



High Commission of the Republic of the Fiji Islands London

GOVERNMENT & EXTERNAL RELATIONS

Fiji is a sovereign democratic state. A former British colony, it became a republic in 1987 following two coup d'états. After the coups, Fiji was run by an Interim Government headed by Fiji's first Prime Minister, Ratu Sir Kamisese Mara. The Interim Government ran the country for three years until the first general election held in May 1992. This election saw the victory of the Great Council of Chiefs sponsored party, the Soqosoqo-ni-Vakavulewa-ni Taukei (SVT). Twenty months later, another general election was held following the defeat in Parliament of the budget bill. The SVT party again dominated this election winning 31 seats. The remaining seats were shared between National Federation Party, Fiji Labour Party, Fijian Association Party, General Voters, All National Congress and Independents. The general elections from May 8 -15 was the first under the 1997 Constitution. This election brought a lot of surprises. Altogether 16 political parties and 304 candidates (Communal seats - 163, open seats - 141) contested this election. The number of registered voters were 441,265. This election brought an outright majority for the Fiji Labour Party (FLP) which won 37 seats, Fijian Association Party (FAP) 11 seats, Party of National Unity (PANU) 4 seats, Soqosoqo Ni Vakavulewa Ni Taukei (SVT) 8 seats, Independents 5, Nationalist Vanua Takolavo Party (NVTLP) 1, Veitokani Ni Lewenivanua Vakarisito (VLV) 3 and United General Party (UGP) 2. The leader of the FLP, Mr. Mahendra Pal Chaudry was appointed as the fourth Prime Minister of Fiji. A history was created when the National Federation Party (NFP) which had been in the political scene of Fiji since 1966, failed to win any seat. The government team includes FLP, FAP, PANU, VLV and 2 independents. This election also saw 8 women candidates in the House of Representatives out of which 5 were Cabinet Ministers.

However, in May 19th, 2000 a coup overthrew the Coalition Government led by Mr Mahendra Chaudry, and shortly afterwards a Military backed interim government was established to take the country back to parliamentary democracy. The second general elections under the 1997 Constitution was held in August, 2001 in which – Soqosoqo ni Duavata ni Lewenivanua (SDL) won 32 seats. Fiji Labour Party (FLP) won 27, (CAMV) won 6, New Labour United Party (NLUP) won 2, Independents won 2, United General Party (UGP) won 2 and NFP won one seat. SDL with the majority of the seat joined Coalition with CAMV and Independents to the Government led by SDL Party

leader Mr Laisenia Qarase. However, Constitutional issues on the participation of FLP in the multi-party government as required by the 1997 Constitution is still to be resolved by the Courts

CONSTITUTION

The Constitution is the supreme law of Fiji. The Constitution Amendment Act 1997, to amend the 1990 Constitution came into operation on July 25, 1998. The new Constitution gives genuine regard to recognizing, respecting and upholding the rights and interests of all ethnic groups in the country.

In facilitating the enactment of the new Constitution, Government gave the people of the Fiji Islands a just, fair and equitable Constitution of which all citizens can be proud.

The passing of the new Constitution led to Fiji's readmission as a member of the Commonwealth in October, 1997, restoring some of the links with the Crown. It places great emphasis on fundamental rights, freedoms and representation. It also conforms to all of the major United Nations instruments relating to land rights, customs, traditions and cultural inheritance. Under the new Constitution, Fiji will have a bicameral Parliament consisting of the President, an elected House of Representatives and a nominated Senate. The executive authority is vested in the President who is appointed by the Bose Levu Vakaturaga (Great Council of Chiefs). The President serves for a five-year period.

PARLIAMENT

Fiji's Parliament largely follows the procedures and customs of the British where there is an elected House of Representatives and a nominated Senate. The House of Representatives will comprise 71 members - 25 MP's elected on open rolls, and 46 MP's elected on communal (ethnic) rolls. The candidates for the 25 open seats can come from any ethnic group. The candidates for the 46 Communal seats will be distributed as follows: Fijians 23, Indians 19, Rotumans 1 and Others 3. The Upper House or the Senate will consist of 32 members of whom: 14 are appointed by the President on the advice of the Bose Levu Vakaturaga, 9 are appointed by the President on the advice of the Prime Minister, 8 are appointed by the President on the advice of the Leader of the Opposition and 1 is appointed by the President on the advice of the Council of Rotuma. The Senate complements the work of the House of Representatives through the scrutiny and revision of Bills coming to it. Whilst the Senate has limited powers in respect to Money Bills, it can guide opinion and clarify issues in general debate and by motions, petitions and adjournment speeches.

The new Constitution makes it compulsory that all citizens, 21 and over and who have been a resident in Fiji for the two years immediately before applying

for registration to be registered. Any qualified person who fails to apply for registration commits an offence and is liable on conviction to a fine of \$50. A registered voter who fails to vote and who does not have a valid and sufficient reason for failing to do so must pay a \$20 fine. The Constitution Amendment Act (CAA) 1997 changes the way a member of the HOR is elected. The 1990 Constitution adopted the first past the post system under which the winning candidate is the person who secures the greatest number of votes. The CAA stipulates that the preferential voting system known as the alternative vote will decide future Parliamentarians.

CABINET

The Prime Minister must establish a multiparty Cabinet comprising such number of Ministers as he or she determines. The composition of the Cabinet should as far as possible fairly represent the parties represented in the House of Representatives. In establishing the Cabinet, the Prime Minister must invite all parties whose membership in the House of Representatives comprises at least 10% of the total membership of the House to be represented in the Cabinet in proportion to their numbers in the House. If however, the Prime Minister selects or appointment to the Cabinet a person from a party whose membership in the House of Representatives is less than 10% of the total membership of the House, that selection is deemed, for the purposes of this section, to be a selection of a person from the Prime Minister's own party. If a party declines an invitation from the prime Minister to be represented in the Cabinet, the PM must allocate the Cabinet positions to which that party would have been entitled amongst the other parties (including the Prime Minister's party) in proportion, as far as possible, to their respective entitlements as noted above. The current Cabinet Ministers from the result of the 2001 General Election won by the Soqosoqo Duvata Ni Lewenivanua (SDL) are 21 in number representing these ministries and portfolios:

- Prime Minister & Minister for Fijian Affairs
- Attorney-General & Minister for Justice
- Minister for finance & National Planning
- Minister for Education
- Minister for Commerce, Business, Development & Investment
- Minister for Home Affairs & Immigration
- Minister for Foreign Affairs & External Trade
- Minister for Health
- Minister for Regional Development & Rural Housing
- Minister for Tourism, culture, Heritage & Civil Aviation
- Minister for agriculture, sugar & Land Resettlement
- Minister for Fisheries & Forests
- Minister for Lands & Mineral Resources
- Minister for Women, social Welfare & Poverty Alleviation
- Minister for National Reconciliation, Information & Media Relations
- Minister for Local government, Housing, Squatter Settlement & Environment
- Minister for Labour, Industrial Relations & Productivity

Minister for Public Enterprises and Public Sector Reform
Minister for Works, Telecommunications, energy, Road
Transport & Shipping
Minister for Youth, Employment Opportunities & Sports
Minister for Multi-Ethnic Affairs

GOVERNMENT DEPARTMENTS

About 20 ministries or government departments conduct the affairs of the government, and the Minister who heads a department is responsible to parliament for its activities.

These departments are staffed by a career public service, whose members do not relinquish their jobs on a change of government.

The Public Service Commission (PSC) has made good progress with the civil service reforms, where Corporate Planning has been the major drive in the clarification of departmental objectives and outputs. The PSC, in consultation with Ministries and Staff Associations, is also devising a new Performance Management System which will link wage and salary increases to public sector performance and productivity.

JUDICIARY

The Constitution guarantees the independence of the judiciary by placing the appointment of judges in the hands of the President after consultation with the independent Judicial and Legal Services Commission.

Members of the judiciary cannot be removed except under a complicated system of checks and balances.

The Constitution allows for three courts — the High Court, Fiji Court of Appeal and the Supreme Court - all independent of the executive or any other authority and the subordinate courts.

The Magistrates' Courts exercise both limited civil and criminal jurisdiction within the limits of the Division within which they are situated. Their jurisdiction also extends to territorial waters adjacent to the Division. The distribution of business between Magistrates' Courts within a Division is subject to the direction of the Chief Justice. At the present time, there is a Chief Magistrate and 14 resident magistrates centered in the main towns. In 1991, the Small Claims Tribunal Decree was enacted by legislation to transfer the resolution of small claims from the Magistrates Courts to the newly created Small Claims Tribunal. Under the Decree, the Tribunals are divisions of the Magistrates' Courts. The Tribunal has jurisdiction in respect of any claim which does not exceed \$2000 in value and such other jurisdiction as conferred upon it by any other law. The High Court has jurisdiction to hear and determine any question relating to protection of fundamental rights and freedom of individual. It has unlimited original jurisdiction to hear and determine any civil or criminal proceedings. It also has unlimited powers to hear and determine appeals in both criminal and civil matters from courts subordinate to it.

The Fiji Court of Appeal, however, hears appeals generally from any person convicted of any offence from the High Court. The final appellate court is the Supreme Court and under the Constitution, it determines any appeal from a final decision or order of the Fiji Court of Appeal. It also has powers to review,

modify, reverse or affirm such decisions or orders and make such other orders, it sees necessary in the interest of justice.

LOCAL GOVERNMENT

The country has a well developed system of local government. City and town councils fall under the general supervision of the Ministry of Housing, Urban Development and Environment. Suva and Lautoka have city councils while Nadi, Ba, Tavua, Sigatoka, Rakiraki, Labasa, Nausori, Levuka, Savusavu and Lami have town councils.

Municipal councils have the power to levy rates in order to fund operating and capital developments. Government helps local bodies with technical services, town planning, grants and loans.

Each municipal council is headed by a Mayor and elected councillors.

FIJIAN ADMINISTRATION

Fiji is divided into 14 provinces which are themselves composed of still smaller administrative units, the basic one of which is the village (koro). At the head of a village is the turaga-ni-koro, elected or appointed by the villagers. Several koro form a district (tikina) and consists of a number of tikina. Each province is governed by a council with an executive head (roko tui) whose appointment has to be approved by the Fijian Affairs Board, which must also approve all rates and bylaws applied by the provincial council. The Fijian Affairs Board is regarded the guardian of the Fijian administrative system and many other aspects of Fijian custom. This system of local government is exclusively Fijian.

POLICE

The Fiji Police Force is responsible for law enforcement and the prevention and detection of offences in the country. There are 1913 police officers of all ranks supplemented by special constables and civilian staff.

Through the years, the police force has continued to pursue strategies to combat the increase in crime in the country. These include:

- Road Safety Awareness Program in conjunction with the Department of Road Transport and the Ministry of Education;
- Establishment of more uniformed police in crime prone areas;
- Setting up of Neighbourhood Watch Schemes and Crime Prevention Committees; Bus Beat System aimed at preventing incidents of offences on both the passengers and drivers;
- A national campaign against drug abuse. Community Policing.
- Decentralizing Police service by establishing police posts to provide quick response.

The Police Force also participates in peace keeping operations with the United Nations in Sinai, Lebanon, Namibia, Cambodia and Iraq.

ARMY

Fiji's army came into existence during the pre-colonial days when the Cakobau Government created a force to exert its authority on the people. The Force was mainly used to fight tribal warfares in the interior of Viti Levu and other parts

of Fiji. However, the first form of disciplined and organized force was led by British officers.

The Constabulary was disbanded in 1894 and continued to perform police functions. At the outbreak of the First World War a Fijian Battalion was formed which served in France and Italy. It also participated in the Second World War in the Solomons and later in Malaya in the 1950's to combat the communist insurgence into the Pacific.

It was not until 1978 that Fiji's Royal Fiji Military Forces was again involved in active services abroad but only this time to do peacekeeping with the United Nations in the Middle East. Its success in this operation led to the call for further duties in a British Commonwealth sponsored peacekeeping unit for Zimbabwe-Rhodesia. Fiji was also called to observe in Sinai following the Camp David Accord in 1981 and other missions in Afghanistan, Kuwait and Somalia.

More than 1,000 Fijian soldiers are involved in peacekeeping duties every year. And since 1978, 28 have died while on active service.

In 1987 the name changed to Fiji Military Forces after ties with the Commonwealth were severed. And while the Force gained enormous prestige from services abroad, important strategic development also took place at the home front.

The establishment of an Air Wing, Naval Unit, Engineering Squadron and the Trade Training School were some of the major developments. Others include the setting up of a military hospital, counter terrorist unit and legal services department. Recently, after reviewing its role, the Force has embarked to concentrate on its objective of internal security and defense.

There are 3796 soldiers in the Fiji Military Force.

Meanwhile, Fiji has virtually renewed all military relations with its neighbouring countries namely New Zealand and Australia. As a member of the international community of nations, Fiji's success in creating an environment of peace, security and stability for its people also critically depends on how it manages its relations with the outside world.

As a small country, Fiji's national security interests can best be served by a policy of active support and the involvement wherever we can in the promotion of world peace and security, global development and cooperation, and international goodwill and support for the country.

FOREIGN RELATIONS

In Fiji's foreign policy and external relationships, the government will continue to emphasize the importance of friendly and cooperative relationships with all countries, and in particular those who are near to Fiji and those who are important to us as economic markets.

Government will continue to place priority on the promotion of Fiji's economic interests, and in particular in trade and investment, tourism and civil aviation, and in being actively involved through Fiji's diplomatic consular and trade mission overseas in promoting a wide network of bilateral and multi-lateral relationships, beneficial to Fiji.

"It will pay particular attention to expanding and strengthening its relationships with the high economic growth countries in Asia. New initiatives like the Joint Commercial Commission with the United States will be pursued with renewed vigour.

Government's priority will highlight expanding opportunities for our country through markets for our exports and service industries, and attracting increased resources from overseas for investment and development. Government will actively engage in bilateral and multilateral negotiations to secure long-term market access on remunerative prices and fair economic returns for our exports. A major focus will be on negotiations with the European Union on a successor arrangement to the LOME Convention. Australia and New Zealand are two of our major trading partners, and Government will devote priority attention on negotiations to retain for Fiji the comparative advantages of the existing SPARTECA arrangements. Continuing efforts will be made to extend favourable access arrangements for Fiji in the important North American market. In the Pacific Island Region, Fiji will seek to utilize the full advantage of the opportunities that exists with the Forum Island Countries and the special trading arrangements within the Melanesian Spearhead Group.

Government will work in close cooperation with the Sugar, Garment, Air Service and other industries, and with the Fiji Visitors Bureau and the Fiji Islands Trade and Investment Bureau, in all these negotiations and in market promotion activities.

The re-negotiation of the Lome Convention with the European Union, improving market opportunities for Fiji within the Asia/Pacific region and regional cooperation with our neighbours, will be given priority.

"Relationship with Fiji's neighbours and partners here in the Pacific Islands region and with our traditional friends in the European Union will be closely maintained and strengthened." Fiji rejoined the Commonwealth as its 54th member State in September last year. Fiji and the South Pacific Regional interests focus on membership of the South Pacific Forum and other regional agencies, and bilateral relations with countries in the region. Fiji plays a very important role in the South Pacific Forum. Being a founding and leading member of the Forum, it is committed to assisting its neighbouring island countries in their development. It will continue to support regional cooperation in the Pacific Islands region, acting in concert with its neighbouring countries. After being an observer in the Melanesian Spearhead Group (comprising Papua New Guinea, Solomon Islands and Vanuatu) for three years, Fiji became a full member at the 10th MSG Summit in PNG in June 1996. Fiji has become a member of the General Agreement on Tariffs and Trade (GATT). It now becomes the 120th contracting party and which became effective from November, 1993. Prior to that Fiji had enjoyed defacto status since independence.

Fiji also has long standing historic ties with Australia and New Zealand, including strong trade relations such as the SPARTECA trade agreement. This agreement has been important in the development of manufacturing in Fiji. Defense cooperation with the two countries has resumed after it was interrupted by the events of 1987. Fiji has strongly opposed the conduct of nuclear tests in the Pacific region, the dumping of toxic waste and the use of driftnets for fishing. It has strongly supported efforts to promote sustainable development in the particular conditions of small island states. It has drawn attention to the special environment threats relating to the small islands of the Pacific.

FIJI AND THE WORLD

In order to be effective in our business abroad, the specific roles of the nine missions abroad will be reviewed, with the firm objective of reinforcing their performance. A major initiative will be focussing on aligning their roles more toward trade promotions and securing market access for our export products. It is anticipated that in the course of their duties, closer consultations with our promotional agencies such as the Fiji Trade and Investment Board (FTIB) and Fiji Visitors Bureau (FVB) will be maintained and strengthened so that the country can maximize effective use of resources and information flow. The Foreign Affairs Ministry will closely monitor the developments arising from the trade and economic agreements with Australia and New Zealand to further enhance and facilitate trading relations, to safe guard our market access with the two neighbours, consequently providing a viable alternative to SPARTECA.

To this end the Ministry will seriously consider at the option of reopening the Consulate General offices in Sydney and Auckland. The government will continue to strengthen the Embassies in Asia to get optimum benefit from them, particularly in enhancing trade and economic relations. It will also establish new embassies with the objective of tapping into potential markets. In Asia and particularly China with a population of around 1.2 billion people, there is an immense opportunity to tap new opportunities, India has been identified as another market which can offer potential access for products. Government is seriously considering establishing embassies in these two countries.

INTERNATIONAL PEACEKEEPING

Fiji will support the United Nations and its constructive participation in international peacekeeping operations will remain a high priority. It has played a prominent role in international peacekeeping by the United Nations since 1978. Apart from receiving in excess of \$100 million through salaries and allowances, for the first time a Fiji national, Major-General, Jioji Knorote has been made the Force Commander of the United Nations Interim Forces in Lebanon (UNIFIL) The Fiji Military Forces has served in Lebanon, Sinai, Afghanistan, Iraq, Kuwait, Namibia, Cambodia and Rwanda. They have also served in Sinai under the US-initiated Multi- National Forces and Observer role. The FMF has established a high reputation in the performance of these duties.

However, so far Fiji has lost 34 peacekeepers and civilian officers. Currently, Fiji has peacekeepers and civilian police officers participating in the UNIFIL, United Nations Iraq-Kuwait Observer Mission (UNIKOM). In addition, it has civilian police officers in the United International Police Transitional Force (UNIPTF) in the Balkans. Government by virtue of being a member of the special committee on peacekeeping operations, is committed in ensuring that the peacekeepers and officers are entitled to maximum conditions in their area of operations, including transparency in disciplinary proceedings against them.

Recently Fiji has been invited by the United Nations to participate in peacekeeping missions to East Timor and Kosovo and the government has responded positively. In terms of securing Fiji's national economic security interests, Fiji's foreign and defense policies will continue to emphasize the

closest possible degree of bilateral relationships with those countries who are vitally important as markets for our exports and tourism industry, and as sources of financial and other resources to boost capital investment development activities in the country.

DIPLOMATIC MISSIONS

Fiji will also continue to strengthen its bilateral relations and regional and international participations because these are the essential building bloc for our regional and multilateral relations.

To date, Fiji has formal diplomatic relations with 70 nations.

Fiji has nine overseas missions. There are, in addition, seven honorary consuls. Two embassies are maintained in the United States, in Washington and New York, the latter being representative to the United Nations. The embassy in Brussels represents Fiji to the European Union. The change to export oriented economic policy strengthens the requirement for economic diplomacy in overseas missions. Overseas missions, will in future, play a much stronger role in promoting Fiji products, tourism and investment. Greater support for Fiji Visitors Bureau will also be provided through the overseas missions. Political objectives in foreign policy are -

- to maintain and where possible, strengthen, bilateral relations with friendly countries, with increasing focus on new friends within the wider Pacific rim, particularly in South East Asia.
- project a favourable image of Fiji overseas through various means, including personal contact and initiative, and a range of media activities.
- to assist in contributing to international peace and security, in particular through the United Nations; and
- to seek resolution of regional conflicts born out of ideology differences, economic rivalry and/ or cultural antagonism through diplomatic representations. In the economic sphere, the objectives pursued through diplomatic activities are-
- to attract foreign investment to Fiji, particularly for joint ventures;
- to promote Fiji's tourism sector, to identify new markets for Fiji's products and expand existing markets;
- to facilitate and expand overseas development assistance to Fiji;
- to assist in attracting skilled personnel to Fiji in key areas; to provide, where possible, assistance to less developed member countries of the South Pacific Forum;
- to draw international attention to environment abuse of the Pacific region and promote measures of environmental protection;
- to monitor and report on relevant technology; and
- to represent Fiji's special circumstances in respect of indigenous and human rights matters

THE 2001 GENERAL ELECTIONS

Results are as follows:

SDL = 32

FLP = 27

CAMV = 6

NLUP = 2
Independent = 2
UGP = 1
NFP = 1