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Briefing Note



NEW GOVERNMENT IN NEW CALEDONIA The May 2009 Elections in a French Pacific Territory

INTRODUCTION

Every five years, voters in New Caledonia go to the polls, to elect representatives to three provincial assemblies (North, South and Loyalty Islands) and the local Congress.

Following elections on 10 May 2009, there are 31 members of anti-independence parties in the new Congress and 23 independence supporters. The conservative *Rassemblement UMP* (RUMP), with 13 seats, is the largest political party in the Congress. But behind these bald figures, all is not well for the supporters of France in the South Pacific.

Overall, pro-independence parties increased their representation in the Congress by five seats compared to the last elections in 2004. Anti-independence parties dominate the Southern Province Assembly but are largely irrelevant outside the capital Noumea, winning only two of 22 seats in the Northern Assembly and, for the first time ever, losing all their seats in the Loyalty Islands. This result highlights the ongoing polarisation between Noumea and the bush: in spite of migration from rural areas to the capital, European and immigrant Wallisian voters hold sway in the Southern Province, while the indigenous Kanak population (who largely support independence) dominate in the rural provinces.

The elections were marked by significant competition between the anti-independence parties, highlighted by a drop in votes for the RUMP, the decline of the *Avenir Ensemble* party and success for the new *Calédonie Ensemble* party led by Philippe Gomes, who won the position of President of the Government of New Caledonia. There is also a sharp

political contest between different members of the independence coalition *Front de Libération Nationale Kanak et Socialiste* (FLNKS). The rise of the new *Parti Travailleiste* (Labour Party) has strengthened but complicated the movement for independence.

The provincial assemblies and Congress are local political institutions created by the Noumea Accord, which was signed in May 1998 by representatives of the French state, the FLNKS and the leading anti-independence party *Rassemblement pour la Calédonie dans la République* (RPCR).

Today, more than ten years into the Noumea Accord process, New Caledonia's politics are marked by a level of stability and inter-communal engagement that is markedly different to the era of violent clashes between 1984 and 1988. But in spite of major political, economic and social restructuring and extensive funding by the French state, the election results show there is still a significant gulf between parties which support or oppose political independence from France. Most members of the indigenous Kanak community continue to vote for independence, although they are still a minority of New Caledonia's population as a result of colonial settlement and ongoing immigration.

These elections reflect a key issue for policy makers in the Pacific region—can electoral reform and the promotion of a multi-party coalition government transcend ongoing economic and social cleavages in a multi-ethnic society? As in Fiji, the evidence from the 2009 elections in New Caledonia suggests that many underlying divisions are still unresolved. The election campaign featured debate over 'hip pocket' issues like

local employment, housing and prices, but the issue of ‘independence or autonomy within the French republic’ is still central to political life.

This briefing note starts by outlining New Caledonia’s parliamentary and electoral system. It then analyses the results of the 2009 elections for both pro- and anti-independence parties and details the post-election formation of the government. It also notes key issues arising from the campaign that have relevance for neighbouring Pacific states.

PART 1: NEW CALEDONIA’S POLITICAL STRUCTURES

The 1988 Matignon–Oudinot Accords ended a period of conflict in New Caledonia which pitted Kanak independence activists against the French army, police and right-wing militias supported by elements of the settler community. Most leaders wanted to avoid a clash at the end of the ten-year Matignon period, so a new agreement dubbed the Noumea Accord was negotiated to avoid a referendum on independence in 1998. This deal created new political structures and electoral systems to encourage political co-operation between competing parties. It also created a further transition period before a final decision on New Caledonia’s political status, in a referendum scheduled after 2014 (for discussion of the agreement by France’s chief negotiator, see Christnacht 2004).

Key elements of the May 1998 Noumea Accord include:

1. the creation of new political institutions in New Caledonia, including three provincial assemblies, a

national Congress, a multi-party executive government, and a 16-member Senate for Kanak customary chiefs which must be consulted on issues that affect Kanak identity

2. the creation of a “New Caledonian citizenship”, with a restricted electoral roll for the local political institutions
3. an “irreversible” transfer of administrative and legislative powers from Paris to the local authorities in Noumea, supported by ongoing funding from France
4. a 15–20 year transition before a referendum on self-determination for New Caledonia, possibly leading to the “emancipation” of the territory and the transfer of the remaining sovereign powers (defence, foreign policy, police, judiciary, currency)
5. measures to recognise indigenous Kanak culture and identity (highlighted by a preamble to the Noumea Accord which acknowledges the “shadows” of the colonial period and the need for decolonisation).

These changes are now entrenched in the French Constitution and New Caledonia has a unique legal status amongst France’s overseas possessions. However, New Caledonian citizens retain their French nationality and New Caledonia is represented in the French parliament in Paris, with two seats in the National Assembly and one in the Senate. All French nationals in New Caledonia can also vote for the European Parliament.

Since the Noumea Accord, elections for the local assemblies and Congress have been held every five years—in 1999, 2004 and again in 2009.

TABLE 1: NEW CALEDONIA’S PROVINCIAL INSTITUTIONS

	Southern Province	Northern Province	Loyalty Islands Province	TOTAL
Population numbers (2004 census)	164,235 (71.2 per cent)	44,747 (19.3 per cent)	22,080 (9.6 per cent)	231,062
Number of registered voters (2009)	83,648	32,677	19,607	135,932
Number of seats in Provincial assembly	40	22	14	76
Number of assembly members in Congress	32	15	7	54

New Caledonia uses the French system of electoral lists: voters aged 18 and above chose from a range of slates put forward by parties or coalitions, with seats allocated according to the proportion of the vote (for details of electoral law, candidate and voter eligibility, see Maclellan 2005). Voting is not compulsory, and there are variations in turn-out across the three provinces and also according to the type of election (for example, voter turn out in the Pacific is very low for EU elections).

The electorates are based on the three provinces: the Southern Province, with over 70 per cent of the population; the Northern Province; and the Loyalty Islands Province (though urbanisation and new development projects in the north are shifting the population and over a third of the population of the outlying islands now live on the mainland, mainly in the capital Noumea and surrounding towns).

On 10 May 2009, voters chose 76 members for the three provincial assemblies. The assemblies are of different sizes, reflecting population distribution: Southern Province (40 seats); Northern Province (22 seats); Loyalty Islands Province (14 seats). Each assembly then elects its own President and executive.

A proportion of the members of these assemblies then make up the 54-member Congress, with members serving five-year terms. The Congress is made up of 32 (out of 40) members from the Southern Assembly, 15 (out of 22) from the Northern Assembly and 7 (out of 14) from the Loyalty Islands Assembly.

Following the first post-election sitting of the Congress, its members choose a multi-party government of between five and eleven people. The Government can propose laws for adoption by the Congress in areas where Noumea rather than Paris has authority. From amongst its members, the Government chooses the President and Vice President of New Caledonia, based on an absolute majority vote.

Smaller parties can unite as a congressional group, as only groups with six or more members (11 per cent of the Congress) can gain seats in the government. Places are allocated in proportion to representation in Congress, so since 1999, pro-independence parties have obtained three or four places in the executive while the anti-independence parties have dominated with seven or eight places.

In 2009, 72 per cent of the 135,932 registered voters turned out for the assembly and congressional elections.

To gain a seat, an electoral list must win enough votes to reach the threshold of five per cent of registered (not actual) voters in the province. This threshold varies according to population and the number of seats in each assembly: in 2009, the threshold was 981 votes (Islands), 1,634 (North) and 4,182 (South).

Votes for lists that do not reach the five per cent threshold are not re-allocated. This threshold is designed to encourage parties to unite and form coalitions, but has been largely unsuccessful, and can leave significant sections of the electorate without parliamentary representation. The number of electoral lists has risen over time from 20 (1989) to 21 (1995), 23 (1999) and 31 (2004). In 2009, the number of lists was slightly reduced to 24: ten in the South and seven each in the North and Loyalty Islands. In 2004, 17 out of 31 lists failed to reach the threshold, meaning some 17,350 voters went unrepresented (nearly 20 per cent of the electorate). Even with fewer lists in 2009, 10 out of 24 failed to reach the threshold—a total of 12,705 votes being wasted (13 per cent of the electorate).

PART 2: ELECTION RESULTS

The 2009 elections in New Caledonia have reinforced a trend evident over the last decade: in the 1980s and 1990s, the FLNKS and RPCR were hegemonic blocs, but today these two forces are fracturing into competing political parties. As well as disputes within both political camps, the latest election has seen the marginalisation of some parties opposed to the Noumea Accord (such as the neo-fascist National Front) and the growth of a significant new force on the Left—the *Parti Travailleiste* (Labour Party).

Competition on the Right

Amongst the anti-independence parties, these elections were marked by a significant split. The once hegemonic *Rassemblement* party has fractured into a number of smaller, competing formations. RUMP leader Pierre Frogier has been forced to negotiate with opposing parties to create an uneasy alliance in the Congress and in the new Government of New Caledonia.

RUMP is the latest incarnation of the *Rassemblement pour la Calédonie dans la République* (RPCR). Founded in 1978, RPCR was once the fiefdom of conservative politician Jacques Lafleur, from a family which dominated local politics for many years (his father

TABLE 2: RESULTS FROM THE MAY 2009 NEW CALEDONIA ELECTIONS

Party or coalition	Leader	Seats in Southern Assembly: 40 (32 into the Congress)	Seats in Northern Assembly: 22 (15 into the Congress)	Seats in the Islands Assembly: 14 (7 into the Congress)	Total seats in the Congress (54)	Seats in Government of New Caledonia (11)
Rassemblement UMP	Pierre Frogier	15 (12)	1 (1)	-	13	3
FLNKS south / UC north and islands *	Roch Wamytan	4 (3)	8 (5)	6 (3)	11	3
Calédonie Ensemble	Philippe Gomes	11 (9)	1 (1)	-	10	3
UNI-FLNKS *	Paul Neaoutyine	-	9 (6)	4 (2)	8	1
Avenir Ensemble-LMD	Harold Martin	8 (6)	-	-	6	1
Parti Travailleiste *	Louis Kotra Uregei	-	3 (2)	2 (1)	3	-
Rassemblement pour la Calédonie	Jacques Lafleur	2 (2)	-	-	2	-
Dynamique Autochtone LKS *	Nidoish Naisseline	-	-	2 (1)	1	-
TOTALS		40 (32)	22 (15)	14 (7)	(54)	11

Note: This table does not include electoral lists which did not win seats. Pro-independence parties marked *

Henri served as New Caledonia's Senator from 1947 to 1974). RPCR changed its name to *Rassemblement UMP* in 2002, in line with the transformation of a number of conservative French political parties into the alliance *Union pour un Mouvement Populaire* (UMP—Union for a Popular Movement), now led by French President Nicolas Sarkozy.

Jacques Lafleur led the anti-independence forces through the armed clashes of the 1980s and the peace that followed, ruling as President of the Southern Province from 1988 to 2004. But by the turn of the century, his long hegemony on the right was under challenge from dissidents in his own party. Long-time RPCR member Harold Martin broke with Lafleur after running (and winning) against Lafleur's candidate for the position of Mayor of Paita in 2001. He was followed by Algerian-born politician Philippe Gomes, who left

Rassemblement in 2001. Marie-Noelle Themereau, a leading businesswoman in property and real estate, also fell foul of Lafleur and left the party.

In 2004, these three RUMP dissidents joined businessman Didier Leroux to form a new party *Avenir Ensemble* (AE—The Future Together). Leroux, with interests in transport, the import of pharmaceuticals and other businesses, is a long-time opponent of Lafleur in both commerce and politics (he is also a supporter of the Democratic Movement party in France, a centrist rival to the conservative UMP).

While continuing to oppose independence for New Caledonia, AE campaigned against RUMP after the conservative party refused to collaborate with the pro-independence members of the first Noumea Accord government (1999–2004). After success in the 2004 elections, AE leaders replaced RUMP to hold key

positions in government: Gomes as President of the Southern Province Assembly; Themereau (2004–07) and then Martin (2007–09) as President of the Government of New Caledonia; Leroux as a minister, responsible for transport, finance and other key portfolios.

This “Gang of Four” fell out in 2007–08. Gomes and Leroux competed to represent AE in the 2007 elections for the French National Assembly, but the two seats in Paris went to RUMP’s Pierre Frogier and Gaël Yanno. After the French Presidential elections which saw the victory of Nicolas Sarkozy, Marie-Noelle Themereau resigned as President of New Caledonia in July 2007 and Harold Martin took over the post.

In late 2008, Gomes and Themereau left AE to form a new party, ironically called *Calédonie Ensemble* (CE —Caledonia Together). With Gomes taking a majority of AE’s elected members into his new group, the *Avenir* party lost much of its influence. Based on personality as much as policy, the parting of ways was bitter. In an interview at the time of the split in 2008, Didier Leroux bluntly told the author: “I believe that Philippe Gomes is dangerous ... I think he is a danger for New Caledonia. We have had 25 years of dictatorship or quasi dictatorship [under Jacques Lafleur]. I don’t want another 25 years of management like this. We have fought against that—where the President of the Southern Province rules everything—and that is what he wants to replicate.”

Meanwhile the grand old man of the settler community Jacques Lafleur had deserted the RUMP to form his own party, *Rassemblement pour la Calédonie* (RPC). Over the last decade, Lafleur has announced his retirement from politics several times, but he entered the contest again for the May elections.

During the election campaign, there was a fierce contest between these groups to win the support of anti-independence voters. The final tally in the Congress is RUMP (13), CE (10), AE (6) and RPC (2)—the extremist National Front, which opposes the Noumea Accord, fell by the wayside and lost all its seats. Overall, anti-independence numbers in the Congress have dropped from 36 (2004) to 31 (2009).

Even though it has the largest number of seats in the Congress, RUMP lost over 2,000 votes in comparison to the 2004 elections. Gomes’ CE overshadowed his former allies in the *Avenir* party—while AE and CE together increased their vote by six per cent compared

to 2004, their ongoing split has affected co-operation in the Congress and government.

With increased representation of pro-independence parties in the 54-member Congress (discussed below), no two conservative parties combined have the numbers to build a clear majority, unlike previous parliaments. To avoid compromises with their opponents in the Kanak community, the competing anti-independence leaders were forced into an uneasy alliance, dubbed the “republican pact”, for post-election negotiations to carve up the most powerful positions in government. In late May, RUMP’s Pierre Frogier met the new kingmaker Philippe Gomes, with AE’s Harold Martin on the sidelines, to strike an agreement.

The largest conservative parties RUMP and CE took the key posts: Frogier as President of the Southern Assembly and Gomes as President of the Government of New Caledonia. RUMP and CE also dominate the leadership of key Congressional committees and statutory bodies. Outgoing President Harold Martin won the consolation prize as speaker of the national Congress.

Although French President Nicolas Sarkozy has been urging unity amongst the anti-independence parties, relations between them continue to be fraught. RUMP’s Pierre Frogier and Gaël Yanno represent New Caledonia in the French National Assembly, which gives them a platform with the government and media in Paris. After Frogier’s strong statements against independence during the election campaign, the AE and CE leadership believes that the RUMP will continue to alienate pro-independence leaders as the territory moves towards a decision on its future political status—as Didier Leroux bluntly told the author in 2008: “I don’t despise Kanaks like Frogier and Yanno do.”

Disunity in the FLNKS

In the May 2009 elections, pro-independence parties increased their representation in the Congress from 18 to 23 seats. But the election campaign and the formation of the government have seen tension between the two largest pro-independence parties: *Union Calédonienne* (UC—Caledonian Union) and *Parti de Libération Kanak* (Palika—Kanak Liberation Party). These FLNKS members also face a new challenger on the Left, following the electoral success of the new *Parti Travailleiste* (PT—Labour Party).

During the campaign, there was sharp competition in the North and Loyalty Islands between UC and Palika. The outcome was a small drop in votes for Palika (running as the UNI electoral list) but a roughly even distribution of seats: in the Northern Assembly, UNI won nine seats against eight for UC; while in the Loyalty Islands it was four to UNI and six to UC. In the provincial assemblies, the status quo leadership is retained, with Palika's Paul Neaoutyine continuing as President of the Northern Province and UC's Neko Hnepeune as President in the Loyalty Islands.

The increased representation in Congress came in part because the pro-independence vote in the Southern Province saw a significant improvement compared to 2004. Last elections, there were so many pro-independence electoral lists in the south that none of them gained enough votes to reach the five per cent representation threshold ensuring that there were no FLNKS representatives in the Southern Assembly over the last five years.

In the months leading up to the 2009 elections, there were complex negotiations to form one united ticket in the south. The resulting FLNKS list, led by long-time independence leader Roch Wamytan, was structured to give the top four positions to a member of each of the four parties that make up the FLNKS (*La Voie du FLNKS* 2009a). The victory of this FLNKS ticket, winning nine per cent of the vote and four seats in the Southern Assembly, has reinforced the central division between pro- and anti-independence forces and also highlights the marginal score for breakaway groups who failed to win a seat.

One significant exception was *Ouverture Citoyenne* (OC), a cross-party group of progressive intellectuals led by Louis Mapou, Jean-Pierre Deteix and Marie-Claude Tjibaou (widow of the late independence leader). OC ignored the FLNKS plea for unity in the South, running its own ticket but narrowly missing the five per cent threshold needed to win a seat. They will now continue as an NGO to campaign on political and social issues and to seek links with the non-indigenous communities.

The other congressional seat went to Nidoish Naisseline, leader of the *Libération Kanak Socialiste* party (LKS—Kanak Socialist Liberation). From his days as a leader of the *Foulards Rouges* (Red Scarves) in the 1970s, Naisseline has supported independence but LKS has always stood outside the FLNKS. Naisseline is

a customary high chief and, as usual, ran on his home island of Mare in the Loyalty Islands. Under the electoral banner of *Dynamique Autochtone*, the LKS won two seats in the Loyalty Islands Assembly and Naisseline returns to Congress, where he has served since the 1980s.

Rise of the Labour Party

The FLNKS also had to compete with a new pro-independence party, the *Parti Travailliste* (PT—Labour Party). The PT, led by unionist turned businessman Louis Kotra Uregei, was formed with support from the *Union Syndicale des Travailleurs Kanak et Exploités* (USTKE—Confederation of Kanak and Exploited Workers' Unions). USTKE, founded in 1981, is the most militant trade union confederation in New Caledonia—its official slogan is “*Usines, tribus, même combat*” (Factories, tribes, same fight). A founding member of the FLNKS, USTKE formally left the coalition in 1989 but continues to take a strong position in support of independence.

After a series of militant industrial disputes over the last decade, met by police repression and the arrest of key activists, leaders of the unions decided to form a political party. The PT held its founding congress in November 2007 and first ran candidates for the March 2008 municipal elections—winning 30 seats on local councils and a significant tally of votes in the North and Loyalty Islands.

In spite of attempts to draw the PT into a grand coalition of pro-independence parties, especially in the South, the PT decided to run separate tickets in all three provinces for the May 2009 elections. As noted by PT leader Marie-Pierre Goyetche: “Our objective is not to unite the independence movement, but more to understand what sort of society we can create within the framework of a sovereign nation” (*Les Nouvelles Calédoniennes*, 27 April 2009).

First time out, the PT has done well in the Kanak-dominated areas, winning 12 per cent in the North (3 seats) and 20 per cent of the vote (2 seats) in the Loyalty Islands. However, with a relatively low vote in the South, the PT only gained three seats in the national Congress (not enough to earn representation in the government).

The PT's strong stand on industrial policy, indigenous issues and land rights, together with its public calls for independence, create an important pole in future political



Map of New Caledonia (Credit: John Waddingham)

debate. The party's links to the USTKE also reinforce its clout outside the parliament. Some commentators present the PT as an "extremist" force, open to manipulation by the right against "moderate" independence leaders. But the party has a strong social base in the working class and unemployed youth, and has tapped support from many grassroots members of the FLNKS, disaffected by the inevitable compromises made by their leaders in a multi-party government (Palika and UC ministers are always a minority in the Government of New Caledonia, but voters hold them accountable for collective decisions taken by the executive).

New Government

In the aftermath of New Caledonia's elections, the incoming Congress voted to have eleven members in the new government (the maximum number allowed). Representation in the Government of New Caledonia is determined proportionally according to the strength of party groupings in the Congress, so there are now seven members from anti-independence groups (three from CE, three from RUMP and one from AE-LMD) and four from pro-independence groups (three from UC-FLNKS and one from UNI).

In mid-June, the leadership and allocation of portfolios was decided in this multi-party executive. Following disputes and re-alignment in both the pro- and anti-independence camps, there has been a change of leadership, with Philippe Gomes replacing Harold Martin as President of the government, and *Union Calédonienne's* Pierre Ngaiohni replacing long-serving independence leader Dewe Gorode as Vice President.

President Gomes has consolidated his influence at a crucial time—New Caledonia's new Congress will set the path for the territory's future political status, to be decided after the end of this five-year term in 2014. But the Noumea Accord's vision of "collegiality" and compromise in a multi-party government will continue to be tested in the months to come.

With RUMP and CE dominating the anti-independence electorate, the big loser was the *Avenir* party, which had been the dominant force in New Caledonia's last government from 2004 to 2009. *Avenir's* only minister in the new line up is conservative Kanak politician Simon Loueckhote, who serves as New Caledonia's Senator in Paris. Originally from the island of Ouvea, Loueckhote had always maintained a presence for the Right in

the Loyalty Islands Assembly. But seeing the shift in voter attitudes, Loueckhote used his senatorial rank to run in the South rather than contest these elections in his home province. This decision contributed to the defeat of anti-independence parties in the province, which failed to win any seats in the Loyalty Islands Assembly.

A great survivor in local politics, Loueckhote has bounced from party to party to maintain his influence. Originally a key member of the anti-independence *Rassemblement* party, the veteran politician left with Jacques Lafleur to found the RPC. After falling out with Lafleur, Loueckhote then started his own Movement for Diversity (LMD)—during the election campaign, Lafleur sourly noted: “Simon Loueckhote would never have become Senator without me” (*Les Nouvelles Calédoniennes*, 26 February 2009). After failing to negotiate a unity deal with Philippe Gomes, Loueckhote’s LMD then contested the election in alliance with the *Avenir* party. He has ended up gaining the only post in the new government for the joint AE–LMD list.

Palika’s decision to form its own UNI group in the Congress rather than unite with the FLNKS group means that it has lost one of the ministerial posts held in the previous government. The FLNKS group now includes the eight UC congressional representatives elected in the North and Loyalty Islands and the three congressional members of the united FLNKS ticket from the South (which includes one Palika member, Sylvain Pabouty, who stood by the call for unity from his electorate to stay with the FLNKS rather than UNI).

Rather than align with one or other of the competing FLNKS parties, the new Labour Party refused to give its support to either camp (a significant decision—the loss of their three votes in the Congress means that there are only four instead of five pro-independence ministers in the new government).

The tensions between *Union Calédonienne* and Palika were also evident in choosing the Vice President of the new government, which historically has gone to an independence supporter. Dewe Gorode, a founder of the Palika party, had served as Vice President under the last three Presidents. But with three members in the new government, UC argued it should take the post. The allocation of portfolios was delayed for a week while negotiations continued. While retaining her

responsibility for Culture, Citizenship and Women’s Affairs, Gorode eventually ceded the post of Vice President to UC’s Pierre Ngaiohni, who will also be responsible for customary affairs and relations with the Kanak customary Senate.

PART 3: ISSUES FROM THE 2009 CAMPAIGN

As well as the fragmentation of parties and ongoing debate over independence, the election campaign highlighted other significant issues about New Caledonia’s politics and electoral system: the role of electoral reform to achieve change in a multi-ethnic society; the representation of women in Parliament; the importance of the youth vote; and ongoing debates about citizenship and New Caledonia’s future political status.

Electoral Reforms

In New Caledonia, as in other Pacific countries like Fiji, the issue of ethnicity has implications for the electoral system. Since 1946, when indigenous Kanaks were first granted the vote, there have been debates over what, if any, restrictions should be made to New Caledonia’s electoral franchise. A central feature of the May 2009 vote is the use of a restricted electoral roll for the local institutions.

Since the conflict of the 1980s, independence leaders have been calling for a restriction in immigration and voting rights for the many French nationals who arrive in the territory. The public servants, soldiers, retirees and technicians on short term contracts overwhelmingly vote for parties opposed to independence.

At the last census which recorded people’s ethnicity, held in 1996, Kanaks made up 44.1 per cent of New Caledonia’s inhabitants, followed by Europeans (34.1 per cent) and Wallisians (9 per cent). Other officially designated communities (Indonesian, Tahitian, Vietnamese, ni-Vanuatu) each made up less than 3 per cent. The next census in 2003 was postponed after French President Jacques Chirac’s July 2003 visit to New Caledonia, when he criticised official census questions about ethnicity as “irresponsible and illegal.” President Chirac stated the French republic does not recognise people on the basis of their ethnic origins, saying: “There is only one reply to such a question, you are all French and there are French people of all ethnic origins.” (*Revue Juridique*, 2004).

The census finally proceeded in late 2004, but without any questions identifying the respondent's ethnicity. Some indigenous Kanaks, concerned that French authorities were trying to cover up an influx of French nationals, launched a boycott of the 2004 census—estimates suggest 10 per cent of the population refused to complete the census forms. For this reason, up to date figures on ethnicity are unavailable, even though it is important to collect disaggregated statistics based on ethnicity, gender and other criteria, as these issues have practical consequences for land tenure, voting rights and a range of affirmative action programs in education, health and social welfare. A new census is scheduled for late 2009—this time it will ask questions on ethnicity, to allow the collection of disaggregated information and provide accurate population numbers for each community.

The Noumea Accord and the legislation which entrenched it into the French Constitution established different electoral rolls to be used in voting for the range of political institutions:

- Elections for French and European institutions (the French Presidency, the National Assembly and Senate in Paris, municipal councils, overseas seats in the European Parliament) are voted for by the full electorate—all French nationals registered to vote in New Caledonia.
- Voting for elections for provincial assemblies and the local Congress is restricted to a limited electoral roll of New Caledonian citizens, rather than all French nationals.
- The referenda on New Caledonia's future political status, scheduled to be held after 2014, will involve only those New Caledonian citizens resident in the islands for twenty years (i.e. arriving before 31 December 1994).

For over a decade the definition of this citizenship has been the subject of legal and political dispute, with complex debates over how to determine the starting point for the ten years of residency required (Faberon and Postic 2004). Aggrieved voters and academic pundits have argued that the restrictions discriminate against constitutional guarantees of universal rights for all French nationals (Under its constitution, France has only one category of citizenship, unlike other EU members that have variegated citizenship for



Dewe Gorode and Valentine Eurisouke: nearly half the elected members are women. Photo: Nic Maclellan.

people living in their overseas territories). However the restrictions on voting rights were entrenched into French law in the dying days of the Chirac presidency, through an April 2007 decision of a joint sitting of the French National Assembly and Senate in Paris.

This restricted electoral roll means that 18,230 people resident in New Caledonia—11.8 per cent of the normal electoral roll—cannot vote in the assembly and congressional elections, even though they still participate in elections for institutions in Paris and Strasbourg. This restriction largely disenfranchises people in Noumea: in 2009, only 420 “excluded” voters lived in the Loyalty Islands Province and 954 in the Northern Province. In contrast, there are nearly 17,000 “excluded” voters in the Southern Province, where the bulk of the European and Wallisian population reside (amounting to 16.7 per cent of the southern electorate).

As New Caledonia further integrates into the South Pacific region, there will be ongoing tensions for French nationals who continue to look to Paris and Strasbourg as the centres of governance.

Parity law

In sharp contrast to other Melanesian nations where women are rarely represented in Parliament, women have extensive representation in all levels of government in New Caledonia. Under 1999 French legislation known as the Parity Law, women must make up 50 per cent of any electoral list, alternating male / female, ensuring that nearly half the elected members will be women.

Since the law came into effect in New Caledonia in 2001, women are increasingly represented in local

government at the level of the *commune* (municipal council). After the March 2008 local government elections, five women were elected as mayors. The Parity Law also ensures strong representation of women in the assemblies and Congress (For example, women from different parties were elected to the Loyalty Islands Assembly for the first time in 2004, where there had been none before the Parity Law).

After the 2009 vote, women make up 36 of 76 new assembly members and 24 of 54 congressional representatives. Women's representation in the new government does not match the peak of 2004 (when Marie-Noelle Themereau was President and Dewe Gorode Vice President), but New Caledonia's quota system has created an important mechanism for women to enter public life. At a time when women are underrepresented in Pacific parliaments, this use of quotas raises important lessons for other Pacific societies which are looking at issues of parliamentary representation (Pacific Islands Forum Secretariat 2006).

Youth vote

Jean-Marie Tjibaou, the charismatic leader of the FLNKS assassinated in 1989, is an icon for many people, as evidenced by a growing list of biographies and collected writings (Rollat 1989; Tjibaou 1996, 1998; Fraser and Trotter 2005; Waddell 2008). But the 18-year-olds who voted for the first time in 2009 were not born when Tjibaou shook hands with Jacques Lafleur to end the conflict of the 1980s.

Like other Melanesian societies, the Kanak community has a young population. Although all political parties are led by people who were political combatants in the 1980s, many young people are seeking ways to intervene in debates over the

country's future. The FLNKS in the South made a special effort to reach them with an Internet blog and to register hundreds of young voters who had been disenfranchised by hostile town hall bureaucrats (*La Voie du FLNKS* 2009b).

However, like many Pacific electoral campaigns, the central issues facing young people were rarely addressed by leading politicians. Debate over "youth issues" was focussed on the need to create employment, with a polarisation between social democratic calls for "jobs to build the nation" or Sarkozyite polemics on "youth delinquency" and "law and order". The neo-fascist National Front launched a series of racist polemics against young unemployed Kanaks, with National Front leader Bianca Henin stating: "After ten years of the Accord, where do we see the benefits from this process of decolonisation that's underway? In these bands of hooligans, eyes red from alcohol and cannabis, who threaten tourists, or smash up and burn cars?" (*Les Nouvelles Calédoniennes*, 2 May 2009).

These elections saw a new generation of younger leaders win seats. RUMP now boasts the youngest member of the new Congress, aged 22, but the pro-independence parties have opened their ranks to representatives who have gained experience in public administration over the last ten years, including women like Valentine Eurisouke (Mayor of Waa Wi Luu) or former ministerial advisors Charles Wea and Sylvain Pabouty (*La Voie du FLNKS* 2009c).

"The economy, stupid"

As in all countries, the state of the economy and issues of housing, transport and prices were key issues in the campaign. There was also extensive debate over strengthening the rights of New Caledonian citizenship to protect local employment against ongoing immigration from France.

Buoyed by massive French grants and EU aid, New Caledonia is a wealthy nation with a per capita income greater than New Zealand's and much higher than neighbouring Melanesian nations (see table). But these figures mask significant disparities between ethnic groups and also between people who live on public service salaries in the French system, compared to private sector employees

TABLE 3: NEW CALEDONIA'S GDP PER CAPITA

	New Caledonia	Papua New Guinea	Vanuatu	Fiji
GDP per capita (2006)	US\$29,898	US\$991	US\$2,127	US\$3,175
Gov't expenditure per capita (2005)	US\$14,399	US\$991	US\$432	US\$937

Sources: IEOM 2008; World Bank

and rural villagers engaged in subsistence farming and fishing or cash-cropping.

The gulf between Noumea and the bush is stark: the 2004 census showed unemployment at 11.4 per cent in Southern Province, compared to 28.4 per cent in the Northern Province and 38.9 per cent in the Loyalty Islands (IEOM, 2008). The failure of the anti-independence parties to win any seats in the Islands and only two seats in the North is a reflection of their inability to address core issues of economic and social rebalancing for these largely Kanak areas.

A central issue for the FLNKS is the decentralisation of investment outside the capital and the Southern province. In a 2008 interview with the author, Northern Province President Paul Neaoutyine stated: “There’s resource development outside of Noumea such as fishing and mining, but the main value-adding economic activities all happen in Noumea. If you want to change this and bring substantial development to the provinces, you have to have projects which go beyond a certain threshold. We want to create an arc of development from Poindimie to Touho, Kone to Pouembout, but you need a level of investment flows to make it happen.”

The North’s major hope is the Koniambo project: an open cut mine, nickel processing plant, 350MW power station, desalination complex, mining town and deepwater port at Vavouto. The US\$4 billion project is run by *Koniambo Nickel SAS* (KNS), a joint partnership between the Swiss conglomerate Xstrata and the province’s *Société Minière du Sud Pacifique* (SMSP). There will be significant shifts in population as workers move to take up employment in these new projects (see Maclellan 2008 for discussion).

Referendum after 2014?

Held every five years since the 1998 Noumea Accord, the 2009 elections are particularly important. Politicians in the new Congress will decide on the timetable to transfer the next tranche of administrative and legislative powers from Paris to the local administration in Noumea (including secondary education, which will shift control of a huge budget and staff). The incoming Congress and Government will also decide whether to proceed to a referendum on independence after 2014, or whether to negotiate another transitional agreement, leaving New Caledonia in a form of free association



*Will New Caledonia adopt a new flag?
Photo: Nic Maclellan.*

with France controlling defence, foreign policy, police and judiciary.

The Congress will also consider the adoption of new national symbols for New Caledonia, as agreed in the Noumea Accord. The last government adopted a new national anthem, motto and banknotes. But the choice of other more contentious symbols—a new flag and name for the islands—will spark heated debate, with the RUMP rejecting the proposal to use the name “Kanak” or to replace the French tricolour with the FLNKS flag.

During the campaign, RUMP leader Pierre Frogier called for a referendum on independence before 2014, believing that anti-independence supporters will win because of their superior numbers. In contrast CE’s Philippe Gomes and AE’s Didier Leroux argued that New Caledonia should avoid a referendum on its final political status by negotiating a new pact like the Noumea Accord. RPC’s Jacques Lafleur even proposed a 50-year pact involving a form of free association with France.

In contrast, key FLNKS leaders like Roch Wamytan believe that the referendum must be held as scheduled by the Noumea Accord. Other Kanaks, while stating that independence is an innate right for their colonised people, foresee some compromise. Attending a CE public meeting during the campaign, President of the Northern Province Paul Neaoutyine reaffirmed the vision of the Noumea Accord and the building of an independent nation, but spoke of the need for an “original” solution before 2014, to avoid a vote that will alienate one side or the other.

The new Congress and government will determine the outcome of this ongoing debate: is the current Noumea Accord process building a “common destiny” for all communities or will it falter, re-creating the political cleavages that led to violent conflicts in the 1980s?

*This briefing paper was prepared by Nic Maclellan.
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