

Chief Registrar violates independence of judiciary by prosecuting lawyers

The Citizens' Constitutional Forum (CCF) is seriously concerned that the Chief Registrar Ms Ana Rokomokoti may compromise the independence of the judiciary by personally prosecuting senior lawyers in the proceedings of the Legal Services Commission next week.

"The Legal Practitioners Decree 2009 gives the Chief Registrar powers to commence proceedings before the Legal Services Commission – section 109(i)(c)," CCF Chief Executive Officer (CEO) Rev Akuila Yabaki said.

"However, the Decree does not provide express powers to the Chief Registrar to prosecute or appear in proceedings before the

Legal Services Commission," Rev Yabaki said.

"When a Court Officer such as the Chief Registrar prosecutes people before a Commission, the independence of the judiciary and the Commission is compromised.

"In effect, a judicial body is playing the role of both prosecutor and judge at the same time, which violates principles of impartiality, fairness and due process," Rev Yabaki said.

If the decision of the Legal Services Commission is challenged in Court, the Chief Registrar has absolute powers to dismiss those proceedings, which she prosecuted herself.

The Administration of Justice (Amendment) (No. 2) Decree 2009 provides superior powers to the Chief Registrar to terminate Court proceedings, even before a hearing in Court.

Any prosecutions by the Chief Registrar would violate the UN Basic Principles of the Independence of the Judiciary and the Bangalore Principles of Judicial Conduct.

"Former High Court Judge, Justice John Connors should disqualify himself from hearing any matters prosecuted by the Chief Registrar, until the interim government appoints an independent prosecutor, such as the Director of Public Prosecutions Office," Rev Yabaki said.

What's inside?

Story	Page
Film on racism	2
Chief Registrar's new powers	2
First workshop for youth	3
Peace Day celebrations	3
'Peace Unplugged' concert	4
Dialogue for Change	5
CMAG supports Fiji dialogue	5
Blessed are the rich	5
Workshop provides new understandings	6
New domestic violence decree	6
CCF submission to UPR	7
The Budget Process	7
Litiana wins essay competition	8

World Peace Day celebrated at CCF



The International Day of Peace was celebrated on 21 September by CCF through a range of activities including the lighting of candles for peace. Pictured from the left are

Unplugged Concert and printing of t-shirts on peace. Full story on activities conducted by CCF to mark this day are on pages 3 and 4.

Deputy Coordinator of the Fiji Women's Crisis Centre Ms Edwina Kotoisuva, CCF Chair Ms Tessa Mackenzie, and CCF CEO Rev Akuila Yabaki, holding the peace candles. Messages on peace were disseminated in the media by CCF. CCF also sponsored the Peace

Editor's notes

Fiji is again going through a process whereby the separation of powers between the Executive Authority and the Judiciary has been reduced.

The absence of parliamentary democracy is creating a shortage of experienced leaders with good calibre. This shortage of leaders who can act independently in accordance with the laws, makes it impossible for accountability and transparency mechanisms to operate.

Power is getting reduced into fewer hands and legal quagmires are invented to compensate.

Citizens of Fiji wander through this labyrinth everyday, living in 'normalcy' by prioritising economic needs over civil and political rights. Hopefully, this disempowering situation is only temporary.

Tutaka - Published by: CCF, 23 Denison Rd, PO Box 12584, Suva, Fiji.
Masthead design: Jo Uluinaceva
Template design: Mosmi Bhim
Editor: Mosmi Bhim
Contact: mosmi@ccf.org.fj
Ph: (679) 3308379, **Fax:** (679) 3308380
Printer: Bluebird Printery Ltd

Work begins on a film on racism

The Secretariat of the Pacific Community (SPC) Media Centre has been awarded the contract for the production of a short film on the subject of racism in Fiji, by the Citizens' Constitutional Forum.

A contract for the production of the short film was signed by the Coordinator of the SPC Media Centre Mr Larry Thomas and CCF Chief Executive Officer Rev Akuila Yabaki on 29 September 2009, at the CCF office.

It is anticipated that the 30-minute movie will be produced over a period of six to nine months.

The fictional movie will be based on local stories and experiences, and will be shot in Fiji, using local talents.

In 2007, CCF successfully produced a 55-



Larry Thomas (left) signs a contract for the production of the movie with Rev Akuila Yabaki.

minute documentary, on a theme of poverty and social justice. The documentary was titled 'Struggling for a Better Living: Squatters in Fiji'.

The documentary was produced by the SPC Media Centre.

This will be CCF's first film production on the theme of racism.

Chief Registrar invokes new powers

Qarase case terminated

The CCF expresses concern that a Decree gazetted on 20 July 2009 has given superior powers to the Chief Registrar, making that office more powerful than the highest court of Fiji.

The Decree was used as a basis for the termination of the appeal in the Qarase v Bainimarama case.

On 31 August 2009, the CCF was served with a Certificate of Termination of Proceedings signed by the Chief Registrar which purports to terminate the appeal in the Qarase v Bainimarama case.

The Fiji Court of Appeal, in its judgement delivered on 9 April 2009, held that the dismissal of the Prime Minister and the appointment of the interim government (IG) after the December 5 2006 coup were unlawful and unconstitutional acts.

The Court of Appeal also granted leave to the IG to appeal the decision to the Supreme Court. The following day, the President of Fiji purported to abrogate the 1997 Constitution and dismiss all judicial officers. The CCF had appeared as the Second Amicus Curiae (Friend of the Court) in the April 6-9 2009 proceedings.

Under the Administration of Justice De-

cree gazetted on 16 April 2009, the Chief Registrar acquired broad powers to dismiss some court cases against the State which are 'commenced, but not yet determined'.

In the Qarase appeals case, the Chief Registrar had arguably gone beyond its powers by terminating a determined case.

Under the new Decree of 20 July 2009, the decision by the Chief Registrar to issue a Certificate cannot be challenged. This effectively provides superior powers to the Chief Registrar to terminate Court proceedings, even before a hearing before a Judge or magistrate.

"The basic human rights 'Right to Remedy by a Competent Tribunal' and 'Right to Fair Public Hearing' are being undermined by this decree. It forecloses the right to an appeal by defendants," CCF CEO Rev Akuila Yabaki said. "This is wrongful as a Decree should be used for enhancing the protection of rights, rather than for undermining the rights of residents of Fiji."

"The freedom of Fiji's judiciary has been further compromised by this decree. The Courts are no longer the highest authority in the land, capable of providing justice," Rev Yabaki said. "This is a sad day for Fiji, as the Courts will not be able to play any significant role in certain national matters

of conflict resolution and justice."

Tom Bathurst, President of the Australian Bar Association, strongly condemned this action saying, "It is deeply concerning to all those who respect and uphold the rule of law and fundamental democratic principles to hear that a certificate has been issued purporting to terminate the appeal in Bainimarama v Qarase..."

The Administration of Justice (Amendment) (No. 2) Decree 2009 provides a new section that states: "Certificate of Chief Registrar or Tribunal conclusive

23A. - (1) A certificate issued by the Chief Registrar or a Tribunal under section 5(5) or section 23(3) or (5) is, for the purposes of any proceedings in a Court or Tribunal, conclusive of the matters stated in the certificate.

(2) A decision of the Chief Registrar or a Tribunal to issue a certificate under section 5(5) or section 23(3) or (5) is not subject to challenge in any Court or Tribunal."

The CCF has raised its concerns about this issue with the UN Special Rapporteur on the Independence of Judges and Lawyers, who can raise this issue with the Fiji government and request a visit to Fiji in order to further investigate the situation.

First citizenship workshop for youth

The CCF's first Citizenship Workshop for youth, was held on 9 October 2009 at the Fiji Teachers Union (FTU) Hall, Berry Road, Suva.

The objectives of the workshop were:

- educating and advocating to young people about the importance of Citizenship;
- determine what citizenship is; and
- exploring the different aspects of citizenship.

The 20 young leaders who participated at the workshop discussed social issues that

affects youth in Fiji. The workshop received participation from young people from Ra and Naitasiri provinces.

This was the first workshop organized by the newly-created CCF Youth Programme. Facilitators at the workshop were CCF's Education Support Officer Wilfred Tukana and Youth Liaison Officer Losana Tuiraviravi.

Topics discussed at the workshop were: Who are the legal citizens of Fiji?, the Citizenship Decree, Roles and Responsibility of Citizens, Your Role as a Citizen.



Participants listening at the CCF youth programme.

Guest Speaker Ms Tessa Mackenzie gave a brief historical presentation on Fiji's Independence Day in 1970. Ms Mackenzie also gave a reflection on the Fiji National Flag. Some participants were overwhelmed by the meaning behind the symbols on the Fiji National Flag and its significance to them as individuals. Participants did group presentations on the symbols on the flag that they identified with.



Youth Liaison Officer Ms Losana Tuiraviravi.

The workshop ended with a presentation on the objectives and focus areas of the CCF Youth Programme, which is targeting the youth age groups of ages of 13-17 years and 18-25 years.

Participants made group presentations on how the CCF Youth Programme can promote citizenship, human rights, good governance and multiculturalism to the youth.

Peace Day is celebrated at the CCF office

The Citizens' Constitutional Forum celebrated the International Day of Peace at their office on 21st September 2009.

The first Peace Day was celebrated in September 1982. In 2002, the United Nations General Assembly officially declared 21 September as the permanent date for the International Day of Peace.

Speaking at the event, Chief Executive Officer Reverend Akuila Yabaki stressed that Peace Day was an important event for CCF as the day could be used to encourage all people to support national dialogue on key issues as the way forward for Fiji. "We must create opportunities to engage with others and create inclusive spaces for dialogue and peace building," he added.

Rev Yabaki said celebration of the International Day of Peace provided the right opportunity to strengthen ideals of peace and help alleviate tensions, conflicts within countries and peoples. "We can prevent conflicts and wars by respecting basic human rights and promoting better standards of life for everyone," he stressed.

CCF Chairperson Ms Tessa Mackenzie, also speaking at the event said that peace could not be just classified as the absence of war.

"Rather, it can be said that peace is more than the absence of conflict and violence. Where can peace be found? There are con-



CCF staff (from left) Nicola King, Jolame Driu and Wilfred Tukana sing songs for peace, during the celebrations.

licts in communities, there are quarrels between friends and there is still domestic violence," she commented.

Ms Mackenzie emphasized that the valuable tools used for conflict resolution by peace builders were negotiation, reconcili-

ation and dialogue.

"When are we going to spread the knowledge more widely? We need to teach conflict resolution skills to our children in schools and at home. Peace begins at home," she said.

CCF's Youth Liaison Officer Losana Tuiraviravi, who also organized the event, told Tutaka that the celebration for the International Day of Peace was equally important to the younger generation.

"Peace Day has been celebrated over the years by the young and the old, throughout the world. For me this is a very significant day as we observe and reconcile our differences and come together to enjoy and celebrate the day as one. This is something the country needs at the moment," she said.

Tuiraviravi said youths now had more creative ways to express their demand for a peaceful nation.

"To emphasize this point, CCF and the University of The South Pacific's community Radio Station Radio Pasifik, have put together a 'Peace Unplugged' concert.

A lot of young people contributed to organize this concert and to perform in it to commemorate Peace Day through creative music, art and poetry," she said.

CCF also sponsored Peace Day t-shirts which were sold at the "Peace Unplugged" concert and at the CCF Office.

'Peace Unplugged' concert

By Sunayna Nandini

"True peace building is active, and not passive. It is not about simplistic ideals but instead consists of many diverse individuals and groups working together on very diverse and long-term initiatives for social transformation and positive work toward true and lasting peace, security and social justice," these were the words of the Coordinator of the 2009 Peace Unplugged concert, Shirley Tagi.

University of the South Pacific (USP) successfully hosted the "Peace Unplugged" concert to celebrate International Peace Day at the AusAID Lecture Theatre, Laucala Campus, Suva, Fiji on 25 September 2009.

The three-hour concert featuring over 25 artistes from various backgrounds was initiated by Radio Pasifik, the student-run



Rehearsing for the show are rock guitarists (from left) Teegan, Adrian and Francheska.

community radio station of USP, and sponsored by the Citizens' Constitutional Forum (CCF).

Ms Tagi told *Tutaka* that the Radio Pasifik hosted the Peace Unplugged concert as a regional scheme for peace. This was the second year the USP hosted this concert, and they hope to make it into an annual event.

"The concert was highly successful and innovative. We chose the name 'Peace Unplugged' as there was no use of electronic instruments, therefore cutting through artificial divides between professional and



Calvin Rore (left) performs on stage with the USP Oceania Centre band.

community artists," she added.

The concert comprised of artists of both community and professional performers. It featured performances by musicians - acoustic solo or group, poets and theatre groups. Some of the artistes that performed at the concert were Black Jack, Davui Orchestra, Gary Rounds (Poet), Sailasa Tora - Modern Pacific Fusion, Three Fijian Ladies - Acoustic Traditional and Acapella, Chinese Drummers, Shobna Channel, Nicole Montu (Acoustic), Koni Fiu (Acoustic), 4 Boiz, Dave Lavaki aka Mr Grin & Lita, Knox, Yellow Ribbon Members, Peer Educators at USP and many more.

Ms Tagi said through the concert, the Radio Pasifik team hoped to highlight that peace building should be positive work against injustice, intolerance and violence, in order for peace building to flourish.

"We hope that concerts of this nature will be one such space, involving a wide variety of people, all working in their own ways and collectively for peace in Fiji," she said.

The Youth Liaison Officer at CCF, Losana Tuiraviravi, who assisted in organizing the concert, told *Tutaka* that youths played a major role in organizing and also performing in this concert as it was to commemorate Peace Day through creative music, art and poetry.

She added that the concert helped to inspire ideas to

young people on ways to promote peace through creativity.

Ms Tagi stressed that this time of heightened uncertainty and conflict in Fiji, provided an ideal time for a community event such as the 'Peace Unplugged' concert which focuses on practical, diverse and fun ways to affirm to people in Fiji about building peace and encourages diverse parts of the community to contribute further to peace building spaces.

Poet Gary Rounds said he was excited to be a part of the 'Peace Unplugged' concert

and hoped that the audiences were able to grasp the meaning behind the concert.



Melita Ah Too sings on stage.

Another performer Shan Saberi commended USP for holding the peace day celebrations in a creative manner. "I feel it is important for people to take part in such events and we do not have enough events of this nature in the Pacific," she said.



USP Oceania Centre dancers entertain the crowd with contemporary Pacific dances.

Dialogue for Change

By **Ciaran O'Toole**

Around the world, dialogue has resolved numerous social and political conflicts, delivering sustained long-term peace and change.

Inclusive dialogue in South Africa led to the end of the racist apartheid system and the forging of a new multi-ethnic future. In Northern Ireland, dialogue ended a thirty year civil conflict, with once mortal enemies now sitting together to chart a common future.

In the Middle East, dialogue between the Palestinians and the Israelis led to the 1993 Oslo agreement and the setting up of the Palestinian Authority.

Closer to home, dialogue between resistance guerrilla groups and the PNG government ended conflict in Bougainville in 1997.

How is dialogue such a potent force? Its power comes from its simplicity; dialogue is not negotiation or mediation, dialogue is simply talking, listening and learning.

It is a genuine interaction through which people listen to each other deeply enough to learn and understand - to be ultimately changed by their new understanding.

Fiji needs change; we need structural changes such as a new electoral system and anti-discrimination legislation, but above all we need change in attitudes and relationships.

Such fundamental personal change, capable of bringing this country forward, can only happen through engagement and dialogue. This dialogue must take place at all levels in society; from the community level

logue; essential among them is inclusiveness. All sides of society need to be equal parties to, and have joint ownership of, a dialogue process.

'Exclusive' dialogue leads to increased division and entrenched attitudes. To secure this inclusiveness and joint ownership the process must be independently managed and facilitated; the process must provide a comfortable space for all dialogue participants.

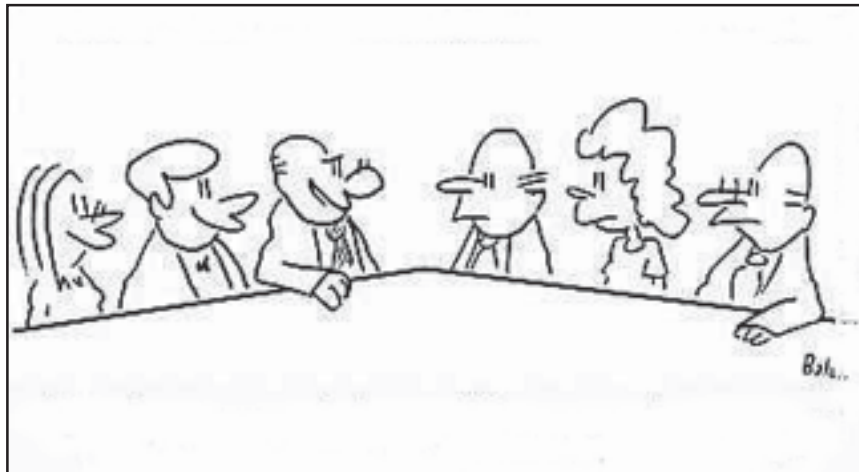
The secret to successful dialogue lies in participant's coming together in a safe space to understand each other's viewpoint.

A successful dialogue goes beyond just talking, it is about minds unfolding and learning, it is about putting oneself in the other person's shoes.

A successful dialogue will retrace the reasons for the conflict and take

a long-term perspective in finding solutions; solutions towards agreed change, not imposed change.

Now is the time for national dialogue in Fiji. We urge Fiji's community and national leaders, along with Fiji's international neighbours and partners to open up to dialogue, to construct a new pathway forward based on talking, listening and learning.



Dialogue is about talking, listening and learning. (Source: www.CartoonStock.com)

to the national leadership level.

In moving forward, we cannot simply transfer a dialogue process from elsewhere; different countries have different conflicts, histories and cultures.

Lessons learnt from one country are never easily transferable to another. But there are some basic principles for successful dia-

CMAG supports Fiji dialogue

The Citizens' Constitutional Forum (CCF) welcomes the recent call by the Commonwealth Ministerial Action Group (CMAG) for Fiji's Interim Government to urgently confirm its readiness to resume a dialogue process.

In the statement (26/09/09), CMAG reiterated that the Commonwealth was willing to remain engaged with Fiji in support of any good faith efforts towards the restoration of democracy, including the facilitation of a credible political dialogue process, in accordance with fundamental Commonwealth principles.

"CCF urges the Interim Government to commence a nation wide dialogue process earlier rather than later because political power is liable to become corrupt and abusive without the guiding instruments of parliamentary democracy," CCF Chief

Executive Officer Rev Akuila Yabaki said. CCF is aware that a dialogue process had also been envisioned in the People's Charter for Change, Peace and Progress (PCCPP), where it is stated that, "Our nation is in urgent need of genuine, trust-based dialogue and peace building for which qualities of humility, compassion, honesty and openness to other views and interests are essential."

"Engaging in a political dialogue process such as the PPDF, would show a true commitment to restoring constitutional democracy, rule of law and human rights in Fiji," Rev Yabaki said. CCF is hopeful that once underway, a credible political dialogue process would examine the communal race-based voting system in Fiji, and discuss the possible abolishment of race based policies and electoral campaigns.

Blessed are the rich

A new edition of the book, 'Blessed are the Rich', written by Father Kevin J. Barr, was launched by Rev Akuila Yabaki at the Ecumenical Centre for Research Education and Advocacy in Suva on 7 October 2009.

The first edition was published in 1998 by the Fiji Council of Churches.

The book comprises of Part I - The Exportation of Americanized Christianity to Fiji, Part II - Spirit Revival or Return to Primal Past?, and Part III - Who Are the Blessed - the Poor or the Rich?

At the launch, Rev Yabaki reminded that from a human rights perspective, the right to choose one's own belief is acceptable. But having said that human rights is not simply about expressing your freedom to choose your belief. Human rights is also about caring for the rights of others; its about human responsibilities.

Workshop provides new understandings

By Sunayna Nandini

The CCF's education workshop proved to be a beneficial experience for 23-year-old Naluwai villager, Susana Tinaitamana, as she now understands the rights and responsibilities of Citizenship.

Susana told *Tutaka* that despite being educated, she had not understand the concept of citizenship.

"I know what a citizen means by definition but until this workshop, I had no idea about the whole concept of the rights and responsibilities that the term citizenship came with," she said.

The community workshop on Human Rights, Good Governance and Citizenship was organized by CCF's Education Team



Participants discuss concepts at the Naluwai workshop.

and was held at Naluwai village in Naitasiri on 6 October 2009.

Close to 40 people of ages varying between 18- 52 years attended the workshop.

Speaking to *Tutaka*, CCF's Education Sup-

port Officer, Bulutani Matai, said the response received from the participants was quite good.

"The participants asked a lot of questions which was an indication that the workshop was well received. They understand that human rights are present, however they have a lot of misconceptions about it," he added.

Bulutani said it helped to facilitate the workshop in the participants' native language, as they could understand the concepts better when conveyed in their own together with every day examples.

"When we are in school, teachers tell us about human rights briefly. Being average people at grassroots level in rural areas, we

hardly have access to media which teach us about our rights. We need to have more of these workshops throughout the nation," Susana said.

She added that she had learnt a lot of new things that she wanted to pass on to other people especially women and children in her village who could not attend the workshop.

"Human rights, good governance and citizenship are important issues that rural people need to be educated about. Today I learnt that we the native people aren't the only ones who can be called

'citizens' and it's a surprise to me that citizenship comes with responsibilities that we have to fulfill," she said.

Another participant Jese Waqa said a workshop of such nature was exactly what



Ms Susana Tinaitamana.

the country needed.

"There are a lot of people that have lost all hope and faith in viewing Fiji as a democratic nation and the village of Naluwai is grateful to CCF for organizing such community workshops that teach people about their rights and roles," he said. CCF's education team has successfully completed 33 workshops in different areas in Fiji this year.

According to Susana, the topics covered in the workshop by the CCF Education Team generated a lot of interest amongst the women in Naluwai.

"I am sure it will be the major topic of 'talanoa' during our nightly grog sessions and I believe the people who attended the workshop can educate others about good governance, human rights and citizenship simply by talking about these things," she stressed.

CCF's Education Team plans to complete 45 workshops before the end of the year.

IG promulgates new decree on domestic violence

A Domestic Violence Decree 2009, promulgated by Fiji's Interim Government (IG) on 14 August 2009, has created intense debate as this is the first time for such a legislation to be created.

The Decree expands the existing powers of the police to attend and process domestic violence claims, CCF Legal Officer Kate Schuetze explained.

"However, the Decree fails to provide adequate domestic violence support services which are essential to the prevention and elimination of domestic violence. Magistrates, police officers, social workers and communities need to be educated on domestic violence to deal with this issue appropriately and to improve public aware-

ness," Ms Schuetze said.

Ms Schuetze also expressed concern that there had been no public consultation prior to the promulgation of the Decree. "The government should have provided a draft Decree and allowed a reasonable time for submissions and response from the public and civil society organisations," Ms Schuetze said.

Under the new decree, an application for a domestic violence restraining order can be made by an adult, a child over 16 years of age, and in some cases it must be made by a police officer.

The Court has powers to make orders which prevent approaching or contacting a victim of domestic violence, prevent the

carrying of any specified weapons, regarding the occupation of a home, and for urgent monetary relief.

"In limited circumstances, the Court can also make orders about where children reside and who cares for them. A person who breaches a domestic violence restraining order commits a criminal offence and can be imprisoned for up to 12 months," Ms Schuetze explained.

"The public has a right to be kept informed of this and other legislation passed by the IG, so that citizens are aware of their civic responsibilities," Ms Schuetze said.

Further information on domestic violence is available from the Fiji Women's Crisis Centre (FWCC).

CCF makes a submission to the UPR

The Citizens' Constitutional Forum (CCF) made a submission to the United Nations Universal Periodic Review (UPR) of Fiji, in August 2009.

The UPR is a new process where each country is reviewed by the UN against international human rights standards and UN conventions.

CCF's submission titled 'NGO Submission to the UN Universal Periodic Review - Fiji' deals with recent human rights issues in Fiji including the removal of con-

stitutional protections of human rights, the impact of Public Emergency Regulations (PER), independence of the judiciary, racial and religious discrimination and the limited ability to participate in government.

The submission highlights the arbitrary arrests and detentions which have occurred under PER, the strict media censorship, the substantial interference with the legal and justice system (including the inability to challenge the legality or validity of actions by the State), sacrilege and religious intol-

erance (including discrimination by the Police Force on grounds of religion) and the need for removal of the race-based voting system and to improve access to land.

The CCF recommended that an independent and inclusive national dialogue process commence immediately to facilitate an expedient return to constitutional government and that the Public Emergency Regulations be lifted. The CCF also urged respect for, and compliance with human rights and the rule of law.

The Budget process - a mechanism for accountability and transparency

By Mosmi Bhim

The CCF conducted the last Grassroots Budgetary Workshop for 2009 at the Cakaudrove Provincial Council Meeting House in Somosomo, Taveuni, from 3-4 August.

There were 29 participants on both dates from the many villages on Taveuni island. This was the only workshop by CCF to an outer island and it was much appreciated by participants.

A session on 'Analysis of the budget' was very useful to the Taveuni participants as they were taken through a summary version of the 2009 National Budget. Participants looked at economic trends, statistics and identified key figures such as GDP, Balance of Payments, Debt levels, eco-



Guest speakers (left) Ms Nanise Vosayaco and Ms Zena Sherani.

nomie growth and taxes. A hand-out was provided on definition of key terms.

The workshop was organised by CCF Communications & Advocacy Officer Mosmi Bhim and facilitated with the assistance of Education Support Officer Bulutani Matai. Assistance was received from the Coordinator of the Northern Multicultural Initiative (NOMCI) Ms Paulini Waqaniboro, to organise the participants.

There were three guest speakers at the workshop including: Ms Zena Sherani from Transparency International who



Participants at the Taveuni workshop pose with their certificates, at the workshop venue.

spoke on 'Monitoring the Government Budget'; Ms Nanise Vosayaco from the Ministry of National Planning who spoke on 'The National Budget - What, Why and For Whom?', and Dr Haruo Nakagawa who spoke on the topic 'Governance in Public Finance'.

The people from Taveuni highlighted the lack of proper roads and transportation as a major problem to development as it hindered development plans for farming and distributing agricultural produce. Electricity was another major problem.

Other issues identified were similar to those raised in a Community Submission to the 2010 Budget, made by CCF in July 2009. The Submission was faxed and hand-delivered to the Permanent Secretary of the Ministry of Finance.

The Submission highlighted the concern and recommendations raised by participants in the three previous workshops on the budget, conducted by CCF this year in Korovou, Sigatoka and Navua.

Many participants at these three very different localities in Fiji identified needs that were similar, and which had been in existence for many decades. These include: roads, regular transportation, health centre with qualified staff and equipment,

water supply that is also clean, farming and agricultural assistance, vocational training schools, and stable electricity supply.

Roads were identified as a common concern as it was a root cause of their problems. Without roads, they have difficulty accessing services such as health care, schools, jobs, and market for farm produce.

Many of the problems highlighted are synonymous with similar problems in rural areas around Fiji, and many of these have been included in past submissions by CCF as well.

In its submission, CCF acknowledged that a military coup occurred on 5 December 2006 and currently, there was an un-elected government leading the country. CCF expressed its concern that without a parliamentary democracy, some mechanisms of accountability and transparency in the government budget process are disabled.

For instance, the budget is not tabled in Parliament (as there is no parliament) so there is no opportunity for a scrutiny of the draft budget by opposition parliament members, and there is no opportunity for the public to hear about the draft budget in the media before it is passed.

There is no opportunity for an informed,

(continued on page 8)

CCF expresses reservations on casinos

The CCF expressed deep reservations about the Interim government's recent decision to allow a casino to open in Fiji.

"Its known world over that casinos can have collateral damages. Big time gambling can be a source of addiction leading to financial bankruptcy and irreplaceable loss of much needed family income, which could aggravate rather than resolve poverty," CCF Chief Executive Officer (CEO) Rev Akuila Yabaki said.

"The opening of any casino would require strict legislation and it would be unfair dis-

crimination to prevent locals from accessing the casino altogether or to place higher regulations on their participation than foreigners," Rev Yabaki said.

Suitable regulations would need to be in place to ensure that appropriate consideration is given to:

- The impact on social welfare and culture;
- Mismanagement of finances (possible increase in debt and poverty);
- Gambling addictions (and associate problems such as alcohol/drug abuse and de-

pression);

· The location and/or number of casinos should be determined only after a comprehensive impact assessment report is done.

"It should be able to benefit the people of Fiji, including the local economy, and not just visiting tourists and overseas investors and measures need to be in place to address any adverse impact this development might have," Rev Yabaki said.

"Only one casino should be sufficient for a country like Fiji."



Litiana wins essay competition

Class 7 student Ms Litiana Romarakiwai (pictured left) received a cheque of \$100 for her winning essay to CCF's Essay Competition on the theme of 'Promoting Multiculturalism in Fiji'.

Naduruloulou Fijian School, of which Ms Romarakiwai is a student, received a cheque

of \$100 for being the winning school. Naboro Sawanikula Primary School, as the second participating school, received a cheque of \$50. The cheques were presented by CCF Education Support Officer Bulutani Matai (pictured right).

The topic for the essay was 'Why we should promote Multiculturalism in Fiji'.

The competition was organised in partnership with the Curriculum Development Unit of Fiji's Ministry of Education.

News in pictures



CCF Director Professor Vijay Naidu (middle) launched the book 'The Pacific Islands - Religion, Culture, Society' at the Jovili Meo Centre at the Pacific Theological College (PTC) in Nasese on 21 October 2009. The book has been published by PTC's Institute for Research & Social Analysis. Pictured (left) is PTC's Dr Manfred Ernst and (right) CCF Chair Ms Tessa Mackenzie.



CCF staff pose in their Indian attire outside the office entrance on Friday 16 October. Deepawali, the Hindu festival of lights, was celebrated in Fiji on 17 October 2009. CCF staff marked the event by coming to work in Indian attire on Friday 16 October and a lunch of Indian food.

The Budget process - for accountability

(continued from page 7)

passionate debate on the budget, where it can be openly criticised or alterations suggested. Secondly, the budget does not go through a parliamentary approval process, and thirdly, parliamentary approval and scrutiny of government expenditure does not take place.

In its submission, CCF strongly recommended the holding of democratic elections as soon as practicable so that an elected government could run the country, and so that the parliamentary processes of accountability and transparency could be operational again.

CCF also expressed concern that the 1997 Constitution was abrogated on April 10 2009. That Constitution had mechanisms for participation, legislation, execution, accountability, and transparency for the budget process.

Earlier in the year, CCF wrote to the Auditor General and the Minister for Finance seeking the Auditor-General's reports that have been pending since 2007. CCF is concerned that these reports were not released to the public in Fiji, as requested.

A PDF copy of the submission is available at the CCF website: www.ccf.org.fj