

**HIS EXCELLENCY RATU EPELI NAILATIKAU**

**CF, LVO, OBE (Mil), OStJ, CSM, MSD**

**President of the Republic of Fiji**

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**ADDRESS WHILE ACCEPTING FIJI'S DRAFT CONSTITUTION FROM THE  
CONSTITUTION COMMISSION**

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**Government House. SUVA 10.00a.m. Friday, 21<sup>st</sup> December, 2012**

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- Professor Yash Ghai, Chairman of the Constitution Commission;
  - Members of the Constitution Commission;
  - Ladies and Gentlemen.

Good morning, ni sa bula vinaka, Salaam Ahlaykum, Namaste

On behalf of the Fijian government and the Fijian people, it gives me much pleasure to receive the Draft Constitution from the Constitution Commission. I wish to convey our appreciation to the Constitution Commission for this Draft Constitution.

As provided for under the Fiji Constitutional Process (Constitution Commission) Decree 2012, the Commission has travelled throughout the country to ascertain views of as many Fijians as possible.

I thank the Chair and his Commissioners for carrying out this rather onerous task.

I thank Professor Yash Ghai for agreeing to Chair the Commission. I know you have vast experience in drafting Constitutions, in particular in countries where there has been years of civil strife and/or war. Fiji, of course, does not fit into this category of countries. However, we, of course, have had our own struggles, perhaps not physical but philosophical.

I hope that as Chair of the Commission in Fiji you have been able to gain some valuable insight from our experience.

I thank you for your contribution and please take back with you to Kenya the sincere appreciation of all Fijians.

I also wish to thank all the other members of the commission. I thank Dr Christina Murray, Ms. Taufa Vakatale, Ms Penelope Moore and Dr Satendra Nandan for agreeing to be Commissioners.

I am sure the Commission benefitted from your respective experiences and standing.

It will be remiss of me not to acknowledge also the support and contribution of the rest of the commission's team including its administrative support staff.

All your contribution is acknowledged.

Chairman Yash Ghai and the Commissioners, ladies and gentlemen, as you all know only too well, Fiji has had a chequered constitutional history. We have had three Constitutions since independence. The decree which established the Commission will lead to the formulation of our fourth Constitution.

It is critical, as prescribed under the Decree, that certain universally accepted principles must be enshrined in the new Constitution. These principles must not only be set out clearly but must also be captured in spirit throughout all the provisions of the new Constitution. It is also imperative given our history that the new Constitution is enduring.

It must not be only for the present, it must be relevant for our future generations.

The new Constitution must pave the way for a much more inclusive, modern, non-bureaucratic, stable and prosperous nation.

Chairman Yash Ghai and the Commissioners, ladies and gentlemen, Fiji's constitutional process is very clear.

Following the acceptance of the draft Constitution today from the Commission, I will hand-over the draft Constitution to the Constituent Assembly.

The Constituent Assembly, which will comprise of representatives from a wide cross-section of our society, will then adopt the final form of the Constitution. The Assembly will then present the adopted constitution to me which I will refer to an independent judicial tribunal for vetting to ensure compliance before I assent to it.

I take this occasion to encourage relevant organizations and individuals to apply to be considered as members of the Constituent Assembly.

Applications to the prime minister's office close on 31 December 2012.

I wish to take this opportunity to thank all my fellow Fijians who took time and energy to make submissions to the Commission. We, as a nation, are at an important juncture and it is critical that we all participate in this process with dignity, selflessness and patriotism to ensure that we have a truly democratic and just Fiji.

Thank you very much, vinaka vakalevu, sukiria and bahoot dhanyavaad.