



## Political forum agenda should consider Fiji's long-term problems

The Citizens' Constitutional Forum (CCF) commends the political forum held on 27 October 2008, and reminds that political parties have an ethical responsibility to refrain from making negative comments that could destroy the process.

"CCF reaffirms that the 27 October meeting representing 14 political parties in Fiji is a positive step forward. Initial reactions from all major political parties was positive," CCF chief executive Officer, Reverend Akuila Yabaki said.

"However, a week later, political parties and commentators had resumed making negative statements on dialogue.

"This is worrying as it could lead to a collapse of the dialogue process. We also recommend that the meetings should be held sooner to avoid loss of momentum - have

at least one meeting per week or at least one meeting every fortnight so that the purpose can be achieved," Rev Yabaki said.

"The political forum also needs to have a wider agenda. The representatives from major and long-serving parties especially, should take this forum seriously and take this as an opportunity to discuss Fiji's long-standing problems. Political leaders need to remember that this is not a business-as-usual meeting and they need to find a progressive solution for Fiji," Rev Yabaki said.

"It is essential that the leaders refrain from playing the race-card at this forum. CCF believes that it is imperative for the forum to discuss the adoption of an anti-racism legislation in Fiji, which is part of Fiji's obligations to the Convention on the Elimination of All Forms of Racial Discrimination (CERD)," Rev Yabaki said.

"It's also vital for the forum to discuss a solution to ending the coup culture. We hope these important issues will be brought up by political party representatives themselves. We hope the process will not get side-tracked by petty issues," Rev Yabaki said.

The next political forum is due to be held in early December 2008. The interlocutors for the forum, Mr Robin Nair and Dr Sitiveni Halapua, will prepare an agenda for the December forum, based on the submissions received from political parties.

Meanwhile, three political parties have sent in their submissions to the President's Political Dialogue. They are the Soqosoqo Vakavulewa ni Taukei (SVT) Party, the United Peoples' Party (UPP), and the National Democratic Party.

## Judgement sets precedent for encouraging future coups

The Citizens' Constitutional Forum (CCF) expressed serious concern at the dismissal of the Qarase vs Interim Regime court case, in a ruling delivered on October 9 2008 by the High Court, which declared that the decision by the President His Excellency Ratu Josefa Iloilo to appoint an interim government after the military takeover of 5 December 2006 was valid.

"CCF is concerned that the ruling sets a precedent that could encourage further coups in Fiji," CCF Chair Ms Tessa Mackenzie said.

CCF is seeking advice from constitutional lawyers on the judgement.

The court ruling affirms that the reserve powers - known as prerogative powers - vested in the President to act in an emer-

gency are still valid under Fiji's 1997 Constitution.

The ruling declared that the President acted in the best interests of the nation.

CCF Chief Executive Officer, Rev Akuila Yabaki, provided an affidavit in support of the case by deposed Prime Minister Laisenia Qarase.

Mr Qarase's coalition government was removed during the military takeover of 5 December 2006.

An appeal against the High Court ruling will be heard in March 2009.



Deposed Prime Minister Laisenia Qarase outside the court house at a break due to a bomb threat received during the delivery of the ruling on October 9 2008.

## Editor's notes

Good news to our readers - CCF has successfully acquired funding from DFID for five years of activities.

The funding comes amidst uncertain times in Fiji's political situation - the High Court delivered a ruling upholding the President's reserve powers; political parties have managed to meet once for dialogue; the Charter process is being challenged in court; and the media has faced fresh rounds of intimidation for being in contempt of court.

An optimistic 2009 budget has been delivered by the interim government promising money for many developments - but where will this money come from?

In the absence of a parliament, how can we hold the government accountable for expenditure and actions? CCF will advocate on these issues in coming months.

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## Five-year DFID funding for CCF

In September 2008, the UK Department for International Development (DFID), under its 'Governance and Transparency Fund', commenced funding for CCF's core programme 'Strengthening Fiji's Democracy'.

This funding is part of a worldwide Conciliation Resources (CR) project supporting partners working for change in governance towards sustainable peace.

CR is an international NGO, based in London, focused on worldwide peace building initiatives. The wider global CR project, of which the CCF forms a component, promotes accountability and responsiveness of decision-makers to address the unmet needs and contested issues that give rise to conflict.

The global CR project funds peace building activities in countries such as Georgia, Sierra Leone, Uganda and South Sudan.

In Fiji, this funding will enable CCF in:

- Promoting a cross-party social justice



CR's Andy Carl (left) is greeted by CCF Director Prof Vijay Naidu at the CCF Retreat held from 10-12 September 2008 at the Lagoon Resort in Deuba, Fiji.

agenda.

- Advocating for the elimination of the race-based electoral system through a legal process of constitutional reform.
- Promoting non-discrimination in key social justice legislation, policies, and regulations, while ensuring that these programmes redress genuine exclusion rather than promoting narrow ethnic interests.

Under this funding, CCF will receive over FJ\$280,000 per year for five years.

## Lautoka workshop to build small NGOs capacity

A two-day NGOs Capacity Building workshop was held in Lautoka from 11-12 November 2008.

A total of 33 participants from different ethnic backgrounds attended the workshop, comprising 30 female and three male participants.

On the first day, modules on Human Rights, Good Governance and Citizenship were conducted. On the second day, sessions were held on a Rights-Based Approach to Development, and Citizens Organising for Governance.

The session on a Rights-Based Approach to Development exposed participants to information and key principles of taking a rights based approach in development activities. Participants discussed the principles of good governance as good development practices and were able to apply the concepts of human rights to development, showing a good grasp of human rights concepts.

Through case studies, they learnt to iden-



Youth participants from Ba make a presentation after group work.

tify the stakeholders, duty bearers and obligations that need to be met in development projects and the need for the inclusion of vulnerable groups in development activities.

Below are some interesting responses elicited from participants in the session on Citizens' Organising for Governance:

- "To be an effective and successful organization, it needs to be organised and mobilized - needs action".

- "I am capable to plan a development project using the rights based approach".

- "I can organize and plan a project now".

- "I now can see the importance of group organizing for decision making, rather than taking for granted that members agree".

- "I can improve the organization and mobilization of my organization".

- "I can now see that my organization was not well organised, though we have our monthly meetings but there was not

much action - there is need to mobilize".

- "I have the confidence to better organize my organization and do a development project plan considering human rights".

Attending the workshop were representatives from 18 groups, including: Tauvegavega Youth & Sports Club, Ba; Senivesi WORSED, Lautoka; Upkaar Mothers Club, Tavua; Soroptimist International, Ba; Veilomani Club, Ba;

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# Education team travels to Ba, Tavua, Ra

The Education team travelled to the West and conducted its first three workshops in Ba, Tavua, and Rakiraki for 2008.

The one-day Human Rights and Good Governance workshop was conducted in Ba Town at Koronubu House, to a mixed group of 31 participants, including 22 youth.

The session on Good Governance generated self-reflections in Ba.

“When asked what they would do differently, majority of the participants in Ba said that they would become accountable and transparent leaders, they will always try to do the right things all the time, provide good service to the community, be a more responsible employee, and be good and active community members,” CCF Community and Field Officer Ms Sereima Lutubula comments.

In Tavua, the workshop held at the



At the Tavua workshop from left: CCF Community and Field Officer Ms Sereima Lutubula, Communications and Advocacy Officer Mosmi Bhim and Ba Provincial Council Youth Coordinator Mr Jone Baravilala.

Tavuavevu Community Hall, attracted 41 male and female participants. This included two Indo-Fijian female participants. The session on Citizenship generated new learning in Tavua.

“This was a new concept to majority of the participants whereby many thought that Fijians were the only citizens of Fiji, through a misconceived understanding of the concept based on race. A citation of the definition in the 1997 Constitution clarified the legal meaning,” Ms Lutubula said.

In fact, one participant reflected that, “Now when I see other races, especially Indians, we are equal, and must respect them”. Another said, “Citizenship concept will help me to live and work with other races and to respect them”.

In Rakiraki, the workshop held at the Navuavua Village Hall attracted 22 male and female participants, which includes one Indo-Fijian male participant.

Participants in Rakiraki felt that with regards to Good Governance, some things



Participants at the Tavualevu Community Hall, Tavua, enact a role play on leadership issues.

they would do after learning from the workshop were: promote and practice good governance principles at the work place and village level; be transparent and accountable at work, be a good leader and a good citizen, and take part in the community by attending meetings.

The workshops in Ba and Tavua were organised through the assistance of Mr Jone Baravilala, Ba Provincial Youth Coordinator. The workshop in Rakiraki was organised through the assistance of Ms Amelia Ravu, Assistant Roko, Ra Province.

Further information on the Grassroots Education Workshops can be obtained from Ms Lutubula on email: [sereima@ccf.org.fj](mailto:sereima@ccf.org.fj)

## CCF conducts first human rights workshop in Hindi

The first workshop to be conducted by CCF almost wholly in the Hindi language, was held in Bulileka, Labasa on 22 September.

A total of 33 women – of which 28 were Indo-Fijian and five indigenous Fijian – attended the one-day training on basic good governance, human rights and citizenship concepts.

The participants showed satisfactory level of understanding of the Universal Declaration of Human Rights (UDHR) and the Bill of Rights in Fiji’s 1997 Constitution.

Although slow to grasp the concepts in English, the translation into their vernacular language, Hindi, and the sighting of the UDHR and a simplified Hindi version of the 1997 Constitution helped in quicker learning.

Participants from nearby Bulileka and

Bangladesh, raised questions in relation to human rights. These included issues of expiry of land leases, lack of medicines and health services, access to higher education, and lack of job opportunities, which showed the importance of improvement of basic needs as a priority in life.

Questions were raised on why the government was not assisting in the provision of basic amenities.

Workshop Coordinator Sereima Lutubula recommends the need to link human rights and good governance to social, cultural and economic development aspirations of the learners.

“There is a need for grassroots communities to understand the government processes and mechanisms in making laws and the budget,” Ms Lutubula commented.

A second workshop in the North was held

at the Valelevu Village in Batinikama, Labasa. This workshop attracted 26 male and female participants and most of the sessions were conducted in the Fijian language.

In the Valelevu workshop, a lot of interest was shown in human rights in relation to religion and culture. The coups were cited as a human rights violation that was very upsetting to most participants.

A third workshop in the North was held at the Viani Village in Savusavu. The workshop attracted 38 male and female participants and the sessions were conducted in the vernacular Fijian language.

The three North workshops were organised through the assistance of Ms Paulini Waqaniboro, who is a Labasa Town Councillor and is also the President of the Northern Multi-Cultural Initiative (NOMCI).

# Robben Island - a powerful symbol of freedom

By Rev Akuila Yabaki

In the afternoon of Wednesday, 8th October, the participants of the World Association of Christian Communication (WACC) Congress meeting in Cape Town, South Africa took the trip of a lifetime to the heart of South Africa's freedom, Robben Island.

In the warmth of the afternoon sun after a morning of cold breezes, participants lined up at the Mandela Gateway to board the ferry for the island. Beaming with anticipation of what was in store, they wandered out of the freedom of the ferry to the gates of the prison that was Nelson Mandela's home for 18 years.

Dennis Smith, from Nicaragua, newly elected President of WACC said the prison represents the horror of what power can do between those with a tight grip on it and those excluded from it.

"But it also shows us the strength of the human soul to survive even where there is little hope and finally to forgive and forget," he said. "The history of this prison teaches us that human beings can forgive those that might have been extremely cruel to them."

A journalist from Canada, Rebekah Chevalier, said she was struck by the way the prisoners were able to communicate to each



Rev Akuila Yabaki pictured here approaching Robben Island.

other using tennis balls, among many other extraordinary means.

"This speaks of the power of the human spirit to keep going and find a way despite all the odds to overcome hardships," she said.

The experience of the tour was enhanced by the fact that almost all the tour guides at the prison are ex-prisoners. How do they manage to work in a place that brought so much misery to them? Does it bring them hallucinations at night?

"No," said Kgotso Dede Ntsoelengoe, one of the tour guides, who was imprisoned in 1984 at the age of 14 and could have served time until November of 2009 but he was released with the rest of the political prisoners in 1991. "I find my stay here as a les-

son that no matter how much anger one might have on those that oppressed him or her, there is a chance for forgiveness and that you can live together as one."

Robben Island wasn't only a notorious prison. As we queued at the jetty to board the ferry, we could read on the walls about the island's history; between 1845 and 1931 it was a place where lepers and the critically ill were quarantined. It became a military camp from 1939 to 1959, and a prison in 1960 up until 1991.

From a dumping place of lepers to a notorious prison, Robben Island has always had a dark side. But not any longer. Now it is a haven of peace as the oppressor and the oppressed are working together to give peace and freedom a chance.

No wonder one of the ferries that takes people there is named "Sikhululekile" – whose literal meaning is "We are free now." Archbishop Desmond Tutu in his opening address at the same Congress echoed the same sentiment, "... our freedom is your freedom".

- WACC Congress 2008 met in Cape Town, South Africa on 6-12 October. 300 people attended. As member of WACC Pacific, Rev. Yabaki was part of the Pacific delegation.

## New legal officer joins CCF team



Kate Schuetze during a welcome party.

Kate Schuetze recently joined CCF as a Legal Officer.

Kate is an AVI volunteer and was admitted as a solicitor in the Supreme Court of

Queensland in 2002 after completing her law degree at the Bond University on the Gold Coast.

Kate has worked as an associate to the Federal Magistrates Court of Australia and as solicitor at Legal Aid Queensland and Australian Government Solicitor.

Her expertise includes family law, domestic violence, child protection, child support and administrative law.

Kate has always had a keen interest in human rights law and is studying towards a Masters in International Law at the Australian National University (ANU) in Canberra.

Whilst working in Brisbane, she also volunteered her time to assist the Annerley Women's Legal Service by providing free legal advice on a regular basis. Kate is very excited to join the team at CCF and hopes she will make a positive contribution.

## Capacity building

(continued from page 2)



A tangled mass . . . group activity on Citizens Organising for Governance.

Lomavata Women's Club, Lautoka; Ministry of Youth, Lautoka; Tavua Youth Club; Vakabuli Women's Club, Lautoka; Women of Nemaiah's Heart, Lautoka; Senior Citizens Ba Community; Lautoka Women's Council HART; Red Cross Society, Lautoka; Vatamai Women's Club, Lautoka; Mua ira Women's Club, Tavua; Ba Women's Forum; DORCAS, Lautoka; and Namoli Women's Club, Lautoka.