



FIJI LABOUR PARTY

Peace Freedom Justice Democracy

22 March 2013

FLP rejects regime's constitution

The Fiji Labour Party rejects outright the imposition of the regime's tailor-made constitution on the people of Fiji.

The document does not reflect the will of the people and deserves no credibility and no recognition. It is merely an entrenchment of the old order established since April 2009 and is meant to consolidate the regime's hold on power.

It is a highly regressive document that entrenches the fascism and absolutism Fiji has experienced in the past seven years under this regime. It should be noted that all draconian, repressive decrees enforced since 2009 will continue in force.

The jurisdiction and independence of the judiciary remain compromised with the Attorney General retaining the powers to interfere and influence the appointments of judges, magistrates, the Chief Justice, the Solicitor General and the Director of Public Prosecutions.

The civil, political, human and trade union rights embodied in the Bill of Rights are effectively derogated with the continued enforcement of the draconian decrees. The ban on trade unionists to participate in the political life of the nation remains.

Indeed, contrary to Bainimarama's rhetoric that the new constitution must uphold the universally recognized principles of democracy and good governance, the regime's constitution, in effect, violates the core international conventions and instruments on the basic rights of the people as the repressive decrees of the regime remain in force.

Fiji cannot expect credible, free and fair elections in 2014 under this draft constitution. The Elections Office and the Registrar of Elections will continue to be beholden to the Attorney General and, not independent as is the requirement under democratic norms.

And true to his form, Bainimarama has proved once again that he is untrustworthy and that the sole purpose of his military run government is his own self-preservation.

The consideration of the draft constitution by a representative Constituent Assembly as was promised by Bainimarama has now been scrapped under the false premise of alleged irregularities committed by political parties in the registration process. This orchestrated smokescreen to dump the Constituent Assembly fools no one.

We have all along said that the regime was not sincere about its oft-announced intention of restoring democracy through an inclusive, credible and democratic process. It has cheated the people of Fiji and the international community throughout these years, and we now have the final proof of this.

It is now imposing its own will on the people of Fiji. His call for public comments, giving the people a bare three weeks to study the draft and send in their comments is yet another farce, considering that it is extremely unlikely that any proposals for changes would be entertained by the regime.

The crowning farce, of course, is the Preamble to the constitution which begins with "*We the people of Fiji...*" - when the people of Fiji have had no say in the making of the document!

A handwritten signature in dark ink, appearing to read 'Mahendra Chaudhry', written in a cursive style.

Mahendra Chaudhry
Secretary-General