

**Annual Report of the Citizens'
Constitutional Forum
2002**



STAFF AND STEERING COMMITTEE MEMBERS IN 2002

Staff

Executive Director, Rev. Akuila Yabaki
Programme Director, Jone Dakuvula
Project Officer, Ponipate Ravula
Administrative/Secretary, Rosilene Fong
Receptionist/Typist, Nicola King

Steering Committee

Claire Slatter
Fr David Arms
Jaimi Samarawera
Jane Ricketts
Lillian Thaggard
Ratu Meli Vesikula
Mosese Waqa
Pratap Singh
Suruj Mati Nand
Tessa Mackenzie
Professor Vijay Naidu
Dr Arlene Griffen

International

Andrew Carl
Dr Satendra Prasad
Jill Cottrell
Professor Yash Ghai

Citizens Constitutional Forum, 7A Thurston Street, P.O.Box 12584, Suva, Fiji Islands
Tel: (679) 3308 379; Fax: (679) 3308 380; Email: ccf@is.com.fj; Web-site: www.ccf.org.fj

Contents

	Page
The Year in Review	1
Work Undertaken in 2002	1
1. Activities	1
a. Grassroots Human Rights Education Workshops	1
b. Dialogue & Consensus Bldg on Land & Related National Issues	1
c. Promoting Peace Practices	2
d. Culture of Peace Workshops	3
e. Paper on “Land Conflict & Ethnic Relations in Fiji”	3
f. National Land Workshop	4
g. Research, Policy, Briefing & Dissemination	4
h. Commissioned Theatre/Radio Slots	4
i. Religion and Conflict	5
j. UN Mission to the Solomon Islands	5
k. Race Relations Seminar	6
l. Indigenous and Group Rights	6
m. Squatter Settlement, Evictions & Housing Rights Workshop	6
n. Promoting Multiculturalism Through Peace Initiatives	7
o. Conflict Prevention & Citizens’ Education in Melanesia	7
p. Minority Rights and Development	8
2. Materials and Publications	9
3. Visitors to CCF 2002	10
4. CCF Financial Statement 2002	11

The Year in Review

2002 again proved to be another year in which CCF faced several major challenges in its fight for human rights, constitutional democracy within the rule of law and the building of a multicultural society in Fiji.

Government, after a lapse of 18 years, decided to honour its reporting obligation to the UN Committee on Elimination of All Forms of Racial Discrimination (CERD). The NGO Coalition on Human Rights in Fiji for which CCF provides the secretariat, also presented a shadow report in Geneva.

Work on the Culture of Peace continued with Ecumenical Centre for Research, Education and Advocacy (ECEA) providing much of the planning and the execution in this important area of our work. CCF enjoyed wider national and Pacific regional recognition. At national level a notable development was achieved when the Native Land Trust Board offered to cooperate with the new Manager, Kalivati Bakani and his senior staff, sharing at national and regional workshops throughout Fiji. At Pacific level CCF staff participated in workshops in Papua New Guinea and the Philippines and the Executive Director was invited as UN resource person on the

strengthening of civil society in war-torn Solomon Islands.

Work Undertaken in 2002

1. Activities

a) *Grassroots Human Rights Education Workshops*

During February, March, June and October, week long conferences were held at towns and villages of the provinces of Nadroga, Navosa, Serua, Namosi, Kadavu, Tailevu and Lomaiviti with 2000 participants altogether. Topics covered included: *human and group rights provisions of the 1997 Constitution (as spelt out in simplified text, Your Constitution Your Rights (Nomu Yavu Ni Vakavulewa Nomu Dodonu), Bill of Rights including gender equality, anti-racism, promotion of the rule of law, promoting greater understanding of group and indigenous rights and individual human rights, and reducing community and intra family violence.* This activity required periodic visits to rural and urban settlements on Viti Levu and Vanua Levu by a CCF community education team.

b) *Dialogue and Consensus Building on Land and Related National Issues.*

The resolution of land lease debates hits at the core of Fiji's constitutional and developmental problems. CCF's interventions under this

heading were designed to help promote a better understanding of the complex issues surrounding land leases and laws and to encourage dialogue between group and community leaders on the way forward.

A major and nationally significant village-based consultation was held in the Sugar Cane Belt on Western Viti Levu.

Prior negotiation and consensus building work in the community over three weeks preceded this historic workshop. Discussion on Fijian land at this time in Fiji is extremely sensitive. This approach of extensive consultations prior to a workshop was useful in enabling key stakeholders to deliberate on land questions.

Participants included representatives from the Native Land Trust Board, Sugar Cane Growers Council, high chiefs and representatives of tenant and land-owning communities. Over 100 people attended the main workshop. Recommendations were finalised and submitted to key institutional stakeholders.

Recommendations were submitted to the NLTB which has administrative oversight over Fijian owned land. They covered proposals for the urgent restructure of Fiji's Sugar Industry on which the livelihood of 150,000 citizens depends, the establishment of a framework for consultations between landowners and tenants

on future land lease arrangements and proposals for sugar milling sector reforms and corporate governance issues.

This activity also included sub workshops following the consultations to disseminate recommendations and promote consultations and dialogue between land owners and tenant farmers in local communities through visits by key CCF officials.

Through public media and talk back shows and other means, these recommendations were used to generate broader dialogue and understanding of complex land problems. This related set of activities has been on-going throughout the year.

A better understanding of sensitive land issues is necessary in order to achieve an improvement in strained inter-ethnic relations in the country.

c) Promoting Peace Practices

A workshop to understand peace practices and how they applied to Fiji, was held in April. It was hosted by the Collaborative for Development Action (CDA) which provided background papers and technical resource persons. Forty participants representing a cross section of peace-building NGOs in the Asia/Pacific region participated in this. The workshop was based on a detailed case study of CCF's conflict resolution approach and its

experiences. There were lessons to be drawn from the work and approach of the CCF for other conflict resolution agencies in the Asia Pacific region. The CCF also drew on experiences of other actors in other conflict situations. This has informed CCF's other interventions and programme activities especially in its grassroots education work. Community based grassroots education work continued throughout the year.

d) Culture of Peace Workshops

The cluster of peace workshops was spread out over several venues in Fiji: Suva (April 24-25th), Savusavu (July 16-17th), Labasa (July 18-19th), Wainikoro (July 20-21st), the latter three centres being situated on the other main island of Vanua Levu. These areas were chosen through the assistance of former participants at previous workshops. Altogether there were over 100 participants under trained facilitators.

These workshops, organized jointly by ECREA and CCF, were an extension of the peace builders' training workshops which were initiated during the political upheaval in 2000 and continued in 2001. The workshops highlighted the themes of Multiculturalism, Human Rights, Democracy and Gender Equality. The approach was not directive but one of checking out opinions and promoting cross ethnic group discussions conducted in an open and supportive environment.

e) Paper on "Land Conflict and Ethnic Relations in Fiji" – April

The Programme Director, Jone Dakuvula and CCF Chairperson, Professor Vijay Naidu, presented a key paper, *Land Conflict and Ethnic Relations in Fiji : A Civic Perspective*, on behalf of CCF at the South Pacific Land Tenure Conflict Symposium organized by the Department of Land Management, University of the South Pacific. The paper provided critical analysis of the land policies of the Native Land Trust Board (NLTB) which is responsible for the management of the majority of land leases in Fiji. Problems relating to access to land and insecurity of leases are major causes of ethnic conflict in Fiji and this affects economic and political development. The recommendations pointed out the urgency of resolving land lease disputes if sugar, Fiji's main export crop, is to remain viable. This paper provided a framework for CCF's work on helping break the deadlock on land matters in Fiji. CCF is using this work to develop policy options for resolving land issues. CCF continued to further explore and research policy options on land throughout the year. A resolution of land issues is necessary if the protection of human rights is to be improved through a better protection of the interests of both landowning (mainly indigenous Fijian) and tenant (mainly Indo-Fijian) communities.

f) National Land Workshop

A major and nationally significant land workshop was held on July 20th on the theme, “What are Good Land Policies for Fiji in the 21st Century?” This workshop addressed the land issues by evaluating proposed legislative amendments and providing an assessment of their likely impacts on inter-ethnic relations and national development.

A report has been prepared which provides a foundation for informed public dialogue and options relating to access to land, rental arrangements, security of tenure and the restructure of the Sugar Industry.

The NLTB recognised CCF as an independent NGO and made a substantial contribution with the new Manager Kalivate Bakani giving a major presentation at the workshop. The participants also included Mahendra Chaudhry, Leader of the Fiji Labour Party. The recommendations were disseminated widely through radio, TV and print media and CCF’s website. A new dialogue partnership has been established.

The workshop drew participants from the main communities. In a communally strained environment, this method of discussing national problems is useful in also promoting multiculturalism and tolerance.

g) Research, Policy & Briefing and Dissemination.

During the year articles were published in the Fiji daily newspapers and in a magazine. These included An Open Letter To Fiji’s Prime Minister and President of ACP Summit on Fiji’s Commitments Under the Cotonou Partnership Agreement Between the ACP and the EU, a paper On Land Lease Expiry presented at the South Pacific Land Tenure Conflict Symposium, April 10-12th, and CCF’s Submission to CERD Report for Briefing Session in Geneva in August. All these drew the attention of the public to key issues relating to inter-ethnic relations, the promotion and protection of human rights, and the resolution of critical national issues such as land which have been a source of inter-ethnic tension and potential conflict. CCF provided policy guidance through the media, informal communication and papers on human rights, multiculturalism and good governance throughout the year.

h) Commissioned Theatre/Radio Slots

Through theatre and radio programmes, CCF broadened public discussion and understanding of topics such as the Leadership Code of Conduct, the Protection of Indigenous Interests within the 1997 Constitution, Land Issues and Human Rights and Fijian Culture.

Many Radio Talk Back Shows were held during the year featuring the Executive Director answering lively questions on the above issues posed to him by telephone callers. Five one-hour sessions were held in March and again in November. These sessions are on-going and have been found to be extremely effective in reaching a wide cross section of Fiji society.

i) Religion and Conflict

For the first time ever the World Association of Christian Communication Central Committee held its annual meeting in Fiji in July. The CCF Executive Director, who is a subscribed personal member of WACC, presented a paper on the theme, *The Role of Christian Communication in Conflict Situation in Fiji*. This paper and discussions arising from it have helped advance an understanding of the critical role that religious institutions can play in promoting tolerance, pluralism and a culture of human rights.

Throughout the reporting period CCF also continued to have periodic and informal dialogue with religious groups and leaders aimed at ensuring that groups and leaders continued to use their influence to help reduce communal tension and promote inter-ethnic group understanding.

j) UN Mission to the Solomon Islands

CCF continued to provide support to agencies and organisations in other conflict situations in the South Pacific. In August the Executive Director, by invitation of the UN Human Rights Advisor in Honiara, was a resource person for a Civil Society Retreat in Munda. August 8-11th. He was invited to make two presentations on; *The Role of NGOs in the Fiji Crisis and The Role of the Church in Society*. Following the Munda meeting the Executive Director addressed the following: Solomon Islands Bar Association in Honiara, Church Leaders Consultation on Ethnic Crisis, University of South Pacific Centre and a Peace Monitoring Council outside Honiara. The visit shared lessons learnt from the role of NGOs in Fiji particularly since the attempted coup of 2000, in addressing the victims and in other dimensions of the crisis, which could be applied towards enabling a more effective role for civil society in the continuing crisis in the Solomon Islands. CCF has continued to watch and comment on developments in Solomon Islands, Bougainville and the region more generally. CCF has provided advice and support to regional NGO's and agencies informally through a number of direct and indirect contacts throughout the year.

k) Race Relations Seminar – August

CCF's regional involvement was further enhanced through its Executive Director's participation in a Regional Race Relations' Seminar. This was organised by Fiji Human Rights Commission and focused on an NGO Perspectives on Follow Up to the World Conference against Racism 2001. This seminar was attended by Civil servants and NGO representatives, Army and Police, Advisor to UN Human Rights Commissioner, and other key stakeholders.

Based on conclusions and guidance drawn from this important seminar, CCF continued to engage directly and through the media with leaders, groups and individuals on matters related to racism, hate speech, fundamentalism and extreme nationalism.

l) Indigenous and Group Rights – September

CCF Project Officer, Ponipate Ravula, participated in a conference organized by the Canadian based Pacific People's Partnership. Entitled *Governing the Environment; Pan Pacific Perspectives on Indigenous Governance, Local Resources and Aid*, CCF presented a paper on Constitutional Approaches to Indigenous Resources Management. The conference held in

Victoria, Canada, was well attended by Canadian First Nations representatives and other delegates from the Pacific. It was also a useful opportunity to enlighten the international participants about constitutional issues and indigenous interests in Fiji and also meet and network with other partners. CCF continued to provide advice and public understanding of issues relating to protection of indigenous rights and interests.

m) Squatter Settlement, Evictions and Housing Rights Workshop

This workshop was held at USP on 28th September in cooperation with the Asia/Pacific Regional NGO Centre on, Housing Rights and Eviction (COHRE) based in Melbourne, Australia. It was attended by about 100 participants from Government departments, the Housing Authority, Public Rental Board, NGO's involved in building low cost housing and other members of civil society. The Minister of Local Government, Housing and Squatter Settlements and Environment, Hon. Mataiasi Ragigia opened the Workshop. The CCF circulated a background Discussion Paper researched by Michelle Brochu, a Canadian Youth Volunteer who worked at CCF for a period of six months. Resolutions from the Workshop will guide the work of CCF and the NGO Coalition on Human Rights in advocating the empowerment of poor communities in need of decent

housing, land and basic public services. This seminar helped to further clarify policy options for government under the social justice provisions of the Fiji Islands Constitution. CCF is continuing to encourage Government to review the social justice regulations and programmes so that they are able to achieve their objectives in a manner that is not racially discriminatory and divisive. Again a new partnership with government and NGOs has been created through this workshop.

This work cuts across the themes of human rights and multiculturalism.

***n) Promoting Multiculturalism
through Peace Initiatives***

From June 4th to 6th, CCF Programme Director, Jone Dakuvula, attended a Workshop on the theme *Searching for Peace in South East Asia and the Pacific* organized by the European Centre for Conflict Prevention and the Gaston Ortigas Peace Institute in the Philippines. Twenty-five participants representing NGO's and University Institute Departments involved in peace initiatives in South East Asia and the Pacific and some European experts exchanged views. Out of these discussions the participants will contribute to a book consisting of accounts of significant conflicts. Mr Dakuvula himself will be contributing a section on the Fiji experience and will also coordinate contributions from

experts on other South Pacific countries. The book will be published at end of 2003. The research and consultations that will form the basis of this paper have a prime objective of promoting multiculturalism and tolerance through community based peace practices. This policy paper will be extremely useful in providing further guidance to CCF and other activist organisations in Fiji.

***o) Conflict Prevention & Citizens'
Education in Melanesia***

From November 18th to 22nd CCF Programme Director attended a Workshop in Papua New Guinea and presented two major papers: *Causes of Conflict and Prevention Strategies in Fiji the CCF Experience* and *Constitutional Challenges in the Fiji Courts and Beyond*.

Fiji was seen as having something to offer other Melanesia countries in NGO experiences. There were also presentations from Bougainville, the Solomons, Vanuatu and Papua New Guinea itself. A major outcome was the setting up of a regional network in Melanesia of NGOs with similar concerns and activities to CCF. There is increasing recognition given to the role and approach adopted by the CCF across the region in conflict prevention and peace building. Within Fiji, CCF used this experience to inform its programmes in community and public education.

p) Minority Rights and Development

CCF as project holder and part funding recipient of Minority Rights Group, UK was invited to attend a meeting in Nairobi. The Executive Director presented several contributions including *Macro Study on Fiji Minorities, an in-country MR project*. He also gave an account of the Follow Up to World Conference against Racism, Durban 2001 from the Fiji context. He was Rapporteur for working groups on Minority Rights and Development Issues & Racism, Discrimination and Economic Exclusion. The findings from working groups to the questions will help frame the advocacy and policy oriented work for the MRG and its partners over the next three years, 2003-2005. The emphasis on minority rights is very important in Fiji as a counterweight to the overriding preoccupation with dominant indigenous rights and interests. This project has also helped to develop CCF's capacity to understand how developmental processes differentially impact upon communities and to appreciate their potential for generating ethnic conflict. This capacity building has enabled CCF to provide periodic commentary and evaluations of developmental issues in the country.

Conclusion

There is now a sense of wider ownership amongst the village communities for the 1997 Constitution. CCF's concerted efforts of working at different levels of society simultaneously have gone some distance in ensuring that there is a greater commitment to human rights, multiculturalism and tolerance.

CCF's rural workshops were especially effective. It is in rural communities that misinformation and anxieties about the human rights dimensions of the Constitution were most acutely felt after the upheavals of 2000. CCF has worked through direct village based workshops, radio talkbacks and other media to reach a wide cross section of Fiji society. There is still room for improvement.

As a result of CCF's advocacy, Fiji has committed itself to UN's CERD reporting process. This machinery is likely to prove especially effective in ensuring that firmer commitments to anti-racism, multiracialism and human rights are made by the government.

Since the 2002 upheavals left a deeply communalised society, CCF's work on public education and dialogue at local levels has contributed to modest improvements in the inter-ethnic environment. A lot remains to be done however.

There is some resistance based on trumped up misinformation perpetrated by nationalists who are opposed to the 1997 Constitution because of the demand for accountability made on them both as traditional chiefs or elected leaders. There are village leaders who argue that the Bill of Rights enshrined in the 1997 Constitution poses a threat to the male dominated village social structure. For instance, on violation of a woman's rights in marriage, villagers are opposed to her appealing to the police and court of law.

Issues were therefore addressed through responding to their doubts and fears in dialogue sitting around together and seeking not only to dispel their confusion but also to allay their fears. CCF needs to constantly engage with these elements and, through informed debates and constructive interventions, reduce the impacts of such extremist groups especially amongst economically marginalized indigenous Fijians.

Another key problem has been the escalating costs of using the public media for public education work. CCF will look for new partners to ensure that this work is not compromised. Finally, CCF's work was hindered by the slow progress of the courts in dealing with some of the large constitutional disputes. This is likely to change when the courts finally decide on the matter of multiparty government. This is the most significant aspect of the Constitution yet to be implemented.

2. **Materials and Publications**

- a) ***Election Watch II: A Citizens' Review of the Fiji Islands General Election 2001.***
- b) ***Economic Development, Democracy and Ethnic Conflict in the Fiji Islands: Macro Study.***
- c) ***Development, group rights and democracy – a communiqué on the way forward for Fiji Islands, February 2002.***
- d) ***Protecting Fijian Interests and Building a Democratic Fiji: A Consultation on Fiji's constitution Review (Reprint on demand)***
- e) ***What is the Citizens' Constitutional Forum (CCF)?***
- f) *Continued update of CCF's website at www.ccf.org.fj*
- g) *Policy papers on land, multiparty government.*
- h) *Detailed submission to UN-CERD.*
- i) *Video Documentary Race for Rights.*
- j) ***Towards A More Representative Electoral System (Second "Constitution Matters" Lecture, 1999) The Submission of the CCF and NGO Coalition on Human***

Rights, Fiji to The Committee on the Elimination of All forms of Racial Discrimination, August 2002.

k) *National Land Workshop Report*

l) *National Housing Squatters Workshop Report.*

3. Visitors to CCF 2002

✍ *James Di Giambattista, PhD, The Library of Congress, Honolulu, United States of America.*

✍ *Mr Alexander Dailey, The Library of Congress, Honolulu, United States of America.*

✍ *Ms Jackie Frizelle, Ministry of Foreign Affairs & Trade, Wellington, New Zealand.*

✍ *Ms Jocasta Sibbel, 3^d Secretary, Australian High Commission, Australian Embassy.*

✍ *Ms Sue Le Mesurier, Program Manager, NZODA Delegation, Wellington, New Zealand.*

✍ *Mr Roger Ball, Deputy High Commissioner, New Zealand Embassy.*

✍ *Mr Shashank, Secretary, Economic Relations, Government of India, New Delhi*

✍ *Ms Chong-Ae Yu, New York, USA*

✍ *Ms Sabine Plone, Hamburg, Germany.*

✍ *Rev. Enja Enos, President NCC MH, Majuro, Marshalls.*

✍ *Ms Kjell Magne Rasmussen, 15/2 Shoalhaven Street, Bundoora 3083, Melbourne, Victoria, Australia.*

✍ *Mr Peter Hopgood, University of Melbourne, Australia.*

✍ *Bishop L. Boseto, Honiara, Solomon Islands.*

✍ *Mr David Kilgour, Secretary of State, Asia Pacific, Government of Canada.*

✍ *Mrs Eleni Bakopanos, Member of Parliament, Ottawa, Canada.*

✍ *Ms Gillian Dadsnell, AusAid, Australia.*

✍ *Ms Glenys Kinnock, Member of European Parliament, Co-President ACP/EU Joint Parliamentary Assembly.*

✍ *Mr Gero Friedel, Secretariat European Parliament & PA Assembly ACP/EU.*

✍ *Ms Shamina Narayan, Adviser – Development, European Commission Delegation for the Pacific, Suva.*

✍ *Hon. Vince McBride, Ministry of Foreign Affairs, Wellington, New Zealand.*

✍ *Ms Rae Julian, Council for International Development, New Zealand.*

✍ *Ms Julia Rabamaron, Pacific – Network, Germany.*

4. CCF Financial Statement 2002

The audited financial report for the year January to December 2002 produced upon prior arrangements with the Executive Steering Committee.