeking to promote a successful, peaceful referendum are high.

A referendum, on what?

With the idea of deferring a referendum, or not holding one at all, ruled out by the May 2009 provincial election result, by late 2009 and early 2010 political debate began to focus on the subject of the referendum.

Thus, as set out in Chapter 4, in October 2009, pro-France leader Frogier shifted from a position advocating an early referendum to floating a proposal for an ‘in association with France’ option. He received a mixed response, even
France in the South Pacific: Power and Politics

from within the pro-France camp, the Avenir Ensemble supporting him with Philippe Gomès’ Calédonie Ensemble preferring discussions on a more general idea of ‘shared sovereignty’. The pro-independence group, too, were divided. Palika aligned itself more with Gomès’ ideas, and the mainstream FLNKS chose not to make a public comment specifically on the ‘association’ idea, and instead questioned the motives of the French State.

By January 2010, the French State acknowledged the growing importance of the terms of the referendum itself. Sarkozy exhorted both sides to hold discussions, so that the result of the vote ‘for self-determination’ provided for by the Noumea Accord would translate into a result approved by ‘a very large majority of voters’ (Sarkozy 2010a, and Chapter 7). As pointed out in Chapter 7, Sarkozy was vague and ambiguous as to the subject of the referendum. He had, earlier in his speech, ruled out independence for Overseas France, so his comments exhorting a result approved by a large majority suggests that he was not expecting the vote to focus on an independence option. And yet, the Organic Law implementing the Accord specifies a vote ‘on the accession to full sovereignty’ (Titre IX), and pro-independence signatories expect that the independence option will be put.

The terms in which a referendum question is cast, and careful inclusive negotiation, will be the more critical, since the Organic Law provides for repeated votes, up to three, from 2014 to 2018, if the initial vote results in a ‘no’ vote (Article 217). Three successive votes against independence over three years would conceivably heighten the potential for prolonged violence. No doubt Sarkozy calculated that it would therefore be preferable to pose a different question, in such a way as to receive an overwhelming endorsement the first time round.

Despite the flexible interpretations of some of the mainstream pro-independence coalition about what true independence and sovereignty mean (Chapter 4), not all pro-independence forces may be convinced to set aside the specific option of independence. For some pro-independence supporters, a vote on independence per se would alone be seen as fully implementing the spirit and letter of the Noumea Accord. Supporters of the new Labour Party would fall into this category, and that party, and the union that forms its base, have a record of violent disruption. And France is bound, now that it has taken on responsibilities within the UN Decolonisation Committee, to consider independence as an option (see below).

A further note of caution arises from the conclusion by one senior legal advisor to the French Government in March 2011 that technically, given the Organic Law provisions for up to three referendums with associated specified time frames, a referendum could be held as late as 2023. He noted that this would entail an
added complication of election of another congress in 2019 (Christnacht 2011). This writer notes that such a further congressional mandate was not foreseen by the Accord or Organic Law and would be likely to raise bitter divisions.

Options and risks for New Caledonia’s future

The Noumea Accord specifies that the final ‘vote will be concerned with the transfer to New Caledonia of the *régalien* [sovereign] responsibilities, the access to an international status of full responsibility, and the organisation of citizenship into nationality’ (Article 5). So, it is these matters that will be the subject of debate and negotiation between the various parties.

By recommencing its reporting responsibilities as administering authority from 2004, France has seemingly committed itself to working within the context of the UN decolonisation provisions. The language of many of the pro-independence groups has also begun to centre on ‘decolonisation’ as opposed to ‘independence’ (see Chapter 4). As noted in Chapter 6, relevant UN General Assembly resolutions provide that a non-self-governing territory may reach a full measure of self-government in one of three ways: emergence as a sovereign independent state, free association with an independent state, or integration with a metropolitan state (for example, UNGA Resolution 1541 (XV) 1960). Within the Pacific region itself, there exist already all of these three, and numerous other models. Examples include fully independent states (the independent Pacific island states), total integration in another state (Hawaii), attachment to another state while retaining significant autonomy (Norfolk Island, Marianas), and association (Cook Islands, Palau) (see Robert Aldrich, in Regnault and Fayaud 2008, 199; Firth 1989; *New Pacific Review* 2003).

For New Caledonia, using the UN decolonisation framework as a basis for comparison, some of the options might include, in ascending degrees of retained links with France:

- **Formal independence.** France’s commitment to retain its Pacific collectivities, recently enunciated by Sarkozy, while at the same time being a party principal in the negotiations; its economic support and careful management of grievances of pro-independence forces since 1988; demographic trends shaped by policies over many years; the apparent dominance of the pro-France groupings recent voting patterns in New Caledonia; and, ultimately, France’s control over immigration and law and order backed by civil and military power, reduce the likelihood of an independence scenario. Despite its mineral wealth, an independent New Caledonia would still require substantial support by a number of donors, no doubt including France (although this is not guaranteed, given its history and warnings about the
costs of independence). The new state would be vulnerable to the same factors the other Pacific island countries face, but with the added complication of its own resource wealth: reduced economic resources, inadequate or non-existent defence and local law enforcement, shifting alliances and rapidly changing governments, and pressure from foreign benefactor governments; in New Caledonia’s case this is compounded by competing interests for its rich nickel resources and the need to adjust speedily from dependence on France and Europe to engagement with regional economies. This outcome would deliver new vulnerabilities to the region, potentially negatively affecting security and economic development. Inevitably an independent New Caledonia, on the basis of the Vanuatu experience, would demand an input of economic support and political and diplomatic investment by Australia, additional to the large Australian commitments elsewhere in the region.

• Some kind of free association with France. Pro-independence leaders reacted unenthusiastically to this idea when floated by pro-France leader Frogier in 2009. Because of associations with the doomed 1988 Pisani proposal, another name such as ‘partnership’ might make the idea more palatable to these groups. Various models already exist in the Pacific region:
  * Compact of free association, such as Palau has with the United States, with its own UN seat, and defence taken care of by the United States for a defined period (50 years in Palau’s case).
  * Compact of free association as in Federated State of Micronesia, and the Marshall Islands, which has its own UN seat, with defence taken care of by United States.
  * The ‘in association’ option of Cook Islands or Niue with New Zealand, with full participation in regional organisations but no UN seat. Freedom to vote to change its status.

• ‘Commonwealth’ option of the Northern Marianas with the United States, with no UN seat, no responsibility for foreign relations, and the status loosely of an unincorporated dependent territory.

• A form of integration, perhaps either:
  * Federation within France. New Caledonia could become a federated ‘state’ or province of France (see arguments on this possibility by Faberon, *L’idée fédérale en Nouvelle-Calédonie*, in Regnault and Fayaud 2008, Chapter 2). This would require amendment to the French constitution. New Caledonia would retain its rights acquired under the Noumea Accord, for example, to foreign relations with its immediate region, some civil aviation matters, etc.
  * New status, making permanent the status quo at the time, i.e., 2018 or before, under the Noumea Accord and implementing Organic Law. This would mean a continued consultative collegial government, with ultimate
majority (pro-France) votes on important legislation. Current provisions for a restricted electorate, however, would be unlikely to continue (see citizenship discussion below). The government could be elected on a basis of proportional representation, with declining influence of the Kanak ethnic group over time, in the absence of a specially defined restricted electorate. Still, as under the Noumea Accord, Kanak parties would be likely to continue to administer the Northern and Island provinces and to be represented in the European-dominated Southern Province. Thus there may be scope to negotiate greater powers for the provinces as opposed to the central congress, particularly on administering economic resources such as nickel, as the Northern Province project develops, to accommodate Kanak concerns.

(Note: A further theoretical option would be that of partition, under which conceivably the generally pro-independence Northern and Loyalty Island Provinces could attain full sovereignty; while the Southern Province, dominated by pro-France supporters, could remain with France. This option has been specifically ruled out by the Noumea Accord, which provided at Article 5 that the results of any final referendum will apply globally to New Caledonia, spelling out that one part of New Caledonia cannot accede to full sovereignty or preserve different links with France on the basis of different results in different parts of the electorate.)

Each of the above options provides a basis for implementing the provisions of the Noumea Accord (Article 5) to focus on the five remaining sovereign powers (justice, public order, defence, currency and foreign affairs), international status, and citizenship and nationality. The way in which these issues might be handled is also guided by the Noumea Accord provision that ‘so long as the referendums provided for do not result in new political arrangements, then the political arrangements set in place by the 1998 Accord will remain in force, in its last iteration, without possibility of regression, this ‘irreversibility’ being constitutionally guaranteed’ (Article 5). That is, New Caledonia will never revert to what it was before 1998; it will retain the powers transferred by 2018 under the Accord.

Under the Noumea Accord, it is assumed that all but the five régalien or sovereign powers would be transferred to New Caledonia before 2018 (even though experience to date shows considerable slippage in these transfers). Of the options set out above, New Caledonia would take over all five remaining sovereign powers in the independence option. France would retain all these powers under an integration option, although New Caledonia would retain those elements of foreign affairs that it received under the Noumea Accord (for example, regional representation, see Chapter 4). In the ‘in association’ option, negotiations would centre on elements of the remaining sovereign powers which
might be traded, for example, responsibility for certain foreign relations and civil law and enforcement elements. Apart from these five powers specified in the Accord, for any non-independence scenario, as demonstrated in Chapter 4, important questions remain about the future responsibility for control over external immigration (both from other parts of France and from other parts of the world), and mining, central issues that have been blurred in the Accord.

With respect to the access to international status, in all three options New Caledonia would retain the responsibilities that it has already been accorded under the Accord to representation in regional organisations. Under the independence option, New Caledonia would clearly, as an independent country, take over all foreign affairs powers and gain full membership of international organisations such as the UN. Under the integration option, France would retain these responsibilities. Negotiations for an ‘in association’ option can be expected to focus on the nature of New Caledonia’s regional relations and representation in regional and other bodies, i.e., factors such as whether New Caledonia could set up its own diplomatic representation in regional countries, and whether it would have delegations of its own as opposed to being subsumed in French delegations. A central question would be whether or not it could be a member of the UN, as are those Pacific island states in forms of association with the United States.

New Caledonia would clearly take over entire responsibility for citizenship and nationality questions in an independence option. For the other options, discussion of these questions is likely to be thorny, since it is here that the question of immigration from other parts of France, non-continuation of the restricted electorate beyond 2018, and the application of employment protection and preferences, would be addressed, all of which have been core elements of the Kanak pro-independence groups’ claims from the 1970s. Negotiations in these areas, because they touch on employment in a nickel-dominated economy, would necessarily be linked with discussion and compromise over the future delineation as between the French State and the New Caledonian congress and three provinces over minerals and hydrocarbon resources, and distribution of the benefits, along with difficult sustainable environment issues.

In both the integration and association with France options, because the Noumea Accord states that there can be no regression to the status quo ante the Accord, both pro-France and pro-independence groups would expect to retain those citizenship protections New Caledonia has currently, and will have refined by 2018. These include preserving the rights of longstanding residents over newcomers permanently beyond 2018 in areas such as employment protection for long-term residents and even the idea of a restricted electorate. For example, a residency qualification period could be defined after which newcomers would attain these rights. As described in Chapter 4, France was
obliged to devise special legislative constitutional amendment for the relevant provisions of the Noumea Accord, and this was a controversial issue only resolved by constitutional amendment in 2007, nine years after the Accord was signed. Whether France would do so for a permanent future arrangement is open to question, although Sarkozy has spoken of using the flexibility of the constitution to the full (Sarkozy 2010), which suggests an open approach.

France’s commitments to comply with UN decolonisation principles also come into play. These principles provide for equal status and rights of citizenship between the peoples of the erstwhile territory and the independent territory into which it is to become integrated (UN Resolution 1541 December 1960, Annex), seemingly at odds with the idea of a restricted electorate. Whereas, as we have seen (Chapter 4), the UN Human Rights Committee upheld the idea of a restricted electorate in 2002 and denied the appeal brought by pro-French supporters, nonetheless the committee specifically linked the idea to the Noumea Accord and the Organic Law ‘in particular for the purpose of the final referendum’ (UN Human Rights Committee 2002). But again, whether long-term ongoing provisions for special rights would be similarly interpreted as consistent with UN principles could be in question in the future. This could prove vexatious and even inflammatory for frustrated Kanak and pro-independence supporters who could then see themselves as having been betrayed by the UN and the French State.

France would also need to address implications for the non-reciprocal arrangements it has negotiated with the EU, namely the one-way rights for citizens of its Pacific entities to travel to European countries, and to work there (see Chapter 6). Like the UN Human Rights Committee before it, the EU Human Rights Court in 2005 endorsed the idea of a restricted electorate in an appeal hearing brought by pro-France residents, but only owing to the ‘local necessities’ of the time (see Faberon and Ziller 2007, 394). It may not make the same judgement about permanent special citizenship arrangements.

It is unlikely that pro-independence forces, who have sacrificed much on these particular issues, would agree to dispense with immigration controls, the restricted electorate and employment protection for long-term residents without significant progress in their other expectations (international status, but especially the mining dividend). Differences over these questions between newly arrived residents and longstanding Caldoche residents and the indigenous people; and between pro-France and pro-independence groups may be exacerbated. This would be a factor for ongoing instability.

In all but the independence option, it is likely that the Euro would be speedily introduced, and that inflows of French settlers from other parts of France would continue and probably increase. These developments would work against the greater integration of New Caledonia (and potentially the other French Pacific collectivities) into the Pacific region.
The most likely direction for the future is discussions centring on some kind of future ‘in association’ with France. The violent history of the referendum issue and the expectations of the pro-independence group about a referendum, suggest that these discussions, and the holding of a referendum in coming years, are likely to be painstaking and sensitive processes, with risks of violence and disruption. The discussions initiated by the French authorities, in the March 2011 Colloquium on the Destinies of the Pacific Political Collectivities, were a start, albeit seeming to concentrate almost exclusively on sovereignty-within-France options.

Whatever the subject of the referendum, because of the sensitivities and potential for disturbance, France, and New Caledonian leaders, including FLNKS leaders like Paul Néaoutyine and Roch Wamytan, would benefit from keeping regional leaders informed, through the UN, PIF, and MSG mechanisms, about the processes under way.

**Conclusion**

France has earned a long and respected place in the South Pacific region. Its presence has been characterised variously by a sense of enquiry, mission and adventure; strategic interest, national pride and global power; the imposition and maintenance of its military weight; and, more recently, commercial interest. In the past, France’s presence has brought strong elements of stability, but also some elements of instability, to the Pacific region.

This work has sought to identify the remaining elements of risk to stability. Australia sees France as a valuable ally in the region at a time of strategic change. It is in Australia’s interest to understand the nature of the challenges before France and its Pacific collectivities in the future.

The challenge for France is to respect its own commitments to its entities and the international community, and its responsibilities as a resident neighbour to regional governments and leaders, particularly as it handles difficult governance issues in French Polynesia, but more importantly in the momentous definition of a long-term status for New Caledonia acceptable to all of its people. The solutions will carry implications not only for France’s other Pacific entities, but for its necklace of overseas possessions around the world. France’s Pacific neighbours understand the complexities of this governance process, one with which they are themselves constantly grappling in their own ways. They will continue to welcome and support genuine, unflinching democratic effort on the part of France and its collectivities.