

# **Regime led furore over the leaked copies of the draft constitution is self inflicted**

## STATEMENT

Former Opposition Leader & UPP President Mick Beddoes said today that the current furore by the Regime over the 'leaked' draft constitution is self inflicted!

Former Opposition Leader & UPP President Mick Beddoes said all of the current 'hoopla' over the leaked document is self inflicted, but is being used by the regime as part of its 'strategy' to 'discredit' its own appointed Commission Chairman and certain members and with them the draft so as to justify the planned 'amendments' to it during the CA passage, so that all of the provisions that require them to become accountable or have their decisions subject to challenge in a court of law for example, can be removed.

Beddoes urged people to obtain copies of Decrees 58 & 64 of 2012 and see for themselves just how manipulative the Regime has been in trying to exclude the people in this final process.

Beddoes said the original decree No 58 [issued on July 18<sup>th</sup> 2012] always had as a part of the process an opportunity for the people to review the draft and make comment and this was in Sec 8 (1) (c) quote 'debate the draft Constitution as well as the Explanatory Report of the Commission, and the views of the people of Fiji expressed on the draft Constitution' unquote.

Also in Sec 8 (2) it says quote 'When adopting the draft constitution, the Assembly shall consider appropriate and workable provisions acceptable to the people of Fiji' unquote

Clearly Beddoes said the decree issued at the start of this process on July 18<sup>th</sup> 2012 fully intended for the draft to be made public and for the people to make their views known before the CA commenced as the CA debates were to incorporate the views expressed by the people as envisaged by Sec 8 (1) (c)

Had the Regime remained 'honest & sincere' to its commitment to this process and followed the provisions contained in their own decree 58, the draft document would have been released after being presented to the President and we would today be engaged in debating the contents of the draft constitution and not wasting our time on 'why it was leaked'?

Beddoes said after the public submissions were closed and the preparation of the draft well underway it would appear that the Regime must have learnt through its 'mole' at the Commission the draft was shaping up to be quite 'tough' on a government, especially in the area of 'accountability, transparency, human rights obligations, as well as being subject to legal challenges, and not being able to receive any further immunity if they were to consider a Coup 5

At the same time the PM learnt [from the same mole I would imagine] that the Commission had obtained the services of Ratu Joni Madraiwiwi as a casual consultant on Fijian issues, [which they had every right to do]. Now despite the fact that Ratu Jone's contract had only a few days to run and therefore about to become a non issue, the Regime proceeded with the release of Decree 64 of 2012 dated October 31<sup>st</sup> 2012.

Beddoes said this decree was essentially to amend sections of Decree 58 so that the Commission had to publish each month a list of staff, Commission members and consultants and their salaries & allowances to try and embarrass Ratu Jone as well as an account of its monthly income & expenditures.

But tucked away at the very bottom of the decree is the Consequential Amendment which was 'slipped into' the same Decree but which amended Decree 58 Section 8 (1) (c) which says quote 'by deleting the words, and the views of the people of Fiji expressed on the draft constitution' unquote?

This is the amendment the Regime 'slipped in' to effectively remove the right of the people to see and comment on their draft constitution.

But what has Ratu Joni's contract and the demand for monthly financials from the Commission got to do with removing the rights of the people to receive and comment on their draft constitution?

Absolutely nothing Beddoes said!

So why did the Regime decide to 'exclude the people' from seeing their own draft constitution? What was their motive for taking such an extraordinary step, so late in the process?

That Beddoes said was the question the people need to be asking the Regime to answer!

Beddoes said if the Regime had not slipped in the removal of Section 8 1 c as they did, the matter of the leak would not arise, as the document would have been made public as originally intended and we would be having a constructive debate on the merits and demerits of the draft constitution ahead of the CA!

Instead Beddoes said, remaining 'true to form' the Regime

- Denied the people the opportunity to view and discuss and debate their draft constitution
- They have mounted a campaign to discredit their own appointee Professor Yash Ghai
- Confiscated 600 copies that was meant for public distribution
- Displayed its arrogance and utter contempt for the people of Fiji and their submissions to the constitution with its 'symbolic' burning of the proof copies of the draft in an attempt to 'intimidate' Professor Yash Ghai

Beddoes said all law abiding citizens who seek a return to democratic governance should be grateful to those individuals within the commission who exercised empathy and good moral judgment by releasing the draft documents as was originally intended by Decree 58 so that the people can remain engaged in the process and discuss and debate their draft constitution despite the Regimes underhand and questionable efforts to exclude them.