

Nauru

Country:[Nauru](#)**Year:**

2016

Freedom Status:

Free

Political Rights:

2

Civil Liberties:

2

Aggregate Score:

84

Freedom Rating:

2.0

Overview:

The government continued to propagate measures designed to suppress criticism of the processing center it hosts for migrants seeking asylum in Australia; the facility, operated by private contractors hired by the Australian government, houses hundreds of people in conditions activists have called inhumane. After the visa application fee for foreign journalists was increased to \$8,000 in 2014—a measure widely described as a means of deterring foreign news coverage of the processing center—a reporter from the *Australian* newspaper became the first foreign journalist granted entry to Nauru in October 2015. In May 2015, the government blocked access to Facebook and other sites and amended the criminal code to allow the prosecution of those deemed to threaten public safety.

In October 2015, the government announced that it would permit asylum seekers held at the processing center free movement across the island.

The government has also taken steps to sideline political opponents. The suspension of five lawmakers in 2014 effectively removed meaningful opposition from the parliament. Meanwhile, emails leaked in June 2015 suggested that the president and justice minister had accepted hundreds of thousands of dollars in bribes from an Australian phosphate company. In September, New Zealand suspended justice-sector aid to Nauru, citing concerns about the rule of law.

Political Rights and Civil Liberties:**Political Rights: 35 / 40 (-2) [Key]****A. Electoral Process:** 12 / 12

Nauru's 19-member unicameral Parliament is popularly elected from eight constituencies for three-year terms. Parliament chooses the president and vice president from among its members.

Intense political rivalries and the use of no-confidence votes have been a source of political instability. Several changes of government occurred between 2007 and 2011, the shortest lasting only days. Following general elections in 2013, Parliament elected Baron Waqa to serve as president.

B. Political Pluralism and Participation: 15 / 16 (-1)

Although political parties are allowed, most candidates run as independents. Political parties include the Nauru First Party, the Democratic Party, and the Center Party. Alliances frequently shift.

In 2014, five lawmakers were suspended from the legislature, allegedly for unruly behavior and for making remarks to foreign media that were critical of the government. Their departures left little real opposition in Parliament. Two of the suspended lawmakers were arrested after an antigovernment protest in June 2015, and another had his passport revoked, also in June, preventing him from traveling to his family in New Zealand.

C. Functioning of Government: 8 / 12 (-1)

Corruption is a serious problem. In 2015, the Australian Broadcasting Corporation (ABC), reported that the contents of leaked e-mails suggested that President Waqa and Justice Minister David Adeang had accepted bribes worth hundreds of thousands of dollars from an Australian phosphate company in 2009 and 2010. In 2013, Nauru's police commissioner, Australian federal policeman Richard Britten, who had been investigating the bribery charges, was dismissed; some observers suggested that his dismissal was related to the investigation.

Nauru lacks a law on access to public information, but the Government Information Office releases some material on budgetary and other matters. There is a concerning lack of transparency surrounding operations and conditions at the processing center for asylum seekers.

Civil Liberties: 49 / 60 (-2)

D. Freedom of Expression and Belief: 13 / 16 (-1)

There are several local weekly and monthly publications, and foreign dailies, mostly in English, are available. The government publishes occasional bulletins, and the opposition publishes its own newsletters. Radio Nauru and Nauru TV are owned and operated by the government. Broadcast content comes from Australia, New Zealand, and other countries.

The government appears determined to silence criticism of conditions faced by asylum seekers and refugees through a series of restrictions on free expression and on media workers. In what foreign media outlets widely characterized as a means of deterring reporting on the Australian processing center for asylum seekers, the visa application fee for foreign journalists was raised to \$8,000 in 2014, up from \$400. In October 2015, Chris Kenny of the *Australian* became the first foreign journalist granted a visa in 18 months.

In another move observers linked to government sensitivity toward coverage of the processing center for asylum seekers, in April 2015, authorities ordered internet service providers to block access to Facebook and several other sites, allegedly to protect users from obscene and pornographic content. Separately, in May, the criminal code was amended to make illegal any comment deemed to cause a person emotional distress or threaten public safety, order, or health; violations carry a prison sentence of up to seven years. Authorities are not known to illegally monitor private online communications.

The constitution provides for freedom of religion, which the government generally respects in practice. There were no reports of suppression of academic freedom in 2015.

E. Associational and Organizational Rights: 10 / 12 (-1)

The constitution upholds the right to assemble peacefully, but this right is not always respected in practice. In March 2015, nearly 200 refugees, including children, were arrested during a peaceful protest; the arrests came in the wake of statements from the police chief that assemblies of larger than three people would be dispersed. Several hundred people participated in protests in June at which they demanded the resignation of the government over its crackdown on freedom of expression, and the bribery allegations against Waqa and Adeang. Three opposition lawmakers, among the five suspended since 2014, participated in the demonstration and were arrested days later. Mathew Batsiua was detained only for two nights, but Sprent Dabwido and Squire Jeremiah were held in custody for nearly a month before being released on bail in July.

There are no legal restrictions on the formation of nongovernmental organizations (NGOs) in Nauru. However, authorities have interfered with the operations of activists seeking to improve the treatment of asylum seekers. In October 2015, police twice raided the offices of a Nauru-based branch of the NGO Save the Children. Employees were accused of leaking emails with information about the Australian processing center to the media and breaching the country's Cyber Crime Act. In 2014, the immigration department had deported nine Save the Children employees for allegedly encouraging asylum seekers to commit self-harm so that they would be evacuated to Australia. Save the Children ended its operations in Nauru at the end of October 2015, saying the Australian government had awarded its welfare contract to a for-profit business.

There are several advocacy groups for women, as well as development-focused and religious organizations. There are no trade unions or labor protection laws, partly because there is little large-scale, private employment.

F. Rule of Law: 12 / 16

The Supreme Court is the highest authority on constitutional issues. Appeals in civil and criminal cases are heard in the high court of Australia. Traditional reconciliation mechanisms are frequently used instead of the formal legal process. In July 2015, new court facilities opened, as part of a plan to increase the capacity of the justice sector and reduce the backlog of asylum cases.

In August 2015, the Court of Appeal overturned the convictions of two asylum seekers for unlawful assembly and rioting in 2013 protests at the Australian processing center. The court cited serious concerns with the investigation—which was carried out by a private contractor rather than the Nauruan police—and the conduct of the trial's magistrate. In September, New Zealand suspended justice-sector aid to Nauru, citing concerns about the rule of law.

The Australian offshore processing facility for asylum seekers based in Nauru has generated extensive international criticism for poor living conditions and long processing delays. Government officials have decried the criticism inaccurate and politically motivated. The case of a 23-year-old female Somali refugee, known by the pseudonym Abyan, became the latest flashpoint in the controversy in 2015. According to her lawyers, in October, she was flown to Australia to receive an abortion after she was raped at the processing center and became pregnant. (Abortion is illegal in Nauru.) She then returned within the month without having had the procedure. While the Australian government claimed that she changed her mind, her lawyers say she was sent back to Nauru in anticipation of a court injunction that could have allowed her to remain in Australia.

Civilian authorities control the small police force. There have been reported cases of abuse in the past. Nauru has no armed forces; Australia provides defense assistance under an informal agreement.

Same-sex sexual activity is a criminal offense punishable by up to 14 years of hard labor.

G. Personal Autonomy and Individual Rights: 14 / 16

Phosphate mining, the main source of revenue, is in decline. With few economic alternatives, Nauru relies heavily on foreign loans and international assistance, and a \$40 million deal with Australia to host asylum seekers. In October, the government announced that it would permit asylum seekers held at Australia's regional processing center free movement across the island.

Societal pressures limit women's ability to exercise their legal rights. Domestic violence is a problem, and frequently associated with alcohol abuse.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

Source URL: <https://freedomhouse.org/report/freedom-world/2016/nauru>