

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**WEDNESDAY, 4TH DECEMBER, 2024**

**[CORRECTED COPY]**

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**WEDNESDAY, 4<sup>TH</sup> DECEMBER, 2024**

The Parliament met at 9.39 a.m. pursuant to adjournment.

MR. SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Members were present, except the honourable Attorney-General; the honourable Minister for Rural and Maritime Development and Disaster Management; and the honourable P.D. Kumar.

**MINUTES**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, I move:

That the Minutes of the sitting of Parliament held on Tuesday, 3<sup>rd</sup> December, 2024, as previously circulated, be taken as read and be confirmed.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, Sir, I second the motion.

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE SPEAKER**

Welcome

I welcome all honourable Members to today's sitting, those joining us in the gallery, those watching the proceedings on the television and the internet. Thank you for your continuing interest in the workings of your Parliament.

Visitors – Vanuabalavu Primary School Athletics Team

Honourable Members, please join me in welcoming the athletics team from Vanuabalavu Primary School. Welcome to your Parliament and I hope that you will learn more about how Parliament works.

Australian Federal Parliamentary Delegation

Honourable Members, please, join me in extending a very warm welcome to the Australian Federal Parliamentary Delegation led by the President of the Senate, Senator Sue Lines. Welcome to Fiji Parliament.

(Acclamation)

Madam President, we warmly welcome you and your delegation into the Fiji Parliament and thank you for joining us this morning. We wish you well in the course of your meeting this week.

## **SPEAKER'S RULING**

### Point of Order – Honourable Jone Usamate

Honourable Members, I have a ruling on the Point of Order by honourable Jone Usamate yesterday. I will now rule on that Point of Order raised by the honourable Member on Tuesday, 3<sup>rd</sup> December, 2024. On the issue of concern, whereby he raised that before the ruling was delivered on the Point of Order by honourable Alvick Maharaj, the honourable Minister for Women, Children and Social Protection was given the floor to speak.

I have taken the time to carefully peruse the Uncorrected *Hansard* Report of Monday, 2<sup>nd</sup> December, 2024, and I can confirm that I had given the floor to honourable Maharaj for his Point of Order and immediately after that, I gave the floor to the honourable Minister for Women, Children and Social Protection to speak. I can also confirm that after the honourable Minister for Women, Child and Social Protection had spoken, I proceeded to deliver my ruling on the Point of Order by honourable Maharaj.

Honourable Members, Standing Order 74(3) and (4) are very clear.

Clause (3) provides, and I quote:

“When a point of order has been stated, the member who raises it resumes his or her seat and no member, except with the Speaker’s permission, may rise until the Speaker has decided the matter.”

Clause (4) provides, and I quote:

“The Speaker may rule on a point of order when it is raised without allowing any discussion except from a member permitted by the Speaker.”

Honourable Members, it is very clear to me as the Chair that Clause 4 overalls stands over Clause 3 permission, that in fact, the Speaker has the right to permit any Member before he makes a ruling on the Point of Order.

Honourable Members, I want to assure the honourable Jone Usamate and all the honourable Members that there was no breach of procedures nor any deviation from the accepted practices as clearly outlined in Standing Order 74(3) and (4) - no Member except with the Speaker’s permission may rise.

In that respect, I hereby rule that the Point of Order raised by honourable Jone Usamate in yesterday’s proceedings is out of order and the matter shall rest there.

## **PRESENTATION OF REPORTS OF COMMITTEES**

### Review Report - Accident Compensation Commission Fiji 2022 Annual Report

HON. V. NAUPOTO.- Mr. Speaker, the Standing Committee on Foreign Affairs and Defence hereby submits to Parliament the Review Report of the Accident Compensation Commission Fiji 2022 Annual Report. Members may recall that yesterday we were debating the 2021 Annual Report.

The Accident Compensation Commission Fiji (ACCF) is established under the Accident Compensation Act 2017. The Accident Compensation scheme commenced on 1<sup>st</sup> January, 2018

providing greater and easier access to compensation on a no-fault basis for serious injuries and deaths arising out of motor vehicles. The no-fault basis of compensation also extends to injuries and deaths as a result of an accident arising out of and in the course of employment, and accidents occurring on school premises.

The Committee during its public hearing on 19<sup>th</sup> November, 2024 was informed that since June 2024, the ACCF board decided to transfer all employment and school accident cases back to the Ministry of Employment, Productivity and Workplace Relations (MEPWR). This Report contains five recommendations for consideration by relevant authorities.

The Committee is grateful and commends the ACCF for the forthright discussions held with the Committee during their public submission and we wish them well for the very important work that they do. I thank the members of the Standing Committee on Foreign Affairs and Defence and the secretariat for compiling this bipartisan Report.

On behalf of the Standing Committee on Foreign Affairs and Defence, I submit this Report to Parliament.

(Report handed to the Secretary-General)

HON. V. NAUPOTO.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move:

A motion, without notice, that a debate on the content of the Report is initiated at a future sitting.

HON. L.S. QEREQERETABUA.- Mr. Speaker, I second the motion.

Question put.

Motion agreed to.

#### Consolidated Review Report - Ministry of Civil Service 2019-2021 Annual Reports

HON. V. NAUPOTO.- Mr. Speaker, Sir, the Standing Committee on Foreign Affairs and Defence hereby submit to Parliament the Consolidated Review Report of the Ministry of Civil Service from 2019 to 2021 Annual Report.

The Ministry of Civil Service's primary responsibility is to provide guidance for consistent implementation of the central regulations, governing hiring, evaluations, promotion, compensation, training and discipline of public of employees in line with Government's guidelines.

To improve the overall standard of performance in the civil service, the Ministry provides various trainings and career development opportunities that are open to all civil servants, including courses on leadership, governance, project management and human resources. This reporting period, Mr. Speaker, Sir, was greatly influenced by the restrictions imposed by the COVID-19 pandemic.

I wish to extend my gratitude to the Permanent Secretary, Mr. Parmesh Chand and his staff for their very timely assistance in the request for information that we had asked them to provide when we were conducting this inquiry. I take this opportunity to thank the Members of the Standing Committee on Foreign Affairs and Defence and the secretariat for compiling this bipartisan Report.

On behalf of the Standing Committee on Foreign Affairs and Defence, I submit this report to Parliament.

(Report handed to the Secretary-General)

HON. V. NAUPOTO.- Mr. Speaker, Sir, pursuant to Standing Order 121(5) I hereby move:

A motion, without notice, that a debate on the content of the Report is initiated at a future sitting.

HON. L.S. QEREQERETABUA.- Mr. Speaker, Sir, I second the motion.

Question put.

Motion agreed to.

#### Review Report - Audit Bill 2024

HON. E.Y. IMMANUEL.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, honourable Cabinet Ministers and honourable Assistant Ministers, I am pleased to present the Standing Committee on Public Accounts Report to Parliament. This Report provides the results of the Committee's scrutiny process and the proposed amendments to the Audit Bill 2024 (Bill No. 17 of 2024).

First, I wish to thank the previous Speaker for giving the Committee the opportunity to look at the Bill. We normally look at accounts, dollars and cents and this opportunity opened our eyes and challenged us as well. We look forward to other opportunities and I wish to mention that the Committee Members are now considering doing legal courses.

The objective of the Audit Bill 2024 is to repeal the Audit Act of 1969 and provide for standardised provisions in line with international standards and best practices. Also, the Bill is in line with the establishments and functions of the Office of the Auditor-General as mandated under Sections 151 and 152 of the 2013 Constitution of the Republic of Fiji.

The Audit Act 1969 also provides the legal framework for the duties and powers of the Auditor-General and the principal objectives of the Act are to provide for the salaries, duties and powers of the Auditor-General and the auditing of public accounts and other related purposes.

Mr. Speaker, Sir, historically this exercise to review of Audit Act of 1969 began in 2018 but was not able to be finalised. This review is one of the public Financial Management Reform Policy Action that was recommended under Public Expenditure and Financial Accountability Assessment (PEFA). In 2023, the Ministry of Finance and Strategic Planning, National Development and Statistics with the Office of the Auditor-General undertook a comprehensive review of the Act and conducted wide consultations with stakeholders. The changes were also needed in line with the Pacific Association of Supreme Audit Institutions (PASAI) and International Organization of Supreme Audit Institutions (INTOSAI) audit requirement standards, hence this Audit Bill.

Mr. Speaker, Sir, the Committee examined the Bill in a tactical manner in which all the stakeholders were informed and given the opportunity to provide submissions on the Bill. Advertisements were published more than once in the *Fiji Times* and through the Parliament website and *Facebook* page with invitation letters. It was sent also to the relevant Government departments and stakeholders to provide submissions. The Committee had conducted consultations around key

locations in Fiji including, Vanua Levu and Viti Levu. Further to that the Committee had also conducted public hearings within the Parliament precinct.

Mr. Speaker, Sir, the formulation of the report was possible through the information gathered from stakeholders' consultations, including the Committee's session with the Office of the Auditor General and Solicitor General's office. The four-week exercise and the information gathered really assisted the Committee in its decision of the necessary amendments that need to be in the Audit Bill. In comparison to other audit entities especially in PASAI and INTOSAI member countries, where our office is a member of, we are happy to say that all the audit requirements will be met, except financial independence and referrals to the Ministry of Finance.

This is due to the fact that the Office of the Auditor-General is not ready or cannot be financially independent in a short period of time. However, plans are in place under PEFA which is currently doing an assessment to have this looked into and adjusted within the next three years.

Mr. Speaker, Sir, at this juncture, the Committee wishes to thank all the stakeholders who participated and contributed to the consultation process on this Bill in which relevant information was collected which assisted the Committee to formulate this bipartisan report and make the necessary amendments to the Bill.

In addition, Mr. Speaker, Sir, we would like to also thank the honourable Members of the Public Accounts Standing Committee for their input into the production of this bipartisan report. My Committee colleagues, honourable Sakiusa Tubuna the Deputy Chairperson, honourable Jovesa Vocea, honourable Alvick Maharaj and honourable Naisa Tuinaceva. I also wish to thank the alternate members of the Committee who took part in the deliberations and consultations namely, honourable Taito Rokomatu and honourable Penioni Ravunawa who stood in as alternate members pursuant to Standing Order 111(5).

I also wish to thank the hardworking Secretariat, the drafters at the Office of the Solicitor General, the Ministry of Finance and staff of the Office of the Auditor-General for the finalisation of the Bill. With those few words, Mr. Speaker, Sir, I commend this Report to Parliament with a proposed amendment to the Audit Bill.

(Report handed to the Secretary-General)

MR. SPEAKER.- Honourable Members, pursuant to Standing Order 121(1) and Standing Order 86, the Standing Committee has now tabled its report accordingly and the Bill is now set for Consideration by the Committee of the Whole Parliament on a future sitting date.

## MINISTERIAL STATEMENTS

The following Ministers have given notice to make Ministerial Statements under Standing Order 40:

- (1) Honourable Deputy Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics;
- (2) Honourable Deputy Prime Minister and Minister for Trade, Co-operatives, Micro, Small and Medium Enterprises and Communications;
- (3) Honourable Deputy Prime Minister and Minister for Tourism and Civil Aviation;
- (4) Honourable Minister for Employment, Productivity and Workplace Relations;
- (5) Honourable Minister for Justice.

Honourable Members, Ministers may speak up to 20 minutes, after which I will then invite the honourable Leader of the Opposition or his designate, to speak on the Statement for no more than five minutes. There will also be a response from the honourable Leader of the Group of 9 or his designate to also speak for five minutes. There will be no debate.

### COP29 Meeting at Baku, Azerbaijan

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, thank you for the opportunity to deliver a statement on Fiji delegation's engagement at COP29 which concluded on 24<sup>th</sup> November in Baku, Azerbaijan. The Government has recognised climate change as the greatest security threat of our times and one that we cannot address alone. Mr. Speaker, Sir, Government acknowledges the importance of engaging in multilateral processes such as the climate change Conference of the Parties (COP), to ensure our voices are heard and the challenges we face are recognised and addressed.

Mr. Speaker, Sir, before I provide an update on COP29 outcomes, I would like to extend my sincere and deep gratitude to all civil servants and officials involved in preparation for COP29 and their direct engagement in the negotiations held in Baku.

I want to take this opportunity also to thank the honourable Prime Minister for giving me the opportunity to lead the Fiji Delegation this year, and for his advocacy and leadership both at the regional level, and at the international level. I would also like to acknowledge our chief negotiator, PS Shivendra Michael, Ambassador Amena Yauvoli, and other senior people within the team for providing timely and expert advice across the agenda items and throughout what was very contentious and difficult negotiation process.

Mr. Speaker, Sir, we were very well prepared this year. Led by the Ministry of Environment and Climate Change with support from the Ministry of Finance, we organised technical working group meetings, prepared well-consulted policy briefs, prepared a communications strategy and held pre-departure delegation briefings for both Ministers and government officials. In the interest of transparency and accountability, we announced the Fiji Government delegation, disclosed how much government funds were being utilised and funding sources for delegates, and held press conferences to answer any questions from the media and public, unlike of what we saw in previous years

I was always our intention that this process be people-centred and contact sensitive, transparent and accountable. This year, Fiji took a 57-member delegation to COP. Ninety percent (90 percent) of the delegates were fully funded by external partners and through funding arrangements in place annually to support the Small Island state participation in these critical meetings. The total cost of the COP29 engagement to Government was only FJ\$239,000 contrary to some of the misinformation or disinformation with figures such as \$6 million, et cetera, put out by people outside of this Parliament.

Mr. Speaker Sir, we ensured that our delegation was interagency and multi-stakeholder, engaging various ministries, indigenous people reps, youth, academia and even Members of the Opposition.

Mr. Speaker, Sir, one of the few countries at COP which had in our delegation the honourable Leader of the Opposition and two other members. And I want to take this opportunity to thank the honourable Leader of the Opposition for his participation and for his contribution and support to the delegation in Baku.

I would also like to say Mr. Speaker, Sir, that government had made a strategic decision at this COP to send a larger ministerial delegation, due to the high political nature of this year's



negotiations and the decisions which allowed us to engage fully when key unsolved negotiations issues were taken to the ministerial levels for decision.

Mr. Speaker, Sir, this year Fiji identified 14 priority thematic engagement areas including climate finance, loss and damage, oceans, mitigation, adaptation, indigenous people and local communities and gender, to name a few among others. There were over 90 agenda items under discussion and our negotiators worked in teams to cover all relevant items. Each thematic area was assigned a ministerial lead, thematic lead, core lead, and support officials. I must say that it is a testament to the dedication and commitment of the Fiji Government delegation that we were able to not only cover each priority thematic area, but also Mr. Speaker, Sir, influence outcomes at key junctures.

Mr. Speaker, Sir, addressing the climate crisis is not just crucial for our environment, it is crucial for protecting the lives and livelihoods of Fijian people, and protecting the stability and growth of our economy. To be able to respond effectively to the scale of the challenge that we face as small island state, we need to face and access predictable and adequate climate financing.

Mr. Speaker, Sir, COP29 in Baku was dubbed “the finance COP”, because all parties were mandated to agree to a new target for the amount of climate financing that parties would commit to deploy annual to support developing country. This new target was required to replace the current target to deploy US\$100 billion per year as climate finance.

The new target referred to as the New Collecting Quantified Goal (NCQG) has been under negotiation for over two years and was required to be agreed at COP29. And given this slow progress to date, to reduce global emissions and support resilience-building, developing countries urgently require financing to implement both their mitigation commitments and adaptation plans.

At COP29, Mr. Speaker, Sir, our negotiation teams worked diligently to secure the best possible outcome across the negotiation streams. In many cases both ministers and negotiators started their day early in the morning, at 6am sometimes, and often finishing in the early hours of the next morning sometimes as far as 3.00 a.m. or 4.00 a.m.

We face many challenges given the state of current geopolitics, and in the final days of COP29, Small Island Developing States (SIDS) and Least Developed Countries (LDCs) were left with no choice but to walk out of the negotiation room as our priorities had not been properly accounted for within the financial decision text that was before us. Although the situation was politically and technically challenging, these actions serve to increase the ambition and ensured that there was no risk that the parties would adopt decisions that represented a step backwards.

Fiji, Barbados and Samoa, as well as high-level representatives from least developed countries and the European Union, the US and others including Australia, constituted a small group of 15 individuals that in a closed room setting negotiated to salvage the COP29 finance deal. Together, SIDS and LDCs represented the majority of developing countries, and we used our weight as SIDS and Alliance of Small Island States (AOSIS), as a joint block to push for progress and ambition.

While the final outcome falls short of our expectations, Mr. Speaker, Sir, it represents a significant improvement from the original version. In fact, it does not cross our redlines. The final COP29 decision on the new quantified collective goals fall for climate financing from all public and private sources to reach US\$1.3 trillion per year by 2035. Within that goal, is the commitment to ensure that developed countries take the lead on providing US\$300 billion per year by 2035.

While this goal represents a tripling of the financing floor, developed countries are currently committed and it sits within the broader the US\$1.3 trillion-goal. I know the deal has been criticised for seeking to achieve the \$300 billion through a wide variety of sources and for the decision to include contributions from developing countries to multi-lateral development banks within the scope of the sources contributing to this target.

In fact, as the honourable Leader of the Opposition would know, the discussion on the contributor base took a lot of time, particularly in the first week, Mr. Speaker, Sir. While this is a pronounced challenge for some of the larger and wealthier high emitting developing countries, it is less of an issue in our context and circumstances. And we can take some comfort with the understanding that an increase has been committed alongside elements of the decision which recognise the need to address many of the access issues we face.

The decision includes commitments to support nationally led approaches and simplify access to international climate funds. While the decision fall short of the direct commitment to scale our financing for loss and damage, it does recognise loss and damage issues and includes specific mention of the need to develop new and specific solutions for SIDS and LDCs.

In fact, Mr. Speaker, Sir, the AOSIS's position which includes us, the Pacific Small Island Developing States, we initially went into the negotiating room with a US\$39 billion finance floor that, obviously, was not acceptable, but we see the US\$300 billion as a floor and we feel that a large chunk of that should be available for small island developing states.

The other significant event, Mr. Speaker, Sir, is the operationalisation of the Loss and Damage fund. In fact, the World Bank is going to be the financial intermediary, and we hope that all the mechanisms and processes, the board for the fund for responding to Loss and Damage has also been appointed. We are hoping that by at least 2026, Small Island Developing States would be able to access some of those funding.

Mr. Speaker, this new finance goal will replace the previous US\$100 billion per year target, and despite some of the gaps in the cohesiveness of the decision, Government will work to ensure that the new targets and commitments are seen through in our engagement with development partners and international climate funds. We have no choice but to hold parties to account, and to ensure this deal will translate into the new and additional financing we need urgently to increase and scale up our response to climate change here in Fiji.

Other important outcomes Mr. Speaker, Sir, achieved this year, include progress to further agree on guidance and rules for carbon market mechanisms. The honourable Prime Minister talked about this the other day, and the agreement on new guidelines for transparent climate reporting. The extension of the enhanced Lima Work Programme on Gender (LWPG) and climate change and a decision confirming the institutional arrangements between the Fund for responding to loss and damage and the UNFCCC and its Paris Agreement.

Mr. Speaker, Sir, one other issue that we advocated very strongly and pushed for was the funding allocation for the new Pacific Resilience Fund (PRF), which the Economic Ministers, including Australia and New Zealand agreed for Tonga to host the Secretariat. That fund we are targeting US\$250 million by the end of this year. And I know Australia and New Zealand have both committed significant funding towards the Pacific Resilience Fund.

We are hoping that by 2026 that fund will also be operational and that a lot of those funding that would be available for Pacific Island countries. In fact, the decision to set up the PRF was a decision of the Pacific Islands. It was approved by the Finance Ministers this year. We are going to

have a special Finance Ministers meeting in March to ensure that all the legal, financial and institutional mechanisms are put in place and that the fund would be ready and available for Pacific Island countries by 2026. The other advantage of that fund, Mr. Speaker, Sir, would be that a lot of those could be localised at the community level, to build community resilience for the Pacific Islands in the future.

Mr. Speaker, Sir, I must say that I was actually feeling very good, and I must say that I was proud of the leadership our delegation across the COP29 Negotiations. Fiji was appointed as the G77 and China coordinator for adaptation, where they were entrusted to coordinate a group of 134 member States. Our officials continued to coordinate Pacific priorities in relation to loss and damage proactive engagement in the board of the Fund for responding to loss and damage.

In addition, our PS for Environment and Climate Change was selected as co-chair of the Oceans and Climate Change Dialogue alongside Brazil and Belgium. And again, this was negotiated by us through our respective grouping in bilateral meetings. And Fiji worked with the large friends of the Ocean Constituency to agree on the landscape and the language of the Annual Ocean Statement, which was delivered on behalf of 93 parties in the closing plenary by the Permanent Secretary for Environment and Climate.

Beyond the negotiations, Mr. Speaker, Sir, the ministerial high-level delegation, along with relevant officials, engaged in various side events and in bilateral meetings and stakeholder meetings. The Ministers were there, explored a range of new and emerging potential partners to support our efforts and the delegation, through these engagements and the media, amplified Fiji's needs, challenges, achievements in ways that will continue to unlock benefits beyond the scope of COP29.

Mr. Speaker, Sir, ultimately, we have to understand that this is multilateral process and there are always going to be difficult challenges, compromises and trade-offs to navigate. But I must say that again Fiji played a very important role. Fiji was seen as a leader amongst the AOSIS group and our negotiators lived up to those expectations.

Mr. Speaker, Sir, we have to always remember who we do this for. And we must continue to work with the volition and willingness to overcome the challenges put in place by those that resist the science and its implications. Our future depends on it, our children and grandchildren depend on us as leaders to ensure that there is a sustainable future forward.

Once again, Mr. Speaker, Sir, I want to thank all those who were part of the delegation, including those who were funded by other agencies, but had the Fiji badge and were part of the Fiji delegation and supported the Fiji delegation in all our negotiations.

MR. SPEAKER.- May I now call on the honourable Leader of the Opposition or his designate for his statement.

HON. I.B. SERUIRATU.- Mr. Speaker, I do acknowledge the honourable Deputy Prime Minister and Minister for Finance for his leadership and thank him for his Ministerial Statement. As he alluded to in his Statement, I was part of the delegation, but now I am giving my response as the Leader of the Opposition again.

Mr. Speaker, Sir, I did caution the independent members who attended from the Opposition. We are here as delegation, national delegation, let us look at national priorities that respect the leadership, but at the same time make the most of the opportunity to learn from COP. Because just by attending one COP it does not mean you understand COP. Know the intricacies, complexities and

the diversities in COP and let alone the politics of COP. I will come back to that later, Mr. Speaker, Sir.

We all understand the importance of Fiji's participation to COP29 or COP conferences for that matter. They are global gatherings where 190 plus nations come together to address the urgent crisis of climate change as alluded to by the honourable Deputy Prime Minister. I do not have to go back into it.

We went into COP29 with high expectations - a finance COP. But let us not beat around the bushes as well, Mr. Speaker, Sir, we have not been able to achieve, and our expectations were not met. And that is something probably beyond to our control, but more to the developed countries. But of course, the fight does not stop, and we need to continue. And not only fighting, but of course diplomacy as well, and that needs to start even after now for next year.

The promises from way back in 2009, the new collective quantify goal, we still fall short, and we made our demands. Again, this is very important because of Article 2 of the Paris Agreement of the 1.5, particularly for the Small Island Development States. Because now in COP they are trying to dilute the voices of the United Nations particularly the special circumstances of SIDS and there is a lot of effort now in trying to quieten that voice. And for us it is very important because 1.5 is to stay alive as the late Foreign Affairs Minister of Marshall Island, Tony de Brum usually mentioned in previous COPs, Mr Speaker, Sir.

So, the financing is very important, but we are not there yet. And particularly for us, the link to the other articles whether it is on loss and damage, whether it is on adaptation and mitigation, as alluded to by the Finance Minister, Sir.

The delegation. Do we really need to send a big delegation? I leave that to Government to answer, but I know that Government has learned their lessons from what they used to say in the past. We know that this is the biggest existential threat that faces Fiji and the Pacific Island countries. And we need our voice in COP. But I leave that question to Government to answer it, because unfortunately a Cabinet Member questioned the delegation in a ...

HON. OPPOSITION MEMBERS.- Very poor!

HON. I.B. SERUIRATU.- ...very irresponsible. As raised in the Point of Order on Monday, but I will ask the honourable Prime Minister to sort that out, Mr. Speaker, Sir. It is very unbecoming of a Cabinet Minister to raise such question on the delegation.

HON. J. USAMATE.- Very poor!

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, Fiji on 29<sup>th</sup> October, an article by Maureen Penjueli stated that, or asked this question, is Fiji losing its global standing? Probably that is what provoked Government to send a big delegation. At the same time, I know that we are investing in our young talents as well, but sort that out Government, please.

I will sum up, Mr. Speaker, Sir, just allow me probably a minute. We need to prepare now for the next COP. I stated last year when we came back from COP, that Fiji's delegation needed better organisation for greater impact. I know that the preparations have been good, but there are still a lot that we can do now. We do it now! Not wait for the next COP. Not wait for the next few months. The first thing that Government needs to do now is call for a debrief. A hot wash or an after-action review, whatever you want to call it, let us do a debrief now!

Secondly, Mr. Speaker, Sir, that debrief must also bring in the technical people, the negotiators, Ministers, and of course, diplomacy as well, because now the honourable Deputy Prime Minister learned his lesson. I raise the issue about diplomacy, because when we are stuck, our technical people are telling us, “Oh, the developed countries are telling us this”, but we have friends in the developed countries. That is where diplomacy plays a very critical role. Going back to the delegation, this is something that we need to consider.

Lastly, thank you for allowing me to say this. I would suggest to your good office, in the parliamentary workshops that we are doing. Let us have a workshop on multilateralism and regionalism because according to the foreign policy statement that was released lately by the honourable Prime Minister, that is a force multiplier to our foreign policy.

Every member of the delegation and especially Ministers, you can just go and read the piece of paper that is given to you by the technical team, but you do not understand COP. You do not understand the politics of COP. That is why we need to have some sessions on multilateralism and regionalism. He is talking about AOSIS, Pacific SIDS, G77, that is regionalism into multilateralism, and how we use diplomacy to get our issues across. There is a lot to discuss, I look forward to the debrief, honourable Deputy Prime Minister. I will ask the honourable Prime Minister to sort out the issue between the honourable Minister for Sugar and the rest of the delegation.

MR. SPEAKER.- I now invite the Leader of the Group of Nine bloc or his designate for his statement.

HON. N.T. TUINACEVA.- Mr. Speaker, Sir, firstly, I want to thank the honourable Deputy Prime Minister, Professor Biman Prasad for the Ministerial Statement. I also want to acknowledge this leadership at COP29. I also want to say my big *vinaka vakalevu* to the entire Fiji contingent that participated in the many events, the talks, the discussions and the negotiations during COP29.

Mr. Speaker, Sir, indeed, it is great that our nation has a seat at the table, obviously for the support, and I agree that it is vital for us to ensure that the voices of Fijians and the small island nations are heard on this global stage. However, while participation at COP is undoubtedly important, it is equally essential that we ground our climate change response in a strategy that empowers us as a nation and people, and not just passive recipients of external solutions.

Mr. Speaker, Sir, we must not only be part of discussions but must also focus on building our own agency and resilience. We must invest in our capacity to respond to climate change in ways that are both practical and culturally appropriate for Fiji. Our knowledge, our indigenous knowledge and traditions, and our local solutions should not just complement international efforts, they should be the foundation of our strategy.

Let me highlight a critical point –our indigenous knowledge. In our villages across Fiji, we have seen that local community-driven solutions are often effective. Taking for example, the *nana* traditional practices in Rewa, using mangrove plants to prevent riverbank erosion. This is a solution grounded in centuries of local knowledge and is proving not only to be cost effective, but sustainable. However, we often see these local solutions sidelined or overshadowed by foreign-designed interventions. The seawalls, while important, can be expensive and impractical for many of our communities. They are not the only answer, nor should they be the only solution to every problem we face. Instead, we need to invest in scaling up awareness and application of our indigenous practices.

The *nana* system in Rewa is one example, but there are many other such practices throughout Fiji that could be adapted and replicated in other vulnerable areas. What we need is a national strategy that blends the best of both worlds: global knowledge and local wisdom.

The solutions that come from foreign experts are valuable, but they must be combined with the creativity and resilience that comes from our own people. By recognising and investing in our own knowledge systems, we do not only strengthen our response to climate change, but also position ourselves as leaders in the global conversation.

Mr. Speaker, Sir, while it is crucial to tell the world about our vulnerabilities: our rising seas levels, our disappearing shorelines and the impacts on our way of life, it is equally important to celebrate our agency. We must change the narrative. Instead of focussing solely on what we lack, let us shine a light on the incredible ways in which our communities are really adapting, innovating and finding solutions.

This is not a story of helplessness; it is a story of resilience, of ingenuity and of hope. At COP29 and beyond, Fiji should be proud to showcase both our needs and our strengths. Yes, we need support from the international community, but we must also be clear, that we are not begging for help. We are asking for partnerships based on mutual respect, recognising that we too have much to contribute.

In conclusion, while international platforms like COP29 are vital for raising awareness and forging global alliances, let us not forget that the effective climate change solutions come from the ground up – from the communities who live the reality of climate change every day. Let us invest in these local solutions, build on our traditional knowledge and move forward with the confidence that we the people of Fiji, have the agency to chart our own course in the fight against climate change.

Once again, I want to thank the honourable Deputy Prime Minister for the immense work and his great leadership at COP29.

MR. SPEAKER.- I want to thank the honourable Tuinaceva for his response on behalf of the Leader of the G9 Bloc.

Honourable Members, I think it is an appropriate time to suspend our proceedings for our morning tea break, so Parliament stands suspended and will resume in half an hour.

The Parliament adjourned at 10.33 a.m.

The Parliament resumed at 11.25 a.m.

MR. SPEAKER.- Honourable Members, firstly I would like to apologise for the late start of this session. The Secretary-General and I have been meeting with the President of the Australian Senate, the honourable Sue Lines and her Australian delegation for the purpose of strengthening our link, our relationship with the Australian Government and the Australian Parliament.

#### Walesi Technical and Financial Investigation

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, honourable Leader of the Opposition, honourable Cabinet Ministers and Assistant Ministers, honourable Members of Parliament and the people of Fiji who may be listening to this broadcast through Walesi or livestreaming or on radio today.

Mr. Speaker, Sir, I rise today to present to this esteemed Parliament the findings of the Walesi Pte Limited. It consists of two parts - Part 1 is the Technical Assessment of Fiji's Digital Television Transmission Setup and Part 2 is the Special Audit on Walesi's Financial Management and Governance.

Mr. Speaker, Sir, someone in this Parliament in the last few days brought the words “inaptitude” and “incompetence” on the People’s Coalition Party. All I can say, Sir, through this report, right back at you to the other side of the Parliament. From the outset, Mr. Speaker Sir, these findings reveal a troubling legacy left by the previous government, one marked by mismanagement, lack of transparency and a reckless disregard for public resources.

Mr. Speaker Sir, I stand here today with absolute clarity, recalling the relentless boasts of the previous government about the so-called Digital Television Initiative. They hailed it as one of their proudest legacies but let me be unequivocal. Walesi, under their leadership, was no legacy. It is a travesty. A colossal failure wrapped in incompetence, mismanagement and empty promises. The governance - reckless. The planning - non-existent. The execution – a national shame.

Walesi was not a triumph. It was a stain. A glaring example of arrogance and neglect, a testament to how low leadership can sink when blinded by vanity. Mr. Speaker, Sir, it is a disgrace, and the people of this nation deserve better than the hollow wreckage they have left behind. Under the guise of modernisation, they pursued an agenda of control. The now-repealed Media Industry Development Act is a testament to this. A law that stifled media freedom under the pretence of development. Today, as we examine the results of these investigations, it is evident that Walesi was yet another instrument in their flawed agenda.

Mr. Speaker, Sir, before I share to this august House and the people of Fiji the findings of Walesi Audit, I would like to make one important point. Digital Terrestrial Television (DTT) is undeniably a vital asset for a developing nation like Fiji, offering access to information education and public services, including broadcasting of our parliamentary sessions. But, Mr. Speaker, if implemented properly and managed well, it represents progress and opportunity for Fijians. However, Mr. Speaker, Sir, while the service has value, its implementation under that side of the House was plagued by poor management and governance, lack of accountability and oversight. I will share part one of the findings.

Mr. Speaker, the technical assessment was conducted with the assistance of the International Telecommunication Union (ITU) and engagement of an international expert in digital terrestrial television, who has uncovered systemic flaws in the design and implementation of Walesi’s digital television network:

- (1) Non-compliance with regulatory standards  
Walesi failed to obtain the necessary operating and spectrum licenses for its operations, so you can argue it was operating illegally. This not only exposed our nation to risks of interference from critical services like civil aviation, but this reflects poor oversight and negligence in complying with basic international telecommunication obligations.
- (2) Limited accessibility  
While Walesi provided free set-up boxes to low-income households, encryption policies forced families earning over \$30,000 annually to purchase proprietary services which are supposedly “Free-to-Air” services. This undermined the principle of universal accessibility.
- (3) Suboptimal Network Design  
Mr. Speaker, the network was implemented using a Multi-Frequency Network (MFN), a model which has significantly higher operational costs compared to the most efficient Single-Frequency Network (SFN) which is recognised globally for providing better coverage and cost-efficiency, especially in countries like ours. This basic failure of planning reflects lack of foresight.
- (4) Poor Technology Choices  
Despite the global standards in 2016 pointing to the transition to more modern technology the H.265/HEVC codec, the network instead utilised H.264 codec. This decision Mr. Speaker, meant that over 200,000 set-top boxes distributed at significant public cost, were outdated from the beginning and the question was not “if” but “when” these would need to be replaced, making this an absolute waste of public funds.
- (5) No Sustainable Operating Model  
Mr. Speaker, the review highlighted the absence of a sustainable framework for Walesi’s operations. There was no structured revenue model, no strategic pricing for broadcastings utilising the network, and no long-term plan for infrastructure maintenance. This was a fundamental failure to think beyond the immediate. Incompetence and inaptitude.

The special audit or the financial audit into Walesi’s operations paint even a bleaker picture. One of fiscal irresponsibility, poor governance and outright waste:

- (6) Mismanagement of Public Funds.  
From 2015 to December 2022, Mr. Speaker, that side of the House disbursed a staggering \$123.6 million to Walesi. Despite this massive investment, the company has remained heavily reliant on Government funding, due to its inability to generate sufficient revenue. Mr. Speaker, 10 payments totalling \$9.3 million, could not be substantiated, as relevant documentation was missing. This lack of records made it impossible to confirm whether these payments complied with the funds intended purpose or legal requirements.

The audit was also unable to identify the actual cost of the project against the budget. In fact, Mr. Speaker, Sir, there was no budget and so the detailing of cost was not really transparent. However, as reported by the report, an analysis based on the purchase of inventories and additions to property, plant and equipment between 2015 and 2022 indicates that project costs exceeded \$70 million.

- (7) Procurement Violations and Governance



Procurement regulations were routinely ignored. In fact, Sir, there was never a tender on anything in Walesi. High-value contracts, including a \$3.6 million project management contract were awarded without tendering. In fact, the tenders were waived. The Project Manager for the DTTV Project, who got paid \$3.6 million for the duration, revealed some very interesting facts, Mr. Speaker, Sir.

The review by the audit revealed the following:

- The scope of work was very broad;
- The deliverables and timeline were not detailed;
- The contract did not have a closure and cost limit
- Additionally, progress reports were never submitted to the Board in a consistent manner.
- There was no evidence to indicate the projects were properly monitored, as there was no documentation provided during the audit.
- There was no closure or status report provided when the consultant exited.
- There was no evidence also to confirm that there was a proper handover performed by the Project Manager on the termination of the contract.

Some of the facts, Mr. Speaker, Sir, on top of this \$2.2 million of red-flow batteries, purchased for backup or discarded due to improper storage – a shocking wastage of taxpayers' money.

Poor project management was highlighted very heavily, Mr. Speaker, Sir, in the report and other things that I mentioned exemplify these issues. On top of that, Walesi did not even have a contract register of authorised vendors from 2015 to 2020.

Mr. Speaker, Sir, beyond that, Walesi was operating without after strategic plan for years. Basic policies, including risk management and procurement frameworks were either absence or incomplete. These lapses allowed inefficiencies and irregularities to flourish unabated.

Mr. Speaker, Sir, on top of that, as we have seen through that side of the House with so many delays in financial reporting. This is what the re-audit report said - timely financial reporting and publishing of audited financial statements by public entities are indicators of good financial management that demonstrate transparency, accountability lay use of public resources.

Mr. Speaker, Sir, the financials for Walesi were totally delayed, which is again a sad indictment on this whole affair.

(8) Ambiguity in the Legal Framework

Mr. Speaker, Sir, the audit revealed significant gaps in the legal framework governing Walesi. The 100 percent government-owned company was not even covered under the Public Enterprises Act, further weakening oversight mechanisms and accounting structures.

Mr. Speaker, Sir, these findings obviously suggest a high level of mismanagement and waste, and in addition potential breaches of the law. As such this Government will not stand by idly. I wish to assure this august House that the findings of the technical report,

as well as the Special Audit will be forwarded to the Fiji Independent Commission Against Corruption today for further investigation and action.

Mr. Speaker, any evidence of abuse, misrepresentation or fraudulent activity will be pursued to the fullest extent of the law. The findings of these investigations are a sad indictment on the previous regime.

HON. J. USAMATE.- Hogwash!

HON. M.S.N. KAMIKAMICA.- Shame on them! They demand immediate action to safeguard public resources and restore trust in our institutions.

Mr. Speaker, Walesi does have a role in terms of communication in Fiji, however, be assured that this Coalition Government will not repeat the mistakes of the past. We are committed to implementing reforms that ensure Walesi serves the interest of all Fijians. In fact, we had already started work on this.

(1) Overhauling Governance

Mr. Speaker, Sir, under the leadership of its new board they are developing a comprehensive strategic plan to guide its operations. This plan will include robust policies for procurement, risk management, and compliance with Fiji's laws and regulations. All future requirements will adhere strictly to transparent tendering processes.

(2) Enhancing Accessibility

Encryption policies will be reviewed, Mr. Speaker, Sir, to ensure that all Fijians have true free-to-air access without the need for proprietary devices. Technical upgrades based on the ITU recommendations will also be prioritised.

(3) Strengthening Accountability

Mr. Speaker, Sir, spectrum licenses and frequency registrations will be expedited to bring *Walesi* in line with licensing practices and protect critical services from interference. Monitoring and evaluation frameworks will be established to ensure efficiency and transparency.

(4) Creating a Sustainable Model

Mr. Speaker, Sir, a transparent fee structure will be introduced in due course, together with the review of the Telecommunications Act. This will create a revenue stream that supports *Walesi*'s operations while keeping services affordable for Fijians.

Mr. Speaker, Sir, upon reflection it is clear that there has been a significant level of abuse in the operations of *Walesi*. In my estimate, based on the figures and number that I have presented, \$80 million or at least 68 percent of the spending to 2022 can be considered as wastage and abuse by the previous government. Just imagine this, Mr. Speaker, Sir, we could have used this money for hospitals, roads, bridges that could have been constructed from this fund.

Finally, Mr. Speaker, the *Walesi* investigation reminds me again of Nabukalou Creek - beautiful at high tide, but when the water recedes it reveals the filth underneath. Like the Fijian say, *bulubulu boro vulavula*, the surface seems pristine, but beneath it lay shameful, wastage and abuse. In two words, *sa duka*.

HON. P.K. BALA.- Look in the mirror.

HON. M.S.N. KAMIKAMICA.- Public funds vanished into thin air, a disgraceful squandering of resources.

Mr. Speaker, let us be very clear. The findings of these investigations expose the failures of the past in stark detail, and we will fix them! They also represent an opportunity to correct mistakes and rebuild trust in our public institutions.

Under this Coalition Government, we will ensure that Walesi transitions from a symbol of mismanagement and abuse to a model of innovation and public service. Our commitment to the people of Fiji is this –we will serve them with integrity, transparency and honesty.

HON. F.S. KOYA.- Mr. Speaker, Sir, let me first thank the honourable Minister for his Ministerial Statement on Walesi and also for all his hot air that has come up with respect to Walesi. Hot air and inflammatory words about being ineptitude and travesty, empty promise ....

(Honourable Members interject)

MR. SPEAKER.- Order, order! Continue honourable Koya.

HON. F.S. KOYA.- Thank you, Mr. Speaker.

He uses really inflammatory words like ineptitude, mismanagement, travesty, poor management, et cetera. Mr. Speaker, Sir, the honourable Minister in his speech pointed out that there are issues that he has found and those issues that he will be referring to the Fiji Independent Commission Against Corruption (FICAC). Once you say that, you ought to be mum on that particular topic, because it immediately is something that is gone into investigation. To come here and grandstand and talk about all of these things is not good. It does not bode well. Honourable Minister, I thought you were better than that.

Send it for investigation. We all look forward to the findings, but please, yesterday in this House, there was a matter that was brought up regarding the boxing. We were told to stay mum about it because it is a matter under investigation. It is the same thing, honourable Deputy Prime Minister!

MR. SPEAKER.- Honourable Koya, can I remind you the difference is, in this case it has not been referred to. It is in the process of being referred to, whereas in the case of the boxing, the matter is already in the hands of the Commission.

HON. F.S. KOYA.- Thank you, Mr. Speaker, I agree with you, but in light of the fact that he is raising it and about to report it, why come here and grandstand on it? Report the matter and then come back after the investigation is complete. That would be the honourable thing to do.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. F.S. KOYA.- We are not privy to the report, so answering it is quite impossible. Let me just remind him about what Walesi has done. Walesi has provided free-to-air digital television services to all Fijians. It has offered a change from analogue TV to now digital TV. As of March 2023, Walesi had reached 90 percent of the Fijian population. We had provided free digital services to 200,000 households; that did not exist! You tell me about the waste! Absolute garbage coming from the other side.

Mr. Speaker, Sir, to do all of these, there is a cost attached to it. Of course, the estimate of the project was \$200 million. The Government of Fiji provided \$100 million, and the remaining came through a combination of private sector investment and donor contributions. If he has issues, like he says he has, and he wants to refer it to FICAC, please do so.

(Honourable Member interjects)

HON. F.S. KOYA.- I hope that interjections are also dealt with in the same manner.

This particular project was a major investment by the Government of Fiji. I am glad to say that there is going to be continuity, because there are lot of households that are actually dependent on Walesi. When he talks about mismanagement, what he needs to do is also realise that, before Walesi came, the only way to watch television in Fiji was through analogue television. That is the system that uses radio waves to transmit images, sound, et cetera. This is a digital platform which we can actually grow.

Walesi is a significant and a huge improvement over the previous analogue television, and it provides sharper images, more television stations and clearer sound and most of all, this allows the rural and outer island areas more access to television, more access to the digital platform. So, all in all, Mr. Speaker, Sir, he forgets to mention all the good parts of Walesi.

As I have said earlier, Sir, we are not privy to the report at the moment. If we were privy to the report, we would be able to dissect it but I'm not going to, because he is going to report the matter to FICAC. And we should be honourable people and leave that alone to the institutions, the incredible institutions that we have, to deal with that in the manner that they should.

MR. SPEAKER.- I now call upon the honourable Leader of the Group of 9 Bloc or his designate for his response.

HON. A. BIA.- Mr. Speaker, Sir, I thank you for the opportunity to reply to the statement by the Deputy Prime Minister and Minister for Communications.

Mr. Speaker, Sir, I have already spoken in this House about asking for clarifications from the Minister responsible in terms the allegations of wasting taxpayers' money, in terms of *Walesi* involvement. But I am thankful of the findings of the report. He has clearly articulated in the findings, that while he presented this morning, and we as a group of G9, we acknowledge the report and thank him for that. I know he has been given the biggest run around by the media and the journalists to deliver the report in this august House. We thank him and we are looking forward towards the progress of the report and investigations. *Vinaka*.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

### 3<sup>rd</sup> Regional Aviation Ministers Meeting 2025

HON. V.R. GAVOKA.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, honourable Leader of the Opposition, honourable Members of this august House, members of the media, ladies, and gentlemen; today, I rise to highlight Fiji's immense privilege and responsibility in hosting the 3rd Regional Aviation Ministers Meeting or known as RAMM in 2025. This decision, endorsed by Cabinet and fully supported by the Coalition Government demonstrates

our unwavering commitment to fostering regional unity and advancing shared progress within the Pacific aviation sector.

Mr. Speaker, Sir, the Regional Aviation Ministers Meeting is a cornerstone event, uniting Pacific nations to collaboratively address challenges, identify opportunities, and shape the future of our aviation landscape. This platform is not only a reflection of our interconnectedness as a region, but also vital mechanism for fostering practical solutions to the shared issues that we face.

As a Coalition Government, we recognise that aviation is the life blood of connectivity for Pacific Island nations. It is fundamental to our economies, our communities and our aspirations for growth and development. Hosting this meeting reaffirms Fiji's leadership in steering meaningful conversations and initiatives in the region.

Mr. Speaker, Sir, RAMM 2025 is not merely a gathering of aviation leaders, it is a strategic opportunity to address critical priorities for Pacific, aligned with the Coalition Government's overarching goals for sustainable development, economic resilience, and regional collaboration. The main objectives of the meeting are as follows:

- (1) **Strengthening Regional Cooperation** - Building stronger partnerships among Pacific nations to address aviation-related challenges including infrastructure gaps, regulatory alignment, and safety standards. This collaboration ensures that no nation is left behind in our collective journey toward progress.
- (2) **Enhancing Air Connectivity**: Improving air links across the Pacific to facilitate trade, tourism and investment. Enhanced connectivity will create pathways for economic opportunities and directly benefits the livelihoods of our people.
- (3) **Advancing Sustainable Aviation Practices**: Charting a path toward greener aviation by exploring frameworks to reduce carbon emissions, invest in sustainable technologies and mitigate environmental impacts – actions aligned with Fiji's climate leadership.
- (4) **Capacity Building**: Strengthening the technical expertise and operational capabilities of aviation sectors across the region through shared learning and technical assistance, ensuring long-term resilience and adaptability.
- (5) **Ensuring Safety and Security**: Working collaboratively to uphold international aviation safety and security standards, ensuring passenger confidence and maintaining the integrity of our air transport systems.

Mr. Speaker, Sir, the Coalition Government is focussed not just on hosting an event but on driving actionable and impactful outcomes for the Pacific region. The anticipated outcomes for the Pacific region. The anticipated outcomes of RAMM 2025 include:

- (1) **Actionable Policy Frameworks**: Agreement on practical strategies and frameworks that member states can adopt to strengthen their aviation sectors, promoting regional harmony and efficiency.
- (2) **Increased Funding and Investment**: Identifying opportunities for investment in infrastructure and technology, enabling advancements that will enhance aviation services across the region.
- (3) **Streamlined Regional Policies**: Aligning aviation policies to promote seamless operations, reduce barriers to travel and support more efficient movement of people and goods across borders.
- (4) **Expanded Partnerships**: Fostering collaboration between governments, private sector stakeholders, and international organisations to build a resilient and dynamic aviation ecosystem.

- (5) **Accountability and Implementation:** Establishing mechanisms to monitor the progress of agreements reached, ensuring that commitments translate into measurable benefits for all Pacific nations.

Mr. Speaker, Sir, the recent Pacific Tourism Organisation (SPTO) Pacific Ministers Meeting held in Suva last month, emphasised tourism's transformative role in driving economic growth and regional cooperation. Central to this vision is aviation, the lifeline connecting our island nations and enabling the seamless movement of people, goods and services.

Tourism and aviation are intrinsically linked with improved air connectivity directly enhancing access to Pacific destinations. This not only supports the growth of the tourism sector, but also fosters economic opportunities across industries such as hospitality, agriculture and retail. For Fiji and our neighbours, these linkages are critical for creating jobs, stimulating investment and uplifting livelihoods.

In the newly endorsed Strategic Plan for SPTO, connectivity is one of the Strategic Focus Areas highlighting the importance of harmonised efforts to enhance air connectivity, strengthen infrastructure and streamline regional aviation policies. Together, these initiatives ensure that Pacific nations remain competitive, resilient and united in their pursuit of sustainable development.

By hosting RAMM 2025, Fiji reaffirms its commitment to fostering these synergies and driving meaningful progress. The Coalition Government remains steadfast in its vision of aviation and tourism as cornerstones for regional integration, economic prosperity and shared growth.

Mr. Speaker, Sir, the Coalition Government views RAMM 2025 as more than an event, it is a platform to reinforce our collective commitment to the prosperity of the Pacific. By hosting this meeting, Fiji is leading by example, demonstrating our dedication to a vision of regional connectivity, sustainability and shared growth.

The Coalition Government's ongoing investments in the aviation sector, including infrastructure development and capacity building, underscore our readiness to host such a transformative event. Moreover, our focus on outcomes ensures that RAMM 2025 will have a lasting impact not just for Fiji but for the entire Pacific community.

Honourable Members, Fiji's hosting of the 3<sup>rd</sup> Regional Aviation Ministers Meeting in 2025 is a testament to our regional leadership and our commitment to advancing aviation as a driver of development. Guided by the Coalition Government's vision of progress, sustainability and inclusivity, we are determined to make RAMM 2025 a turning point for regional aviation. Let us embrace this opportunity to collaborate, innovate and create a stronger and more connected Pacific. Together, through partnership and shared purpose, we will soar to new heights.

MR. SPEAKER.- I will now call on the honourable Leader of the Opposition or his designate for this response.

HON. F.S. KOYA.- Mr. Speaker, Sir, first of all let me congratulate the honourable Minister in getting the approval to host this RAMM 2025 meeting because it comes at a very opportune time and it is sorely needed, especially in light of the fact there were many discussions were held – it had that happened at the International Civil Aviation Organisation (ICAO) meeting which the honourable Minister and I both attended and there are issues that the Pacific needs to deal with.

Mr. Speaker, Sir, I want to reflect on something that was said by the erstwhile Secretary-General to the Pacific Islands Forum, Mr. Henry Puna. He had said, and I quote, "there will be

fatigue in the discussion of some issues” and it is a very important topic. There will be fatigue with respect to civil aviation issues that have been discussed, but it is time that we need to move in a direction, because we all know Mr. Speaker, Sir, it is great for tourism that we are actually hosting these events but from a regional perspective, it is very important that we lead the way in these discussions, because we are a major part of the region’s airline network.

Mr. Speaker, Sir, civil aviation, especially in this region, we have to explore new and innovative ideas. We have to solidify our region, because as I said at the ICAO meeting on the last occasion that the honourable Minister and I both attended, I saw the solidification that exist within Africa and the support that they received out of the European Union. We need to also start to engage with the assistance of our development partners, Australia and New Zealand because they lie on the same region to see what can be done.

What lies at the hub of this and probably the most important thing, something that we really need to tap into, and it is good for our economies also, is the topic that was discussed in Dubai which was sustainable aviation fuel. It is something that is hugely important to us, especially in light of what has been attended to in recent weeks regarding COP29.

I am really quite sorry that our honourable Minister was not able to attend, because that would have been fantastic opportunity to raise all those issues that he did quite well in Dubai. Our development aspirations and commitments also need to be a huge part of these discussions. As I have said, Mr. Speaker, Sir, especially because of climate change issues and it should be at the head of our discussions.

Mr. Speaker, Sir, the support that is received by Africa with respect to sustainable aviation fuels because it is an industry comes from Europe, but the Pacific had zero support. So, it is time that we got together, some of our Pacific Island neighbours were not even able to attend the conference due to financial constraints. Fiji leads the way in this, we are hosting these things. I am sure we can lead and show the way for the Pacific and speak on behalf of the Pacific, and my discussions with Australia and New Zealand at that particular time, were that they would be readily and willing and able to assist in any way, shape or form that they can.

Honourable Minister, I hope and wish you well in the discussions that are going to be held at RAMM and from a Pacific perspective and from the words of Mr. Henry Puna, the former Secretary-General, let the discussions make sure that they are not, fatigue is not embedded in those discussions, because they can be ongoing and long, but moving forward there is a lot of movement in terms of innovation.

The little portion that I spoke about is actually quite a big portion about sustainable aviation fuels, it could mean new industries to us. It could mean what the honourable Minister for Trade has spoken about with respect to diversification, it could mean a hell of a lot if we start producing sustainable aviation fuels to make sure that we have a bigger and better economy that we can deal with whilst we are doing our part with respect to climate change and living in a sustainable economic environment. I wish you well honourable Minister for the Conference, and I wish you well in all the preparations and I wish Fiji a successful RAMM in 2025.

HON. V. NAUPOTO.- Mr. Speaker, Sir, I thank the honourable Deputy Prime Minister for his Statement this morning. I mentioned yesterday the fact that we are now hosting another meeting here in Fiji, again showcasing its ability to host and manage these meetings very well. Our facilities and the way we run these meetings, it also shows the leadership role that we play in these sorts of meetings and discussions.

I read with interest the connection between aviation and tourism – very true. Regionally, yes, and for a small and a group of island state like Fiji, distant, it is very true, aviation and tourism connects very well. Also, planes provide a faster turnaround for the tourists who do not come here and stay for long. When that is available to the outer islands, I think there is an old airport in Biaugunu airstrip, you had a look at that also. That localises this connection of aviation and tourism, and there are some of the airstrips that are on our outer islands, perhaps needs to be worked on.

I hear the development in Savusavu for ATR, I think this augurs very well. I am not sure about the one in Taveuni, I think it is coming, and I thank the Ministry for its leadership in this area. I certainly echo the sentiments of honourable Koya, we wish you well in the meeting which Fiji is also the best in this area of looking after aviation, which is so vital for tourism in Fiji.

### Progress and Achievements of the Formal Employment Services

HON. A.D. SINGH.- Mr. Speaker, Sir, let me begin by congratulating you, Sir, for your election as the Speaker of this august Parliament, and I look forward to working with you.

Mr. Speaker, Sir, I rise to update this august Parliament on the progress and achievements of the Formal Employment Services (FES) which is the local arm of employment at the National Employment Centre under the Employment Ministry.

The Formal Employment Services, Mr. Speaker Sir, has undergone significant transformation over the past two years and the services provided by the FES team have not only evolved, but have been reshaped to meet the growing needs of our workforce and the demands of the rapidly changing labour market.

Mr. Speaker, Sir, since its inception, the National Employment Centre has evolved from a small-scale operation that was initially focussed on local registration to a more comprehensive and proactive service designed to enhance job opportunities, community engagement and employment empowerment locally. The landscape of Formal Employment Services has changed significantly with greater emphasis on accessibility to our local job markets, outreach and personalised services. Our approach today is more holistic, focusing not only on matching individuals to jobs, but also on providing training, skills development and support mechanisms to ensure sustained employment.

Mr. Speaker, Sir, this year with the suspension of the registration of foreign employment due to the huge number of pending applications, we turned our focus on registration for local employment opportunities demonstrating an unprecedented boost in engagement with both jobseekers and employers. This is largely due to the extensive community awareness campaigns and employer engagement initiatives that have been undertaken to reach out to villages and even the outer islands. This initiative was essential to bridge the gap between the potential employees and employers, and the results are evident and beyond our expectations.

Mr. Speaker, Sir, as part of our ongoing efforts, we have focussed on registering jobseekers from rural and remote areas, providing them with access to local opportunities, that they would not have had otherwise. This initiative has been enhanced through various outreach programmes, including local registration drives in key locations such as Levuka, Ovalau in the *Tikina* of Nasinu where we connected with local communities directly.

Mr. Speaker, Sir, the National Employment Centre Act mandates the conduct of Life Skills training and Employment Skills training, both of which are crucial in preparing our workforce for local employment.



Mr. Speaker, Sir, our Life Skills training is designed to equip individuals with soft skills necessary for success in any workplace including communication, teamwork and time management. It also helps foster personal growth, building confidence and resilience in our local jobseekers. Employment Skills training focuses on the practical, technical skills required to thrive in specific industries. These trainings have become essential in building a workforce that is adaptable and capable of contributing effectively to our economy.

Mr. Speaker, Sir, early this year we strengthened our arrangements through a Memorandum of Understanding with the Australian Pacific Training Coalition (APTC) for the delivery of employment skills training, ensuring that the programmes offered are aligned with the current industry trends that meet the needs of all employers across the country.

The programmes provided by APTC are designed to equip jobseekers with the technical expertise needed for employment in sectors with high demand such as construction, engineering, hospitality and community services, which includes caregiving. These training programmes ensure that our workforce is not only job ready, but capable of thriving in the rapidly evolving job market.

Mr. Speaker, Sir, this training programme which covers up to Certificate III and Certificate IV is provided by APTC, are free of charge.

Mr. Speaker, Sir, both trainings are vital in today's rapidly changing job market. They provide individuals with necessary tools and competencies to not only secure jobs but to succeed in them. The need for these training programmes is clearer now more than ever. As they ensure that our workforce remains competitive both locally and internationally.

Mr. Speaker, Sir, we are also partnering with other training institutions to provide skills training. Sir, as highlighted earlier the team conducted awareness and local registration drives in Ovalau before providing life skills training to the job seekers there.

Mr. Speaker, Sir, in line with the Ministry's commitment to support the needs of our local jobseekers, the NEC team has also been organising job fairs across the country. This platform not only provides an opportunity to jobseekers to connect with potential employers, but also an avenue, to showcase the skills and capabilities of our workforce.

Mr. Speaker, Sir, the Western Division job fair held in Nadi earlier this year was a resounding success. A total of 612 jobs were secured within the two-day event for the region.

Mr. Speaker, Sir, similarly, the Suva job fair at the end of October, also provided a total of 1,289 job openings with 605 jobs offered on the spot and the remainder sourced through continued engagement with employers. This success reflects the tireless work being done by the team to connect jobseekers with the opportunities available in both our formal and informal sectors.

The Suva job fair also provided the opportunity for my Ministry to promote the Coalition Government's commitment to collaborate through public and private partnerships for effective utilisation of resources and also reaching out to the widest sector of our community.

Mr. Speaker, Sir, I wish to acknowledge the Church of Jesus Christ of the Latter Day Saints for their commitment and support towards the initiative and for providing a free venue for the job fair. Mr. Speaker, Sir, the church has also offered to host similar events at any of their centres nationwide.

Mr. Speaker, Sir, last week the team hosted the Northern job fair which was held in Labasa and attracted a huge crowd at the Labasa Civic Centre. This event was also a success, with 40

organisations offering 194 vacancies for people in the North. Such events empower communities and provide platforms for both employers and job seekers to connect and bridge the gap in accessing employment opportunities.

While we are engaged in this, Mr. Speaker, Sir, we also have other services on the spot, for example, the Fiji National Provident Fund (FNPF), Fiji Revenue & Customs Service (FRCS) representatives to provide the TIN numbers and also our expertise in terms of refining their curriculum vitae.

Mr. Speaker, Sir, I would like to acknowledge the support from the Fiji Police Force Jazz Band who were conducting community awareness in the North and came to support my Ministry, providing entertainment and awareness to our citizens last Thursday at the Labasa Civic Centre.

Mr. Speaker, Sir, from the 5<sup>th</sup> to 7<sup>th</sup> November 2024, that is from tomorrow until Saturday. We are also partnering with the Ministry of Youth and Sports to host a fair for the youth in the Central Division at the National Stadium where they will have their sporting events and other activities together with the job fair. The youths will be able to access employers who will be present there and then see who matches what. Hopefully, a number of jobs will be secured there as well.

Mr. Speaker, Sir, we are also organising a job fair in Ba, mostly likely by the end of January or early February, where we will get the jobseekers right from up to Tavua and Rakiraki together to meet with employers and secure jobs. Mr. Speaker, Sir, we are going to provide a bus to those who are going to travel from Rakiraki and Tavua to Ba.

Mr. Speaker, Sir, through these efforts of the local arm of the National Employment Centre, the Ministry has made great strides in resetting the employment landscape. Our work is not only about filling job vacancies, but also about building a sustainable local workforce, empowering individuals and ensuring that no one is left behind in the quest for employment opportunities.

Mr. Speaker, Sir, as we move forward, we will continue to refine our approach, strengthen our collaboration and partnerships with all the stakeholders to expand our reach to all the corners of the country. The road ahead is one of continued transformation and I am most happy with the progress we have made and the positive impacts we are having on the lives of our fellow ordinary Fijians.

It brings great satisfaction, Mr. Speaker, Sir, seeing the smiles and acknowledgement from our very own people. Mr. Speaker, Sir, approximately 2,500 plus jobs that have been secured so far means 2,500 plus families have actually been sustained and benefitting. Mr. Speaker, Sir, the jobs are available out there. It is about connecting the jobseekers with the potential employers. And as we continue to do this, we are going to assist with poverty alleviation, we are going to assist with eradication of social problems, we are going to engage our youths beneficially, gainfully as well as meaningfully towards contributing to our nation building.

Mr. Speaker, Sir, this initiative will continue, and I am sure there will be more jobs secured in future. I also wish to very briefly respond to honourable Usamate. He is a very old friend of mine. The contribution yesterday regarding the TVET training programmes that we need to emphasise on. Mr. Speaker, Sir, it is true that TVET training was available at our school level, from Year 9 and Year 10 onwards. Those centres were attached to the secondary schools in those days, and they were very successfully done. After that they could attend Fiji National University and continue with the Level 3 and Level 4 and then enter the job market.

We also saw the opening of the technical colleges in 2014, I believe, 2015, 2016, and then closure of technical colleges in 2019. When the technical colleges were open, all the TVET centres

were closed, and then later on, the technical colleges were also closed, Mr. Speaker, Sir. So, we lost our TVET trainings completely there.

Honourable Usamate and I worked together at the National Productivity and Training Centre at FNU, and we also fought very hard resisting the annexure of the NTPC into FNU, but we both failed. I was removed from my position and honourable Usamate came into Parliament, and then he forgot to continue the fight, unfortunately. I do not blame him at all, Mr. Speaker, Sir. Unfortunately, there was a single boss those days and no one else had any say.

HON. J. USAMATE.- Hogwash!

(Laughter)

HON. A.D. SINGH.- So, we are now coming back, we are reopening the technical colleges, and we are reopening the TVET centres, thanks to the Ministry of Education and the honourable Minister. The training is now ongoing. Thank you very much for the opportunity, Mr. Speaker, Sir.

MR. SPEAKER.- I would now invite the Leader of the Opposition or his designate for his five minute response.

HON. J.N. NAND.- Mr. Speaker, Sir, I would like to respond to the Ministerial Statement by the honourable Minister for Employment, Productivity and Industrial Relations. While I acknowledge the progress and achievements of the Formal Employment Service (FES) and the National Employment Centre (NEC), it is crucial to remember that this initiative was established under the Bainimarama Government in 2009, which the former Minister Usamate was a part of. The NEC was a fast forward-thinking response to the pressing issues of unemployment, aiming to provide skills training, human resource development and job placement.

Mr. Speaker, Sir, it is important to note, that during the last election campaign there were voices within the current Government that were critical of NEC and its initiatives. It is somewhat ironic that now in power, they have to come to realise the value of NEC and are expanding its services. This shift instantly raises questions about the constituency and sincerity in their policy.

Mr. Speaker, Sir, the Formal Employment Service has indeed played a vital role in helping individuals, especially school leavers, the unemployment and those re-entering the workforce to find formal employment. However, the current Government must ensure that the expansion of these services is not just a political manoeuvre, but a genuine effort to improve the employment landscape in Fiji.

Mr. Speaker, Sir, we must also address a critical issue facing our nation today. The mass exodus of trained professionals leaving Fiji for opportunities abroad. This brain drain is depleting our skilled workforce and creating gaps in essential sectors. The NEC must be empowered and reduced to providing targeted services that can quickly upskill our citizens to fill these gaps. It is not enough to simply place people in jobs, we must ensure that they are adequately trained and prepared to meet the demands of the modern workforce.

Furthermore, Mr. Speaker, Sir, while the NEC has other services such as the Foreign Employment Services and the Fiji Volunteer Service which have provided additional facilities, there is still much work to be done. The Government must address the underlying issues that contribute to unemployment and to ensure that NEC is adequately funded and supported to fulfil its mandate effectively.

In conclusion, Mr. Speaker, sir, while I commend the NEC's effort and progress made by FES, I urge the Government to remain transparent and consistent in its policies. The well-being of its citizens and the reduction of unemployment should be the family focus, free from political agendas. We must work together to ensure that the NEC can continue to support our workforce and address the challenges posed by the loss of skilled professionals.

MR. SPEAKER.- Thank you honourable Nand. I will now call upon the Leader of the G9 Bloc or his designate for his response.

HON. A.N. TUICOLO.- Mr. Speaker, Sir, I rise to respond briefly to the Ministerial statement presented by the Minister for Employment, Productivity and Workplace Relations, honourable Agni Deo Singh.

At this juncture, Mr. Speaker, Sir, I thank the Minister for updating this august Parliament on the progress and achievements of the formal employment service of the National Employment Centre under the Ministry for Employment.

Mr. Speaker, Sir, I understand that the formal employment service is one of the three main services offered by the National Employment Centre, namely, the Foreign Employment Service, the National Employment Service and the Fiji Volunteer Service. With the NEC facilitation role, I commend the Minister and his team for the work that they do in assisting the youths and fellow Fijians to secure jobs both locally and in the foreign markets.

Mr. Speaker, Sir, youths who are engaged in formal employment locally, will develop good work attitudes and stand a better chance of securing employment in the foreign markets. My political career has always focussed on assisting our youths in securing jobs both locally and in foreign markets.

Mr Speaker, Sir, when youths need jobs, I stay up late at night, preparing resumes for our youths and liaise with local companies and organisations in securing jobs for these youths. With that being said, I take this opportunity to commend all the companies that provide job opportunities for our youths, hence, a special mention to the following companies and organisations who continue to assist me in absorbing these youths in the workforce: Fiji Sports Council, New World IGA Fiji, Ashabhai Company Limited and Punjas.

Mr. Speaker, Sir, as alluded to by the honourable Minister, I must thank the Ministry of Employment and the Ministry for Youth and Sports for organising mini job fairs, where they are committed in connecting people, especially our youths with a wide range of opportunities across different industries.

Mr. Speaker, Sir, as mentioned by the honourable Minister, both of the Ministries will be holding a two-day youth fair in the Central Division from the 5<sup>th</sup> to the 6<sup>th</sup> of December, 2024 at the HFC Stadium. The Ministry of Employment needs the support of all the Members of this august Parliament and stakeholders in addressing the issue of unemployment in our nation. I thank you for this opportunity.

MR. SPEAKER.- Honourable Members, at this point, we will suspend the proceedings for lunch and we will hear the last two Ministerial Statements from the Minister for Justice at our first session this afternoon.

Parliament is adjourned with proceedings to resume at 2.30 p.m.

The Parliament adjourned at 12.29 p.m.

The Parliament resumed at 2.45 p.m.

Job Evaluation Exercise - Fiji Corrections Service

HON. S.D. TURAGA.- *Ni sa bula vinaka saka na Turaga na Sivika.* I join my fellow colleagues, those who have spoken before me and after me to congratulate your appointment as Speaker of the House.

Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, Cabinet Ministers, the honourable Leader of the Opposition, honourable Members of Parliament, ladies and gentlemen, *kemuni na wekaqu turaga mataqali, o ira na luvei keimami, ni kalougata tiko,* I also welcome those joining us on livestream from across the globe; I will be speaking in light of the Fiji Corrections Service Job Evaluation Exercise and its Implementation. I rise to update this august House of the approved Job Evaluation Exercise (JEE) of the Fiji Correctional Services.

Mr. Speaker, Sir, the primary goal of the JEE is to enable the Fiji Corrections Service (FCS) to attract, retain, develop talent, skills and capacity within its organisation while remaining competitive in the labour market. This initiative also ensures the alignment of FCS's role with its organisational structure, functions and pay scales, promoting the principle of equal pay for work of equal value.

Mr. Speaker, Sir, and honourable Members, please allow me to provide a brief background on the JEE. The Fiji Corrections Service adhered to the standard tendering process, including advertising for a consultancy to undertake a JEE. Following a thorough selection process, Maxumise was engaged as the consultancy agency.

Consultations and interviews were conducted with FCS officers as part of the exercise. The JEE was concluded and a report dated 9<sup>th</sup> October, 2023, provided comprehensive recommendations, including, if I may list them first:

- Review and evaluation of roles, responsibilities and skills;
- Assignment of appropriate salary bands and remuneration based on competency assessments;
- Establishment of base salaries for future recruits guided by the JEE;
- Adoption of role descriptions as position descriptions for incumbents;
- Training to address identified skill gaps; and
- Enhance contract management practices reflect the incumbent roles and vacant positions.

The JEE was approved in the Cabinet sitting of June 2024. Cabinet also approved in principle that it would be effective from 1st August, 2024, unfortunately, it was not to be backdated and that the final implementation and roll out would be subject to finalisation from the Ministry of Finance. However, the implementation of the approved JEE for Corrections Officers has generated mixed reactions. These mixed reactions have been the result of the lack of information exacerbated by rampant spread of misinformation and disinformation.

Mr. Speaker, Sir, it is my intention that by addressing the issue in this august House that we will be enlightened, particularly for our Members across the floor who have failed to address the plight of officers over their many years in government. There are several phases in implementing the new policy. The proposed salary structure is informed by the JEE and FCS Remuneration Policy, reflecting post-COVID-19 market conditions. Implementation follows a phased approach. The phases considered are:

- Full implementation of the new salary bands, effective August 2024, pending the outcome of the Individual Competency Assessments.
- Adjustments will include mandatory allowance increases and a review of other remuneration policies.
- Stages of Implementation to align with the recommended median.
- Realignment of the organisational structure.
- Update and implementation of HR policies.
- Identification of personnel and inclusion of 81 new posts over the next three financial years.

Mr. Speaker, Sir, in essence, there has been a need to constantly re-adjust to correctly re-align the pay structure to the experience, qualification and the demands of the role. To this end, a number of HR-related activities have been undertaken to strategically align the manpower structure to the accepted level and supported by its structural framework.

In principle, this would mean that the implementation of the JEE recommendations is to achieve the following:

- Realignment and redesign of salary band to reflect the JEE recommendations;
- Increases that is aligned to the position and not the rank;
- Realignment of the Fiji Corrections Service structure to address current operational needs;
- Review the introduction of enhanced remuneration policies and the resulting increased budgetary allocation for personnel emoluments; and
- Additional manpower and posts identified to strengthen the role of Fiji Corrections Service.

Eighty-one is really a record for the history of FCS.

Mr. Speaker, Sir, an organisation chart has been developed to reflect the current new positions. Correct remuneration packages that are consistent with the role expectations as opposed to the traditional ranking remuneration expectation is a major shift following the approved Corrections Reforms and the JEE.

In implementing the policy, the framework that has been developed is clearly defined with clear expectations. This is something that was not done in the previous administration, in fact, I will proudly say the last JEE or something to that effect reflected for the Fiji Corrections Service was not done for the last 40 years.

Mr. Speaker, Sir, the actual manpower level can now tally with the Person to Post, what is normally called P2P framework that reflects the approve number of manpower resources. Each post should have a corresponding Job Description to clearly demarcate positions and avoid overlapping of responsibilities.

Mr. Speaker, Sir, notwithstanding the progress made, FCS has faced some challenges, and these include:

- Assigning personnel to the correct salary bands based on JEE evaluations.
- Implementing the new salary structure across FCS.
- Lack of detailed job descriptions to guide the HR processes.
- Adjusting staff placement to align with the updated organisational structure.

- Transitioning to a performance-based rank structure tied to posts, as recommended by the JEE.

To address these challenges, there has been continued dialogue to identify and secure sufficient budget allocations to support salary increments, as well as providing targeted training programmes for FCS officers. Additionally, the establishment of a monitoring framework to oversee the progress and effectiveness of the JEE recommendations is crucial.

The implementation has proven to be fruitful and a challenging exercise that requires meticulous analysis to put the correct pay structure into its correct position. The sum of plus \$12.5 million was recommended and approved in the 2024-2025 Budget to cater for the 879 staff on the ground, inclusive of the 81 new positions for 2024-2025. This is the start, Mr. Speaker, Sir, there is still much left to implement.

It is clear that the intention to implement with one year roll out period with the requisite changes though commendable, will require a strengthened comprehensive HR system and mechanisms to fully implement it.

Mr. Speaker, Sir, it is anticipated that once the JEE outcome is fully implemented, a detailed report will be provided to Cabinet and subsequently the recommendations to this august House.

In conclusion, Mr. Speaker, Sir, the JEE has made the traditional rank structure redundant. The rank is no longer an attribute of the individual officer but is attached to the post they hold. Officers wear the rank and receive the pay associated with the post to which they are assigned.

MR. SPEAKER.- May I now call on the honourable Leader of the Opposition or his designate for his response.

HON. K.K. LAL.- Mr. Speaker, Sir, I rise to respond to the honourable Minister for Justice's Statement regarding the Fiji Corrections Service JEE and its implementation. While the Opposition supports genuine reforms aimed at improving our Corrections system, I must express my grave concerns about the lack of depth and accountability in the Government's approach to this issue. To the honourable Minister, you had 24 months to do this, yet you are still blaming the previous government.

Mr. Speaker, Sir, justice is a principle I hold dearly, and it is a value that should not only guide our treatment of inmates but also extend to the hardworking Corrections officers who are the backbone of this institution. These men and women are entrusted with the critical task of maintaining order and supporting rehabilitation, often under extremely challenging circumstances. Yet, the Minister's Statement fails to adequately address how this JEE will directly improve their lives.

Corrections officers, Mr. Speaker, Sir, are often overworked, underpaid and left to operate in under-resourced facilities. They endure dangerous conditions daily, placing their own well-being at risk to serve the public.

(Honourable Members interject)

MR. SPEAKER.- Order, order!

HON. K.K. LAL.- Is it just, Mr. Speaker, to burden these officers with these challenges while offering them little in return? How will this exercise address their safety concerns, enhance their working conditions, and provide fair compensation that reflects their invaluable contributions?



Justice also demands fairness in professional development.

Mr. Speaker, Sir, since this Coalition Government's term, Corrections officers have faced stagnation in their careers. Promotions are few and far between, and there is little incentive for these officers to remain committed to their roles.

Mr. Speaker, Sir, the Minister must explain how this exercise will open pathways for professional growth, provide opportunities for advanced training, and ensure that officers are rewarded based on merit and performance. Anything less would be an injustice to their dedication and sacrifice.

Furthermore, Mr. Speaker, Sir, I call on the honourable Minister to expand this exercise to include robust training on human rights, ethics, and privacy protection. These are non-negotiable aspects of a modern justice system. Officers must be equipped to handle inmates in a manner that respects their dignity and prepares them for reintegration into society. Too often, we have heard troubling reports of mistreatment and privacy violations within our correctional facilities. Without proper training, these incidents will continue, undermining the core principles of rehabilitation and fairness that our justice system should embody.

Mr. Speaker, Sir, justice must also be evident in how we approach rehabilitation. This evaluation exercise cannot focus solely on administrative restructuring or job titles. It must include a comprehensive plan to improve rehabilitation programmes, invest in vocational training, and expand educational opportunities for inmates. A truly just system is one that believes in second chances and equips offenders to reintegrate successfully into our society.

Another critical concern, Mr. Speaker, Sir, is the mental health and well-being of our Corrections officers. The Minister has failed to mention any measures to address the psychological toll of working in such a high-stress environment. Justice for our officers means providing them with access to counselling services, mental health support, and mechanisms to reduce burnout. A JEE that ignores these realities is incomplete and unjust.

Lastly, Mr. Speaker, I must question the sincerity of the honourable Minister and this Government. Time and time again, we have seen big announcements with little follow-through. Where is the detailed plan? Where is the funding allocation to support these reforms? Most importantly, where is the accountability? The people of Fiji, Mr. Speaker, including our Correction officers and inmates deserve more than empty promises and superficial changes.

Mr. Speaker, Sir, the Opposition G-16 will continue to stand for true justice – justice for our Corrections officers, justice for inmates and justice for the people of Fiji. This requires a holistic, well-resourced and principled approach to reform, not political rhetoric. I urge the honourable Minister to rise above platitudes and deliver real, meaningful change.

MR. SPEAKER.- I now invite the honourable Leader of the Group of Nine Bloc or his designate for his response.

HON. I. NAIVALURUA.- Mr. Speaker, Sir, I rise to respond to the Ministerial Statement by the honourable Minister for Justice on the JEE for the Fiji Corrections Service, but before I do that, allow me to join my other colleagues in conveying my sincere congratulations to you on your appointment as our Speaker. We wish you the best on your term.

Mr. Speaker, Sir, for someone that has served in the organisation, together with my colleague, the honourable Minister for iTaukei Affairs, we worked very hard to see this done. At first, I must

thank the Coalition Government for keeping to their word and meeting the needs of the organisation under the JEE.

Sir, not many people understand the work this organisation does. It is really a very tough mission. Apart from their primary function to look after those who are incarcerated under their care, turn them around and make sure they do not come back, they also play a significant role in national reconciliation. The ability to teach, train and turn them around in understanding as offenders and the ability of the organisation to help in the reconciliation of the offender and the victim. This is a tough call, Mr. Speaker, but I thank the organisation as they continue to do this under the Yellow Ribbon Programme.

The other part that they are also doing in addition to their primary function is on nation building. They play an absolutely critical role, and I will call on the Government of the day that special consideration be given as you explore and try and understand and review the work that this organisation does, consideration be made on their role as a nation builder as an organisation.

Sir, this organisation's primary function is really to turn people around, those who have gone off track they go back on track. Mums and dads return to the community, join the community and their families. That is a difficult call. But my point, Mr. Speaker, Sir, is really, I am trying to emphasise a simple fact for this organisation that they must be fairly remunerated and not only for them, their families, their conditions and above all the Force Protection issues that protects them in carrying out their work.

Having said that, there also must be a balance in looking after those who are under their care, the inmates. They should be treated humanely, and they must comply with international norms of any organisation like the Corrections Service. Sir, I thank the Government of the day, the Coalition Government for sticking to their commitment and I urge that in the next budget session, consideration be given to this organisation in light of the work they do.

#### Update on the Office of the Director of Public Prosecutions

HON. S.D. TURAGA.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, honourable Cabinet Ministers, honourable Leader of the Opposition, Members of Parliament, ladies and gentlemen; I rise to update this august House on the work done by the Office of the Director of Public Prosecutions (ODPP) for 2024.

Mr. Speaker, Sir, allow me to begin my address with warm congratulations to Nancy Tikoisuva on her acting appointment as the Acting Director from 11<sup>th</sup> July, 2024. Well done Ms. Tikoisuva! With your strong leadership, we have already started seeing changes and growth at the ODPP. The belief in your leadership coupled with a competent skilled team is evident in the provision of the necessary financial resources by the Ministry of Finance for the new Financial Year 2024 to 2025.

I also take this opportunity to acknowledge and thank the honourable Deputy Prime Minister and Minister for Finance and the Ministerial staff for having approved the establishment of the Nasinu office. Nasinu Municipality in the 2017 Census had a population of 92,043. Its land area is the largest of any municipal area in Fiji, and more than twice that of the Capital City of Suva. The current projections for Nasinu population is approximately 120,000 persons at an estimated growth rate of 2 percent per annum.

The current refurbishment of the Nasinu office will allow for two prosecutors to be stationed in Nasinu and attend to the four Magistrates Courts in Nasinu. Nasinu also has the largest volume of

cases in the country. It is anticipated that with additional financial resources in the next budget cycle, the ODPP will be better equipped to address the large volume of cases that is handled at the Nasinu Courts.

On that note, Mr. Speaker, Sir, the budget has steadily increased from 2022 with a budget of \$6.3 million to this \$8.6 million this year. With the staffing of 52 prosecutors (31 female and 21 male), 35 established administrative staff (25 females and 6 males) and 12 unestablished support staff. The ODPP has a ratio of 60 percent female and 40 percent male.

Mr. Speaker, Sir, if you might just note, in terms of lawyers in the legal profession, there is a huge difference of more women than men. Prior to this current ratio, female staff was much higher, it has only been through a diversity inclusion approach that has allowed for more male staff recruitment, an approach that was shunned for reason best known to the previous administrators.

Mr. Speaker, Sir, the professional structure of ODPP is part of the strategic focus of the Office this year. This professional restructure has led to the intensive JEE. This JEE has provided the ODPP with formation and baseline data to make informed financial decisions with respect to the prosecutors pay, providing motivation to the prosecutors, providing opportunities for prosecutors to access training and enhancement of knowledge, skills and competency of prosecutors. It is important for the information of this august House that there has been no JEE at ODPP in the recent history. There was a JEE for civil servants in 2017 that provided some information, but none as detailed and as comprehensive as that which has recently been completed.

Mr. Speaker, Sir, the Office of the DPP is also focussed on the provision of intensive, targeted and specialised training on cybercrime, cyber enabled crime, and in January 2024, a digital forensic investigation training to prepare and equip our prosecutors on the evolving nature of the crime.

In fact the need for training in this area is more urgent now than ever before, given the increasing cyber-related crimes that have been reported. For us here in Fiji, the recent M-PAiSA scam and the eBay shop online recruitment scam is a classic example of the prevalence of cyber enabled crime. The M-PAiSA scam alone is estimated to be worth \$614,435.89. Presently, there are 650 cases under investigation at the Criminal Investigations Department of the Fiji Police Force.

Mr. Speaker, Sir, the need for continued learning by prosecutors in specialised areas of interest is growing. The need for collaboration with development partners who can provide technical and targeted training is crucial. These trainings have boosted the prosecutors' knowledge in special areas. Apart from the cyber and digital evidence training, trainings in forensic evidence, assets recovery, money laundering, virtual assets and mutual legal assistance have now been explored more than ever before.

The Office of the DPP has embarked on a Volunteer Legal Internship Programme (VLIP). This deliberate move is part of its succession planning and strategic direction. With the phasing out of the paralegal programmes and rolling out of the VLIP, that will now allow law graduates who have been admitted to the bar to obtain work experience and be ready for Legal Officer positions as and when it grows.

The Volunteer Legal Officer (VLO) also provides invaluable support to the prosecutors with their trial preparations and logistical support. This new initiative of the legal internship programme essentially translates to moving files, better preparation and better research as the VLOs are able to do the necessary research for the prosecutors.

The streamlining of some of the processes has allowed for the efficiencies in the assessment

of the evidence or in the withdrawal of cases where complainants or accused persons have passed away or moved away overseas. Some of these cases have been dragging in our Courts.

Part of the streamlining of the processes has also led to the Office of the DPP actively working with police prosecutors, initiating a process that will allow files to be assessed more quickly under the supervision of legal officers and senior supervisors. The Office of the DPP has also utilised the legal vacation period to visit all prosecution offices in court divisions to discuss cases and issues arising out of their cases.

Mr. Speaker, Sir, I also note the cases of delayed response time, although now with more capable and competent team, the response time has improved and it is anticipated that with the continued strategic recruitment, the delays will be minimal.

In terms of the delay in disposal of cases, it may also be attributed to trial dates setting which is highly depended on available court dates and sittings. Mr. Speaker, Sir, you are fully aware of this issue. In some instances, witnesses not being available or accused persons are on bench warrant. It could be a combination of many factors.

There are 46 Courts in Fiji and each day, the prosecutors are expected to conduct trials. Trials also affect the prosecutors' other desk work such as providing legal advice or analysis of the evidence to respond to representations.

Mr. Speaker, Sir, strategic planning has resulted in new purpose instead of vision. As a Constitutional office, the ODPP has a specific mandate of always upholding the rule of law through efficient and effective prosecution service and values of independence, courage and fairness, with the four strategic priorities and an implementation plan from 2025 to 2030. The Office of the DPP prosecutors only now appreciate and understand their calling and profession better.

From trying to secure a conviction, a practice common under the former suspended DPP, prosecutors now prosecute a case dispassionately and fairly, even if the outcome is against them. All officers now benefit from international, local and specialised training where they have never received it before as only a select few had been attending for many years under the past Administration.

Prior to 2023, there was no succession planning and no strategic direction. The change in leadership and the implementation of the new purpose and strategic direction of the ODPP is the epitome of strategic planning, and in turn clearly translates to improved service delivery to our people.

The Office of the Public Prosecutions is not for the faint hearted, Mr. Speaker, Sir, and my learned colleagues in this Parliament - the honourable Minister for Lands and Mineral Resources, the honourable Minister for Women, Children and Social Protection and *turaga mataqali* on the other side, honourable Ratu Josaia Niudamu can attest to this. And I say it again, to be an officer of the DPP is not for the faint hearted.

Legal Officer carriage annually is averaging 40 to 60 files per officer, depending on seniority. The Senior Legal Officers around 60 to 80 files and Principal Legal Officers, obviously, more. Some Officers carriage of cases files have been reduced through mitigating measures, such as withdrawal of files where the accused or complainant has passed away, disposal through conducting trials back-to-back with the court.

There are 3,000-plus case files daily, as each day, fresh charges are laid in courts all over Fiji. A large part of the prosecutors' load is mitigated by Police Prosecutions who conduct summary cases.

Mr. Speaker, Sir, with the staggering statistics, it is critical that we all be reminded and appreciate that the court load for criminal cases is also the load of the ODPP.

Whilst the load of some officers may seem smaller compared to Police Prosecution, it is because the Office of the DPP appear in all levels of the Court. Police Prosecutors only appear in Magistrates Court, so their volume is higher in terms of criminal files.

The load of the officers in ODPP includes criminal summary offences, appeals to the High Court, Court of Appeal and the Supreme Court, and the Serious Fraud Division also has the load of doing Civil Forfeiture before the Civil Courts.

Mr. Speaker, Sir, the initiative of the ODPP would not be possible without the support of the development partners such as the Council of Europe, UNODC, AFP, and many others.

The independence of ODPP, the demands of the job, the competing priorities and striking work-life harmony is an ongoing issue. Fair and effective prosecution is essential for the maintenance of law and order.

Every case should be decided on individual merits, however, the decision-making process should apply in all cases. Every prosecutor has the duty to ensure that the right person is prosecuted for the right offence, and that the court is given all the relevant evidence in each case.

Mr. Speaker, Sir, all of the prosecutors must always act in the interest of justice, not principally for the purpose of obtaining a conviction. Prosecutors must be fair, independent and objective. They must not be influenced by racial, gender, religious or political views or beliefs.

With the completion of the JEE, Mr. Speaker, Sir, the increased training and the greater access to training opportunities, I have no doubt that the ODPP will continue to uphold the ethics of prosecutors which have been defined and articulated in the Prosecution Code 2003, and I quote:

“It is important to observe that in a just society, the conviction of the guilty is in the public interest, as is the acquittal of the innocent.”

MR. SPEAKER.- I now call on the honourable Leader of the Opposition or his designate for his response.

HON. K.K. LAL.- Mr. Speaker, Sir, I rise, again, to respond to the Ministerial Statement on the Office of the Director of Public Prosecutions. While the Government has chosen to highlight the achievements and plans of this institution, we must take this opportunity to emphasize a fundamental truth - the independence of the ODPP is not just a guiding principle, it is an unshakable cornerstone of democracy.

Mr. Speaker, Sir, the independence of the ODPP is not something to be negotiated or debated, it is non-negotiable. There is no ‘may’ in this, there is only a must. The ODPP must stand as an institution that operates free from political interference or external pressures, and I acknowledge the honourable Minister also emphasised that, I am happy to hear that.

Mr. Speaker, Sir, any attempt to blur the lines, overstep boundaries or politicise its functions would be an unforgivable betrayal of the public trust. This Office cannot be and must not be weaponised. Integrity, honourable Minister for Justice, cannot be compromised.

Mr. Speaker, Sir, it is troubling that in recent times, the integrity of our institutions seem to be under strain. The ODPP, like all other pillars of our judicial system, cannot afford even the perception of compromise.

Mr. Speaker, Sir, the world is watching us. Our people, our investors, our financial institutions and our development partners are all carefully observing how we conduct ourselves and how we uphold the rule of law. Any deviation from the highest standards of independence and transparency will tarnish our reputation and erode public confidence in our judicial system. The stakes are high, honourable Members.

Mr. Speaker, Sir, as the honourable Minister points out to the ambitious plans of the ODPP, let me remind this Government that no ambition is greater than the preservation of judicial impartiality. The evolving nature of crime, while a valid concern, Mr. Speaker, must not be used as an excuse for any action that could compromise the independence of this critical institution. Even that hint of selective prosecution, political influence, or even the slightest hint of impropriety, will have far reaching consequences.

Mr. Speaker, Sir, we cannot allow a single institution within our judicial system to be compromised, not for political expediency, not for convenience, and certainly not for personal or party gain.

Mr. Speaker, Sir, if the government is truly committed to justice, it must prioritise the protection of institutional independence and integrity above all else.

In conclusion, Mr. Speaker, Sir, while the honourable Minister has outlined the work of the ODPP, let it be very clear - the Opposition will not tolerate any weakening of our judicial systems or institutions. We will remain vigilant and ensure that the integrity, independence and impartiality of the ODPP and every other institution in our justice system remain intact, as per the 2013 Constitution.

On the outset Mr. Speaker, Sir, and at the end I wish the honourable Minister well in ensuring that all that he has spoken of will be adhered to by his Ministry and the ODPP.

MR. SPEAKER.- I now call on the honourable Leader of the G9 Bloc or his designate for their response.

HON. RATU J.B. NIUDAMU.- Mr. Speaker, Sir, the Office of the Director of Prosecutions is motivated by the principle that it is the interest of justice that the guilty be brought to justice and the innocents are not wrongly convicted.

Mr. Speaker, Sir, the Constitution also requires Parliament to provide adequate funding to the ODPP, and I wish to thank the honourable Minister for Justice for the update this afternoon. This has been long overdue. Sir, I have been in that office in the past five years, and I have seen a lot of changes in the DPP under leadership of the current Acting DPP, Ms. Tikoisuva, who is a prosecutor at heart, a strong lady. I wish to thank Ms. Tikoisuva and the staff at the ODPP for the work that have been carried out in the past years.

Mr. Speaker, Sir, the work of the ODPP continues to grow and demand the skills and commitment of legal, technical and corporate professionals. I wish to thank the Government for continuing to make steady and careful progress towards building an organisation that is both, modern and professional, and which formally promotes and upholds the rule of law.

I strongly believe that training and development programmes are essential in sustaining the delivery of a high-quality prosecution service, and I am glad that the honourable Minister for Justice had alluded to that this afternoon. This is also, Mr. Speaker, Sir, an advantage of having a local Director of Public Prosecutions (DPP), as they will better understand our jurisdiction rather than bringing in an expatriate who is not really aware of what is going on in our country.

I am glad that an office of the DPP is now opening at Nasinu which is long overdue as it is a densely populated area. This should have been done years ago, but I thank the Government that it has now opened a branch at Nasinu Town, and I am grateful for that.

Mr. Speaker, Sir, there is also an issue of work overload by the prosecutors in the past. I am glad that there are now 42 Prosecutors in the ODPP and I believe that they will hire prosecutors, increase it to 50 or even 60 or 70, because the work of a prosecutor is not easy. You know the work of a prosecutor. Two Prosecutors manning Nasinu Office alone is not enough, prosecuting or making three or four trials in a day is too much.

Mr. Speaker, Sir, I believe under the leadership of the honourable Minister for Justice, a lot of changes will be done in the ODPP. With those few words, Mr. Speaker, I thank you.

## QUESTIONS

### Oral Questions

#### Compensation for Unharvested Cane (Question No. 263/2024)

HON. V. PILLAY asked the Government, upon notice:

Can the honourable Minister for Multi-Ethnic Affairs and Sugar Industry inform Parliament whether compensation will be provided to cane farmers for the unharvested cane due to the premature closure of the sugar Mills?

HON. C.J. SINGH.- Mr. Speaker, Sir, I will respond to the question raised by honourable Pillay and thank him for his concern for the sugarcane farmers.

Mr. Speaker, Sir, we all understand the challenges in the Sugarcane Industry, especially the issues faced by the farmers and the sugar industry. In the 2024 season, cane production dropped to 1.33 million tonnes, largely due to the prolonged drought faced by the farmers.

Mr. Speaker, Sir, let me first explain how the opening and closing of the crushing dates are determined by the Sugar Industry Tribunal. The Fiji Sugar Corporation (FSC) made submission to the Sugar Industry Tribunal for the opening and closing dates of the mill. This is done both on the mill's operational throughput and estimated crop on the ground.

Upon receiving the submission from FSC, the Sugar Industry Tribunal consulted the Sugar Cane Growers Council to determine the dates of the opening and the closing of the mill.

Mr. Speaker, Sir, upon the agreement by the Sugar Cane Growers Council and the FSC, the opening and closing dates are then determined and announced by the Sugar Industry Tribunal as an order in accordance with the Master Award. In most cases, the dates are in favour of the farmers, to ensure they are fully prepared to commence with cane harvesting and the end of harvesting.

Mr. Speaker, Sir, for the information of this august Parliament, none of the mills closed prematurely in 2024 harvesting season. But all the three extended the crushing length despite having low cane supply. The Lautoka Mill was ordered to terminate crushing on 7<sup>th</sup> of October and it closed on 8<sup>th</sup> October. So, Rarawai Mill was supposed to stop crushing on 15<sup>th</sup> October, it closed on 17<sup>th</sup> October. While Labasa may continue crushing until 11<sup>th</sup> November, instead of terminating the crushing on 6<sup>th</sup> November.

Mr. Speaker, Sir, although the farmers are entirely responsible to secure cane cutters both the sugarcane growers and FSC normally go out of their way to mobilise mechanical harvesters, and cane cutters for those farmers that do not have cutters. FSC and Sugar Cane Growers Council have gone to villages as far as the interior of Namosi and Tailevu Provinces, to name a few, to search for cane cutters. Assisted the farmers with transportation to carry cane cutters around and make arrangements for lorries to ensure maximum cane is harvested before the cane crushing.

Not only to help Sugar Cane Growers Council and FSC, Mr. Speaker, Sir, the Ministry of Sugar Industry also gets involved each year to assist farmers in the minimal harvesting. The Ministry spending \$320,000 on average annually to pay the engaging of inmates to help in the cane harvesting. About 10 cane gangs were assisted annually with an average of 12 to 14 inmates per gang. The inmates are able to harvest over 10,000 tonnes of cane annually.

Mr. Speaker, Sir, the cost of the Ministry bares, including the hiring of vehicles, wages and necessary cost for drivers and other utilities while farmers should pay for the harvesting costs. To engage inmates, the Ministry has been signing MOUs with the Fiji Corrections Service each year. We are thankful to both Fiji Corrections Service and Ministry of Infrastructure and Transport who are also involved in the logistics during cane harvesting.

Mr. Speaker, Sir, over the years with the support of the Ministry of Sugar, 40 percent of the cane is harvested mechanically, some 100 mechanical harvesters are in use. However, 60 percent of the cane is still manually harvested and the challenge for farmers is securing cane cutters on time, plus a total of 5,402 cane cutters were engaged to manually harvest cane.

Mr. Speaker, Sir, I will be making all efforts to identify harvesters for hilly terrains. However, there is none identified so far that will suit our hilly terrains and soil structure. But I will not stop searching until I find something for manual harvesting farmers. Meanwhile, I sincerely thank our proactive farmers that have gone the extra mile and started redesigning the field structure to allow current harvesters for harvest at least up to 15 degrees terrain. This way we can increase mechanically harvested cane.

Mr. Speaker, Sir, to conclude, more than enough time was given to farmers to harvest their cane and enough support is provided by the stakeholders. The mill operation could not extend any longer as FSC was bearing very heavy operational costs with start stop of the factories. This is no compensation as such that can be given to farmers for the left-over cane.

Mr. Speaker, Sir, the total stand over cane for this year is only 8,000 tonnes. As compared to last year, it was 28,000 tonnes. This was a significant decline in stand over cane. This is also possible due to the favourable cane price where farmers made all efforts to harvest their cane. I want to see the continuation of the same spirit of the farmers, Sugar Cane Growers Council and FSC to take the industry to another level.

HON. V. PILLAY.- Mr. Speaker, Sir, on one side the Ministry of Sugar encourages farmers to plant more sugarcane and the assurance in this Parliament given by the honourable Minister, that all cane will be harvested and the early closure has left a lot of farms where the cane is still standing.



Can the honourable Minister provide details on the extent of the impact caused by the early closure of the cane mills, on the farmers and on the sugar industry as a whole?

HON. C.J. SINGH.- Mr. Speaker, Sir, as I have mentioned that there are only 8,000 tonnes of cane standover, as compared to 28,000 last year. We were trying to extend the mill crushing, but FSC's reasons are that it is very expensive to run sugar mills and therefore with the consultation of the tribunal they had ceased the operations.

HON. A.A. MAHARAJ.- My supplementary question is in his response, honourable Minister for Sugar stated that there was a significant decline in the tonnes of sugarcane produce this year. Previously, if there was a decline, Government was blamed. This time around he is blaming drought season. Can the honourable Minister explain his failure as to why there was a decline in the sugarcane production?

HON. OPPOSITION MEMBERS.- Very poor.

MR. SPEAKER.- Order, order!

HON. C.J. SINGH.- Mr. Speaker, Sir, I think honourable Maharaj...

HON. M.S.N. KAMIKAMICA.- Tell them!

HON. C.J. SINGH.- ...should read magazines and gazettes. The total decline of sugar throughout the world, yes! The decline is purely because of drought. It is God's creation. It is not my creation.

(Laughter)

HON. P.K. BALA.- Mr. Speaker, Sir, since the honourable Minister, has confirmed that due to drought there was a decline. So, there can be any consideration in giving assistance to the farmers because of the drought, because they are suffered. Thank you.

HON. C.J. SINGH.- Mr. Speaker, Sir, yes, we have put 18 different programmes for the farmers and we are asking the farmers to come forward and take advantage of this so that we can increase the production next year.

HON. J. USAMATE.- I am glad, Mr. Speaker, Sir, that the honourable Minister said that he will help the farmers. Will the assistance to the farmers cover the amount of money that they would have got if all those 8,000 tonnes were actually harvested?

HON. C.J. SINGH.- Well, Mr. Speaker, Sir, I think if you look at the trend of the last 16 years of the last Government, there has always been a stand-over. And so, at least we have improved from 28,000. I am answering! What was the question by the way? Oh, compensation? Well, 8,000 if you multiply by \$100 it comes to \$80,000, right? And, of course, I think the farmers have understood that we have tried our best and when the season starts next year, they will be the first ones to get their cane harvested.

HON. N.T. TUINACEVA.- Mr. Speaker, Sir, I would like to withdraw from asking Question 284/2024. The reason being this matter was thoroughly discussed by the honourable Minister for Women, Children and Social Protection yesterday when responding to Question No. 273/2024.

MR. SPEAKER.- I am sorry because I got distracted by one of the honourable Members here and the yellow card is going to come out in a minute.

(Question No. 284/2024 withdrawn)

Update on Outsourcing Passport Services  
(Question No. 285/2024)

HON. I. TUIWAILEVU asked the Government, upon notice:

Can the honourable Prime Minister and Minister for Foreign Affairs, Climate Change, Environment, Civil Service, Information, Public Enterprises, Immigration and Fiji Police Force update Parliament on the status of outsourcing passport services for our overseas diaspora in New Zealand and Australia?

HON. S.L. RABUKA.- Mr. Speaker, Sir, I rise to respond to that question. I start by saying that on February 14<sup>th</sup> this year, Cabinet had approved the outsourcing overseas passport services to enhance efficiency through a professional service provider. The outsourcing of immigration administrative services will be implemented through pilot projects in two countries in Australia first, with Brisbane, Melbourne, Perth and Sydney and another in Fiji, in Suva, Lautoka and Labasa.

Mr. Speaker, Sir, the purpose of this initiative is to enhance our services to our Fijian diaspora communities in selected locations, and Fijians, particularly relatives who want to join their families who are abroad on those work programmes. Therefore, we will be piloting this project in Australia and Fiji. The initiative will eliminate the need to travel all the way to Canberra or to Sydney for our Fijians in Australia undertaking passport biometrics which will significantly reduce travel and accommodation costs. Passports can be lodged or collected at enrolment centres in Brisbane, Melbourne, Sydney and Perth, or mailed directly to the applicant's home on completion of processing.

Upon successful completion of phase one, Mr. Speaker, Sir, passport administrative services will also be outsourced to the United Kingdom to provide us the service providers in United States, New Zealand and Canada and other regions. Cabinet decision of Cabinet Paper No. 46 of 2024 stipulates that any necessary legislative changes for outsourcing, including fee adjustments, will be finalised with the Office of the Solicitor-General and presented to Cabinet for a review.

I solicited and received some responses from our diplomats abroad and also our overseas missions. The Department of Fiji Immigration, Sir, had been advised by the Office of the Solicitor-General to seek public consultation on appropriate administrative fees for passport services through written submission and will also conduct a comparative analysis of other countries services costs.

Public consultations were conducted through notices in the print media, inviting feedback from individuals, groups and communities. The notice was also shared on the Fiji High Commission website for responses from Fijian diaspora in Australia. The local community had four weeks to respond, while the diaspora had two weeks. The newly proposed administrative fee structure for Australia and Fiji will be presented at the upcoming Cabinet meeting for a decision.

Mr. Speaker, Sir, let me elaborate briefly on the security measures that the Department of Immigration will be adopting through the new initiative. The outsourcing process incorporates robust security protocols to maintain the integrity of passport issuance in all the sites. We had an unfortunate note from the United States warning Fiji of our status in the record of world countries on the issue of

the subject of people trafficking. We are pretty low on the scale, but if we do not look after our processes well, we could drop to Tier 3.

- (1) Biometric authentication - applicants provide biometric data, fingerprints, photos, et cetera, to verify their identity to minimising the risk of fraud.
- (2) Encryption and secured transmission - all personal data is encrypted and securely transmitted to Government systems preventing unauthorised access or alterations.
- (3) Rigorous vetting processes - third party entities handle administrative tasks only. The department will make the final approval, ensuring all applications meet legal and security standards.
- (4) Regular audits and monitoring - continuous monitoring, random audits and compliance checks ensure adherence to strict security protocols.

Mr. Speaker, Sir, some of the honourable Members may be wondering how much this new initiative will cost the Government. The outsourcing arrangement is cost neutral for the Government, with all expenses covered by the applicants through a fee structure. Processing fee, applicants pay approximately AU\$144, plus 10 percent GST, covering the operational costs of the third-party provider. No direct Government expenditure, since the applicants bear the costs, the Government incurs no additional expenses ensuring efficient use of resources.

The outsourcing model, Mr. Speaker, Sir, enhances cost efficiency and service quality through the following:

- (1) Reduce processing times - applications can be processed in as little as three days compared to the previous five days standard.
- (2) Resource optimisation - administered tasks delegated to third party entity allowing immigration officers to focus on critical decision making and complex cases.
- (3) Enhance accessibility - the global reach of the third party provider ensures broader access, benefitting customers in rural and remote areas.
- (4) Improve customer experience - automation and centralisation of streamline processes, delivering faster and smoother services.

Finally, Mr. Speaker, Sir, this approach aligns with international trends in modernising immigration services through technology and centralised processing. The cost-neutral framework enables the Government to maintain high service levels without additional financial strain, ensuring long term sustainability. The outsourcing model strengthens security, enhances efficiency and delivers cost effective services while maintaining the integrity of immigration process and avoiding additional costs for Government.

MR. SPEAKER.- I thank the honourable Prime Minister and Minister for Immigration for his response. Before I open the floor for supplementary questions, honourable Members, please join me in welcoming in the gallery, the students and teachers of Wainiyavu Primary School in Namosi.

(Acclamation)

*Bula vinaka!* You are most welcome to your Parliament and observe its proceedings. Now, shall we move on to supplementary questions. I recognise the honourable Leader of Opposition.

HON. I.B. SERUIRATU.- Honourable Prime Minister, it is a good initiative, but it comes with a lot of risks as well and you have highlighted about the security aspects. My question to the honourable Prime Minister, Sir, this is the experience of most countries that are into these online applications, it is the involvement of the agents in the process. We know that biometrics is critical so

that the applicants can go through the thorough scrutiny process but one of the key issues that I have collected from most of the countries using this, is the involvement of agents. So, how is this being considered, given the path that we want to undertake?

HON. S.L. RABUKA.- Mr. Speaker, Sir, the process that we have put in place will include scrutinising of the various types and the agents that are going to be employed. We have to be very careful, will be guided by our agents on the ground and also the government and service providers left vetting approvals from them.

Investigation of Reckless Driving Posted on Social Media  
(Question No. 286/2024)

HON. V. NAUPOTO asked the Government, upon notice:

Can the honourable Prime Minister and Minister for Foreign Affairs, Climate Change, Environment, Civil Service, Information, Public Enterprises, Immigration and Fiji Police Force inform Parliament whether the Police investigates cases of reckless and dangerous driving posted on social media?

HON. S.L. RABUKA.- Mr. Speaker, Sir, I think honourable Pio Tikoduadua had seen the Order Paper and realised that there were three questions coming up and asked to stand aside.

(Laughter)

Mr. Speaker, Sir, I rise to respond to the question raised by honourable Naupoto. I will begin by addressing the legal framework that emphasised this matter. Reckless and dangerous driving is not merely a traffic violation, it is a grave concern and endangers the lives of our road users. The issue is governed under our local traffic laws, especially the Land Transport Authority laws, Crimes Act of 2009 which provide the robust legal framework for addressing such behaviour.

Mr. Speaker, Sir, while there is an increasing recognition of social media to expose illegal activities, including traffic offences globally, we must acknowledge the reality of our context here in Fiji. Sir, our law enforcement systems are steadfast and committed, they are not as institutionalised or technologically advanced as those larger nations when it comes to social media users in illegal activities exposure. That, however, is not a reflection of neglect but of unique challenges that we face as a small island developing nation.

Mr. Speaker, Sir, let me make one point clear, our law enforcement agencies, including the Fiji Police Force and Land Transport Authority do not turn a blind eye to such matters. On the contrary, they remain vigilant and are determined to uphold the rule law. What differentiates us is not our commitment, but rather the merits and the processes through which investigations are carried out.

The Fiji Police Force only investigates reported cases. Therefore, any case of reckless and dangerous driving posted on social media will only be investigated if it is reported by a member of the public to the police force. For instance, the use of social media as evidence in reckless driving cases is a growing area of focus. Videos or images posted online often provide valuable leads and our police do monitor such platforms. However, investigations in Fiji require a careful and thorough approach to ensure that any evidence used in court meets legal standards of authenticity, reliability and relevance.

For investigations to commence, there needs to be a complainant who should lodge an official complaint and the following needs to be established: the date of the offence, time of the offence, place of the offence, witness or witnesses and video footages. Once those are established, an investigation is carried out whereby the alleged suspect is arrested and brought to the police station, charged and summoned to attend court. The court requires evidence and police are obligated to get those and have the responsibility to ensure that a thorough investigation is carried out, and concrete evidence is established for charging and producing anyone in the court of law.

Mr. Speaker, Sir, while it is true that countries such as the United Kingdom, United States of America, Canada and Australia actively investigate cases on reckless and dangerous driving when evidence is posted on social media, even with their advanced resources, any information technology, personnel and technological infrastructure, they continue to grapple the significant challenges including:

- (1) determining authenticity of whether the footages are genuine and unedited;
- (2) establishing the context of when and where the incident occurred; and
- (3) providing or proving the identity of the individuals responsible for the act.

Mr. Speaker, Sir, these examples highlight that no system is without its difficulties, and this is a shared challenge amongst nations globally. However, what sets successful enforcement apart is the active collaboration between the authority and the public.

With that in mind, Mr. Speaker, Sir, I urge all Fijians to work hand in hand with our law enforcement agencies. If you witness acts of reckless driving, do not just put them on social media, report promptly through the appropriate channels. Together, we can ensure safer roads and hold those who would endanger others accountable for their actions.

HON. R.R. SHARMA.- Thank you honourable Prime Minister. Mr. Speaker, Sir, we can note that \$34.85 million has been paid by ACCF in all these number of years and majority of them were motor vehicle payout accidents. A question to the honourable Prime Minister, there was a recent video circulated of a young boy driving a car with his hands off the wheel and had a girl sitting on his lap and if anything has been done by the police in this incident - licence suspended?

The second part to that honourable Prime Minister is a suggestion, where we can use the population to work for us in combating road accidents with the latest victim of being a 16-year-old, and the suggestion is if a department within LTA or the police can be set up, people who have dashcams report illegal driving, dangerous driving directly to LTA and they who do, get incentivised because they feel that they can be part of something and then these are taken up and the LTA and the police can look into these matters of reckless driving. Mr. Speaker, Sir, we lost a 16-year-old boy on our roads recently, so just the two parts of the question, honourable Prime Minister.

HON. S.L. RABUKA.- Mr. Speaker, Sir, in the immediate past, the honourable Minister responsible for Police has assured me that the report has been made to the Police and they are investigating.

HON. K.K. LAL.- Mr. Speaker, Sir, with respect to reckless driving, we do not appreciate drivers driving irresponsibly on our roads, but there has been some cases where the police while investigating these matters, they are harassing every single car enthusiast on our roads, especially along Nasese and My Suva Park. I raised this a lot of times, but can you assure us and the people

who are watching that the police will not harass every single driver on the road with respect to reckless driving.

(Honourable Members interject)

MR. SPEAKER.- Honourable Lal, I rule that question out of order. It is not an observation to a subject matter under consideration.

HON. V. NATH.- Mr. Speaker, Sir, I also thank the honourable Prime Minister for his comprehensive answers. However, what we were expecting to hear, the Department needs to make a policy change so that what the honourable Sharma had just mentioned about dashcams and also where we can use live video to victimise or charge the complainant. Is the department thinking of changing the policy on such matters?

MR. SPEAKER.- They wish clarification, honourable Prime Minister.

HON. S.L. RABUKA.- Mr. Speaker, Sir, I am not quite technically up-to-date as you are with gadgets that people put to their cars but yes. Whatever is brought to the Police, they will investigate and use those in the collaboration of evidence and building up of the case before they go to Prosecution.

MR. SPEAKER.- We are drawing closer to the end of sitting period this afternoon and for the purpose of complying with the Standing Orders with respect to sitting times, I now call upon the honourable Leader of the Government in Parliament to move a suspension motion.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, I move:

Under Standing Order 6, that so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m. today to complete the remaining items listed in today's Order Paper.

HON. A.V.B.C. BAINIVALU.- Mr. Speaker, I second the motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Mr. Speaker, Sir, we have are few Questions left and also Consideration of Bills – moving the BSP Bill and also the debate on the Fiji and Truth and Reconciliation Bill.

Question put.

Motion agreed to.

MR. SPEAKER.- Honourable Members, it is appropriate time for us to rise, we will now suspend the proceedings for a break. Parliament will resume in half-an-hour.

The Parliament adjourned at 4.04 p.m.

The Parliament resumed at 4.41 p.m.

Update on Co-operative Development Grant  
(Question No. 287/2024)

HON. I.S. VANAWALU asked the Government, upon notice:

Can the honourable Deputy Prime Minister and Minister for Trade, Co-operatives, Micro, Small and Medium Enterprises and Communications update Parliament on the new Co-operative Development Grant that was approved in this financial year?

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I thank the honourable Assistant Minister for his question. The co-operative movement and its role as a vital driver of economic empowerment in rural communities is without question. The establishment of the grant this year, Mr. Speaker, is a significant forward in trying to push the co-operative movement and encourage wider participation, which I am pleased to say has started happening.

As I mentioned a few days ago that I did return from India and the visit was primarily driven to attend the Global Launch of the International Year of Cooperatives of 2025, which was launched by the honourable Prime Minister of India. In that opportunity I saw some really good models of cooperatives, which is, if anything, reinforced both the determination and drive of the Ministry to ensure that cooperatives become a central part of the People's Coalition's drive to empower and grow the rural economy.

The Co-operative Development Fund (CDF) grant was essentially conceived out of the belief that cooperatives has a very important role to play in our economy. Essentially the structure is, there is a maximum contribution of \$100,000 that can be made out of the grants and it is flexible because it does have a one-third great contribution which is assessed by an independent committee that evaluates the grant. So, it can work on a one -third, two-thirds basis but also there is an opportunity for straight out grants as well.

Because it has been a new grant, so far, the advertisement is still out and we will be starting processing applications soon, but happy to report that out a half a million dollar allocation from this year's budget, there are already 316,000 applications received so far from various sectors such as ecotourism, wholesale retail, agriculture, catering businesses and fishing.

The grant is essentially targeted at acquiring assets, in other words, assisting cooperatives in funding capital injections or equity. Some of the areas that are being required are solar freezers, tractors, solar panels, solar driers, oven, bakery equipment, boat and engines and other things. Sir, 19 applications have been received so far, three applications have been from women cooperatives and one from a youth group.

Mr. Speaker, Sir, just based on that information, we have not really turned half a year yet, it probably indicates there is a pent-up demand for support to the cooperatives. So, I suspect we will probably finish this financial year with a large request and, hopefully, that can justify further contributions.

In essence, Mr. Speaker, Sir, from what we can see, the grant is taking up a lot of interest and we hope to continue to push forward and use it as a genuine vehicle to transition people out of poverty into prosperity and ensure that everyone in the rural economy starts to participate meaningfully as we move forward as a country.

Outcomes of Consultation - Fiji's Cannabis Industry  
(Question No. 288/2024)

HON. R.R. SHARMA asked Government, upon notice:

Can the honourable Deputy Prime Minister and Minister for Trade, Co-operatives, Micro, Small and Medium Enterprises and Communications inform Parliament on the outcomes of the consultations and feasibility study that was conducted for the establishment of Fiji's cannabis industry?

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, Sir, I thank the honourable Member for his question.

The decision to develop or establish medicinal cannabis industry in this country for export purposes only, I have to emphasise, is driven really out of a desire to broaden the economy of Fiji in a genuine way. With the rapid growth of the medicinal cannabis industry globally, there is a view that Fiji has the potential or the ability to participate in this growing industry and create a very dynamic ecosystem that can support jobs, create agriculture and manufacturing. One of the things that attracted me as well was the ability to do a lot more research in this area and hopefully create more expertise in terms of research, not only in medicinal cannabis, but also alternative medicines.

Mr. Speaker, Sir, since the approval by Cabinet on 29<sup>th</sup> August last year, to proceed with the development of the industry, we established a medicinal taskforce, which is a multiagency taskforce with about 12 Government agencies, which has been meeting regularly up till recently. We obtained approval from Cabinet in the timeframe on the policy regarding medicinal cannabis. There were consultations conducted nationwide and in the communities. We have conducted a feasibility study as well during that time. Essentially, what is left at the moment, is the development of the legislation.

Just as a way of brief, the nationwide consultation was held from 9<sup>th</sup> October, 2024 to 28<sup>th</sup> November, 2024. Of course, it involved nationwide consultation with members of the public, civil society, other stakeholders were invited, and consultations were held in the Central, Western and Northern Divisions. In partnership as well, we worked in tandem with the Ministry of iTaukei Affairs, Culture, Heritage and Arts and we also conducted quite a few village community consultations as we value the people's voices broadly, particularly in the rural and maritime areas.

A total of 17 nationwide and community consultations were conducted. The Ministry registered about 500 participants in all, out of which 75 percent of participants supported the legalisation of cannabis for medicinal purposes only. I wish to also highlight that majority of the participants were actually male farmers between the ages of 36 years and 45 years, who voiced the importance of local participation. There is also strong support that we could actually have an ability to drive the overall economy as well.

Since then, in terms of the feasibility study, we managed to get support from a donor partner, Mr. Speaker, Sir, to get that going. Right now, there is work being carried out on the legislation with another donor partner, and we look forward to completing that work, even though at the moment, the logistics and timing in terms of trying to review the legislation is proving to be a bit more of a challenge, but we will push through and try and complete the legislation so that we can table it in the House sometimes next year.

Mr. Speaker, Sir, we feel that the industry has some good potential in Fiji. We do accept that there is some risks through product pilferage or theft and the danger of entering the illicit market, but given the way that the medicinal cannabis is actually governed or farmed in countries like Australia,



security and production measures are very important. Certainly, as the legislation gets finalised, we will ensure that there are adequate standard operating procedures and security guidelines in place to safeguard that particular concern which is quite understandable.

I wish to also reassure the House that upon completion of the Bill, it will go through comprehensive consultation, because it is important that the medicinal cannabis Bill gets thorough scrutiny and hopefully after that, Mr. Speaker, Sir, we will be able to have another new industry in Fiji which will not only increase export and employment but will also generate a level of expertise in the country which is probably needed in terms of research and development and, of course, create jobs for our people. Thank you.

HON. F.S. KOYA.- Mr. Speaker, Sir, a supplementary question to the honourable Minister. In light of what you were telling us about the consultations and the feasibility study being very thorough and comprehensive, and in terms of the legislation that is going to be there, is all of that currently centred around it being export specific or are we looking at import also?

I ask this question, on behalf of a lot of cancer patients and people who suffer from epilepsy, where it is a well-known fact that this medicinal cannabis works on them and whether our doctors are able to prescribe it now as it is something that really helps them. So, when you are doing the legislation, are you also looking at prior to the industry being set up because I know it takes a while to get it done? Will it be just exports specific or are you looking at legislation that will allow for our medical practitioners here to be able to dispense this and our pharmacists to import it for the time being?

HON. M.S.N. KAMIKAMICA.- Mr. Speaker, in consultation, of course, with the Ministry of Health, the advice has been to just focus on export only. The level of details required to even consider importing it into Fiji for use in Fiji at the moment is probably premature and certainly, we have taken the advice from the Ministry of Health and right now, it is focussed on export. May be at some point in the future, we can look at it but I think at the moment, the focus or the authorisation is purely for export only.

HON. F.S. KOYA.- Mr. Speaker, because the honourable Minister said that it is going to be export specific, at the end of the day when you do the legislation, will it be restricted in terms of our own product available in our pharmacies for our doctors to prescribe? Will that be the case?

HON. M.S.N. KAMIKAMICA.- Thank you, honourable Member, for the question. Like I have said, the advice from the health professionals is that at the moment, they can accommodate export only, but in terms of administering in Fiji, it is a very long process and not advisable at the moment.

Strategies for Accessing Public Transportation – Disabled Persons  
(Question No. 289/2024)

HON. J.R. VOCEA asked the Government, upon notice:

Can the honourable Minister for Women, Children and Social Protection update Parliament on whether there are strategies in place to address the concerns of people living with disability with regards to accessing public transportation such as buses, boats and airplanes?

HON. L.D. TABUYA.- Mr. Speaker, Sir, it is a very timely question since we are celebrating the week of International Day for People Living in Disabilities.

Mr. Speaker, I wish to just start off by acknowledging and thanking Shore Buses, as well as K.R. Lathan Buses, and one more bus company in Labasa - Dalip Buses, for providing reserved seats for people with disabilities on their buses. I thank the initiative, however, I do ask the bus companies, in order to allow that accessibility, to make their buses wheelchair accessible with ramps or even gentle inclines on their stairs.

Mr. Speaker, I just want to very briefly just highlight the national structure in place for disability. In 2018, the Rights of Persons with Disabilities Act commenced. Then the Auditor-General tabled a report in 2020 on the performance audit on the access for persons with disabilities on public transport.

This document highlighted, Mr. Speaker, that there is a knowledge gap that is in the public service, as well as the public at large, to be able to adhere to the Act. We have had sessions with the organisations for persons with disabilities, to get their feedback on dealing with disability. An issue that was not highlighted in the Auditor-General's Report is that persons with disabilities that use mobility devices often have to rely on other modes of public transport, and not buses, due to the issue of inaccessibility.

Mr. Speaker, the Coalition Government, as soon as we came to Government, we did a review of the bus fare vouchers that were available to people with disabilities and, of course, it was very impractical and also was not being able to be used by those people with disabilities who live in areas that had no bus services, including maritime and rural areas. So, the Coalition Government converted the bus fare top up into cash, and that is an ongoing process. We have just announced in the budget this year for those elderly who are over 70 years due to frailty to be able to use that transport assistance. But for all people living with disabilities, they should be receiving cash now instead bus fare voucher.

Mr. Speaker, Sir, the work is ongoing. We have district disability committees that are chaired by the relevant Provincial Administrators and District Officers about making public transport accessible.

Yes, Mr. Speaker, Sir, the issue of airports, especially when we go to the Nadi Airport, we see it is more disability accessible, and this has been the feedback also from our regional organisations with people with disabilities finding out that Nadi Airport is very accessible to people living with disabilities. Of course, this will need to be standardised across the country and in other airports as well.

Mr. Speaker, Sir, the need to revise the building code, that needs to be finalised and is still in the process so that there are minimum standards for accessibility. So, we still have our buildings, restaurants and businesses that are still not wheelchair accessible or easily accessible with our people living with disabilities.

Just to conclude, we have the Fiji National Policy on the Rights of Persons with Disabilities currently being drafted. This is also under the Coalition Government. We are currently working on this Policy to submit to Cabinet. I had just gone through a lot of consultations and an issue that was raised as part of the submission to the Draft Disability Policy is to, perhaps, explore having a separate department for disabilities under the Ministry as well so that their needs are catered too.

I think that was something I had mentioned in the past that, perhaps, because of the number of people living with disabilities in our country which is close now to about 145,000 people in Fiji who are living with some form of disability and not just disability from birth, but due to accidents as well as people living with NCDs, we have an increased number of people who are using wheelchairs

now or unable to move around using walking sticks and crutches. So, we need to, of course, ensure that as we move forward, Mr. Speaker, that we are mindful of this statistic.

At the moment, our disability allowance is really for those who have been disabled from birth or some extreme form of disability, but increasingly, the members of the public are submitting their medical certificates to certify some form of illness that affects their ability to work, to be productive or to move around. So, they are also seeking disability allowance. This is something that we will need to consider in the next budget in terms of the numbers that are coming through.

However, Mr. Speaker, Sir, this is not just an effort for Government alone so, please, do not wait for Government. I appeal to our restaurant owners, business owners, building owners and the private sector, please, we need to start putting wheelchair accessible ramps, footpaths, as well as disability parking spaces that are monitored to ensure that those who are not disabled are not using those parking spaces. In addition, disability accessible public conveniences, Mr. Speaker, Sir, button-operated doors on all our buildings, as well as elevators.

Mr. Speaker, Sir, I have raised this in the past, also for your good office to consider, that even the entrance of our Parliament building needs wheelchair accessible ramps so that when our people living with disabilities come through the front of our house, they can access our house as well. There is an elevator, but they are told to go around to the back, and it is usually very crowded and hard for them to access the back entrance to use the elevators. Sometimes, it does not work and often when it rains, it is very difficult for them to get off from the vehicles to wheel themselves to the elevator, so for your consideration, Mr. Speaker, Sir, it is something for Parliament to consider. Certainly, there is space in the front of the building to do that as well.

On that note Mr. Speaker, Sir, I just wish to thank all honourable Members to continue to encourage the community to work with Government to really look out for our people with disabilities.

HON. H. CHAND.- Mr. Speaker, Sir, I would like to thank the honourable Minister for the response. Can the honourable Minister inform Parliament if there is any plan in place to address the concern of students with disabilities in mainstream schools with regards to providing appropriate transport to students with disabilities in mainstream schools? As far as special schools are concerned, 17 special schools have got special bus for students with disabilities, so are there any plans for students who are in mainstream schools?

HON. L.D. TABUYA.- Thank you honourable Member for the question, in fact in my visit to Levuka, the Norah Frazer Special School, they were making efforts to send their children to mainstream schools, and that was one of the greatest concerns, was the lack of transportation from their location to be able to get to the mainstream schools. Right now, of course, our special schools have transportation, but it is something that we continue to collaborate with the Ministry of Education in terms of providing transport for our children living with disabilities.

But it addresses the greater concern, I think in terms of the fact that school buses for schools in general that used to be provided for in the past for schools are not there anymore, so children are having to travel to the bus stands in order to head home. But this is something we continue to appeal that working with the Ministry of Education to consider bringing school buses back and perhaps with that, we will be able to make our submissions to have those buses available also for our students living with disabilities in mainstream schools.

HON. R.R. SHARMA.- Thank you honourable Minister for stating that. Mr. Speaker, Sir, it is not just a matter for someone being disabled and not being able to access, but a matter of our senior citizens as well. If someone has to get on to a bus, the first step they take is quite a big leap, that has

been a concern. While I commend the buses and the transportation that have provided disability friendly seats, the question to the honourable Minister, is your Ministry considering some sort of concession or duty free on the importations of transports, buses and even taxis and vans that are disable friendly, that have ramps that is quite automated and widely done overseas? Is your Ministry considering this, this will encourage more, I guess for every private company and industry.

HON. L.D. TABUYA.- I believe that the duty free concessions are already there, especially for hospital beds but it is certainly something that can be extended to transportation as well. This was an issue raised by the bus owners themselves in order to bring in the buses to be disability friendly, but it would be a natural follow up to the provision of those reserved seats on the bus. This is something that we will consider in the next budget.

HON. F.S. KOYA.- Mr. Speaker, Sir, my question is slightly related to the last one. Honourable Minister, because our public transport system is entirely sector driven and run. Would you be looking at some legislative changes so that there is a degree of compulsion here on in, from new vehicles that are coming in so that there are disability friendly, and I am talking about buses that are now available worldwide or are fitted with systems where people on wheelchairs can actually get onto the bus and obviously it is packaged up with what was spoken about earlier regarding concessions et cetera. But are we looking at some degree of compulsion on our public service vehicles for a later stage? Because, as you say, the numbers are great.

HON. L.D. TABUYA.- There certainly is, yes, we review as part of the Audit Report, which did not include the number of people living with disabilities in our country that do not necessarily fall under that Social Welfare Scheme. As we continue looking at that, I think the need to also look at the transport providers to have some quota in terms of the vehicles they bring in. That will be something for the Ministry of Transport to consider, as well as apparently they are reviewing that, so that is something you can answer. It is a very good suggestion to go along with what honourable Sharma suggested.

MR. SPEAKER.- We now move on to the eighth Oral Question for today. However, with the concurrence of the honourable Koya, he has allowed Question 290/2024 to be asked tomorrow as the honourable Deputy Prime Minister and Minister for Tourism and Civil Aviation is set to attend an important Ministerial engagement this afternoon.

(Question No. 290/2024 deferred)

Strategies Adopted for Strengthening Revenue Streams  
(Question No. 291/2024)

HON. S. TUBUNA asked the Government, upon notice:

Can the honourable Minister for Local Government and Housing inform Parliament on the strategies adopted by the Municipal Councils to strengthen their revenue streams and institutional strengthening?

HON. M.K. NALUMISA.- Mr. Speaker, Sir, I rise to respond to the question before the august Parliament this afternoon and I thank honourable Tubuna for the question.

Mr. Speaker, Sir, the primary income driver for all Municipal Councils is through the collection of rates. On average rates constitute around 50 percent to 60 percent of the revenue for small councils and 45 percent to 55 percent for medium to large councils. However, the sustainability

of council operations remains a challenge. As many councils struggle to balance service delivery with financial independence.

Mr. Speaker, Sir, recognising the challenges the Ministry continues to challenge and encourage the newly appointed Administrators to adopt sustainable operation practices and be more commercially focussed. To address this, innovative strategies have been identified by some councils, particularly small to medium sized ones, to broaden their revenue streams and strengthen their financial positions. These efforts reflect the commitment to reducing relying on Government Grants and ensuring councils can meet the needs of their communities effectively, and also efficiently.

Mr. Speaker, Sir, the removal of business licence fees in 2020 by the previous Government exacerbated the revenue stream capacity of the councils, and small and medium councils had to rely on Government Grant to fund the capital as well as appraisal expenditure and revenue forfeited by councils was around \$4.3 million annually.

Mr. Speaker, Sir, the councils are now adopting creative approaches to improve sustainability and above is reflected in the increase in revenue in the financial year of 2023 to 2024 by \$500,000 across all municipalities and this will continue to improve. Revise fees and charges for markets, garbage fees and public convenience had been adjusted for some Councils, ensuring an immediate boost to revenue streams.

Mr. Speaker, Sir, Eight Councils have installed new digital parking metres that will boost the income level. Some have even gone to extent of creating new parking spaces. Also, a boost to their car parking revenue and also some even invested in automated car parking payment systems.

Mr. Speaker, Sir, property evaluations have also unlocked additional rental income, which optimised asset utilisation and provided a stronger financial for councils. Small councils as Levuka and Sigatoka has maximised their properties for rental purposes including hiring out conference rooms to generate steady income. There are also some strategic investments for some medium size councils, for example, the Nakasi Market, it just opened this year to generate an income \$282,000 for the Nausori Town Council. Similarly, for the newly opened Levuka markets is going to generate close to \$140,000 in annual revenue from 132 trading stalls in the new market.

Also, for the Lautoka City Council with the newly opened Namoli Flea Market, generates an annual income of around \$71,000. For Sigatoka Town Council with the opening of the amphitheatre, the sitting capacity of 150 to 200 people to generate \$6,000 annually when they promote local events within Sigatoka Town Council.

Mr. Speaker, Sir, institutional strengthening is the foundation for efficient functioning of municipal councils and the Ministry has reviewed out-dated policies and introduced new financial and human resources manuals to enhance Government standards. Regular financial reporting, stakeholder consultations and detailed performance reviews ensure transparency and accountability.

Mr. Speaker, Sir, KPMG Advisory Fiji Limited has been engaged to oversee the recruitment of Chief Executive Officers for all the municipal councils. This transparent process is expected to conclude by early 2025, ensuring that councils are led by competent and forward-thinking leaders. To maintain council's capability in achieving their development objectives, Mr. Speaker, Sir, training programs, clear job descriptions and performance evaluation systems ensure staff are well equipped to meet operational and strategic objectives.

The Councils have also introduced programs to develop leadership skills, improve technical expertise, and foster a culture of excellence among their teams.

In conclusion, Mr. Speaker, Sir, the strategies adopted by all the councils across the country, 13 of them altogether, to strengthen revenue streams and institutional capacity, demonstrated proactive and sustainable approach to local governance. These measures reflect commitment to financial independence, operational, efficiency and community driven development.

We have continued collaboration between the Ministry, councils and local communities. These initiatives will enable councils to deliver high quality services, foster economic growth and create vibrant and more resilient urban centres.

Measures to Curb Police Brutality on Suspects  
(Question No. 292/2024)

HON. S. KUMAR asked the Government, upon notice:

With the rise in incidents of police brutality against suspects, can the honourable Prime Minister and Minister for Foreign Affairs, Climate Change, Environment, Civil Service, Information, Public Enterprises, Immigration and Fiji Police Force inform Parliament on the measures the Fiji Police Force is implementing to curb these acts?

HON. S.L. RABUKA.- Mr. Speaker, Sir, I would like to thank the honourable Shalend Kumar for his question. I would like to start with some statistics on police brutality:

- (1) 2019 - one case;
- (2) 2020 - 26 cases;
- (3) 2021- one case;
- (4) 2022 - eight cases;
- (5) 2023 - no case; and
- (6) 2024 - January to October, three cases.

Mr. Speaker, Sir, the police have a very difficult job. I have had about eight nights with the police being investigated at the CID Headquarters in Toorak. I was not subjected to any brutal treatment. But one night, we had to spend a night in the cell. I had the luxury of having one cell to myself in Raiwaqa, and since then, my grandchildren and great grandchildren call Raiwaqa Police Station, the VIP room when we drive pass.

The honourable Deputy Prime Minister, the late Doctor Tupeni Baba and Attar Singh shared one cell at the Central Police Station, the same night. I say that the police have a very difficult job because, I was on the floor, you do not get any mattress or pillows or anything, you are on the floor and you are trying to roll up into a small, if you can make yourself to be, for some warmth, when another suspect was brought into the next cell.

He was probably a more experienced suspect because he just started calling out and banging the cell door and telling the police, "I know my right! I want my lawyer!" All night he was doing that. The police came out to him and asked him, "Look, other suspects are trying to sleep, why do you not try to go to sleep too?" They were very patient with him. So, I have not had any experience, although I spent a night there. The cell has now been promoted to be the VIP room by my grandchildren and great grandchildren.

The Police Force has implemented several measures to address and curb incidences of police brutality. Responding to increasing public concern and calls for accountability, the police have their own internal system to investigate any allegations of brutality. Some of the key strategies that have been implemented by the police to address brutality are as follows:

(1) Restoration of the Police Blue Culture

The Blue culture, introduced by the honourable Tikodudua, is the Standard Operating Procedure and culture of policing. It refers to the principles and values that governs the police relationship with the people, rooted into the model Salus Populi, which underlines the safety of the people committing to serving the public with integrity and accountability.

In hindsight the most recent past political influence and interferences at the aftermath of the coup culture, it has grotesquely distorted the role of policing and addressing police is an integral part of that concept. At present, there is an onward assertion towards aligning the Police Force to the blue culture.

(2) Use of Force Policy

The Fiji Police force has reviewed its use of force policy and has begun the process of enlightening and instilling legally accepted techniques of using appropriate force to corresponding situations. The New Zealand Tactical Response Team from the Officer's Safety Pacific is currently in the country, training and assisting the Fiji Police in implementing the legal procedure of using force. The programme will encompass training throughout Fiji.

(3) Training, Education and Awareness

The Fiji Police Force by virtue of the request from Human Rights and Anti-Discrimination Commission is utilising various available assemblies and platforms in its daily programme to inculcate comprehensive human rights training and awareness for all police officers. This training is now integrated in the new professional approach where police officers are to exercise using restraint, de-escalation techniques and respect for human dignity during interactions with the public. Very importantly, this is to ensure that the police officers are adorned with the appropriate skills to handle situations without resorting to violence.

(4) Community Engagement and Policing

The initiative by the Fiji Police Force in restoring public trust has engendered encouragement by the Fiji Police during Community Policing Programmes for citizens to report crimes and instances of police misconduct.

(5) Accountability and Investigation

A thorough investigation by the Internal Affairs Division (that is the internal organisation I was talking about) on any case of police brutality. Serious cases shall be referred to the Criminal Investigations Department for further action. The investigation files would be submitted to Office of the Director of Public Prosecutions for an independent legal advice.

The Commissioner had reassured the public that police officers found guilty of misconduct, would face legal consequences, reinforcing the message that police brutality is a crime that will not be tolerated.

(6) Counselling

The Fiji Police Force has a full-time psychologist who conducts visitation and counselling to all members of the Fiji Police Force who have been identified to be at risk or have been implicated for the unnecessary use of force. This is done to deter officers from further incidences of the use of force.

(7) First Hour Procedure

The first hour procedure protects police investigations from allegations of torture and ensures transparency and accountability. It provides clear guidelines for all police officers

to ensure that all arrested persons have access to legal aid.

(8) Strict Supervision

Supervisors monitor the performance of their men and ensures accountability of the men and women under their command in conducting briefing and debriefing daily.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, I have a simple question to the honourable Prime Minister. One of the key contributing factors to police brutality is job related stress, you have talked about the use of psychologists, what else is the Fiji Police Force using in order to address this issue? Job related stress, Sir.

MR. SPEAKER.- I beg your pardon, honourable Leader of the Opposition?

HON. I.B. SERUIRATU.- The question is that one of the key contributing factors to police brutality is job related stress, and you have mentioned about the use of psychologists, what else is the Fiji Police Force using to address this issue?

HON. S.L. RABUKA.- Mr. Speaker. Sir, the police officers have to defend themselves and there were times when they will have to use minimum force, as you understand it honourable Leader of the Opposition, to ensure their own safety and ensure they carry out their responsibility of taking the suspect to where he was supposed to be taken.

HON. J. USAMATE.- Mr. Speaker, Sir, I thank the honourable Prime Minister for his comments. I am just wondering especially in cases where there is a high likelihood for violence between, say, a member of the public and the police. Is there any thought of the police to actually use the body cameras to capture the moment of what happens in that particular interaction. I know it is an expensive exercise, but sometimes when you have that body camera, it will stop you from throwing that left hook or the right uppercut.

HON. S.L. RABUKA.- I am just catching up with the job. I believe there are moves in that direction but one thing, Mr. Speaker, Sir, we lack the civic spirit in Fiji. Very few of us would go and assist the police officer execute an arrest.

(Question No. 293/2024 deferred)

Written Question

Statistical Data on Tourism Projects  
(Question No. 294/2024)

HON. L.S. QEREQERETABUA asked the Government, upon notice:

Can the honourable Deputy Prime Minister and Minister for Tourism and Civil Aviation inform Parliament on the following -

- (a) Total number of applications received for tourism projects by division for the period 1<sup>st</sup> January, 2023 to 31<sup>st</sup> July, 2024;
- (b) Total number of applications approved for tourism projects by division for the period 1<sup>st</sup> January, 2023 to 31<sup>st</sup> July, 2024; and
- (c) Number of applications rejected or shelved for tourism projects by division for the period 1<sup>st</sup> January, 2023 to 31<sup>st</sup> July, 2024?



HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, the honourable Deputy Prime Minister will respond at a later as permitted under Standing Order 45(3).

### **BSP FIJI BILL 2024**

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, pursuant to Standing Order 51, I move:

That the -

- (a) BSP Fiji Bill 2024 (Bill No. 22/2024), be considered by Parliament without delay;
- (b) Bill must pass through one stage at a single sitting of Parliament;
- (c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) Bill must be debated and voted upon by Parliament on Thursday, 5<sup>th</sup> December, 2024, with the right of reply given to me as the Member moving this motion.

HON. RO F.Q. TUISAWAU.- Mr. Speaker, Sir, I beg to second the motion.

HON. PROF B.C. PRASAD.- Mr. Speaker, Sir, this Bill is fairly straightforward Bill. This is in relation to the BSP bank which is currently domiciled in Fiji as a branch of the Bank of South Pacific which is the parent company. What the bank wishes to do is to change from a branch to a full subsidiary governed under the Companies Act of Fiji and under any other governance supervision arrangements that we have within our mechanism.

Mr. Speaker, Sir, the Cabinet following the request from BSP, the Ministry of Finance took a Cabinet Paper and the Cabinet gave the concurrence and asked for further consultation with BSP management. Further to that, a stakeholder consultation, with BSP management which actually called for written submission on the proposed restructure and the proposed BSP Bill.

Mr. Speaker, Sir, direct invitations were also given, there were face-to-face consultation that was held with the stakeholders and all of them were represented during the set time for consultation which was on 8<sup>th</sup> October, 2024, held at the BSP Conference Room at their Fiji branch.

Mr. Speaker, Sir, the urgency of the Bill, if I can, because I know that would be perhaps one of the points that my colleagues on the other side might raise, but because the request was made by BSP, by a parent company and the senior management who visited Fiji.

Mr. Speaker, Sir, there are two methods of converting or moving away from a branch to a subsidiary:

- (1) transfer by agreement (which involves other processes, so the best way to do that and the preferred option is); and
- (2) by legislation.

There are precedents in Australia, New Zealand and in Fiji we also have that precedent. For example, the Australia and New Zealand Banking Group Decree 1991 and ANZ Transfer Regulations 1991, Colonial Fiji Life Act 1991, Australia New Zealand Banking Group Bank of Hawaii Act 2001 and, of course, the Bank of South Pacific Act 2011, so this is not a new thing.

The other reason why we rushed this Bill into this session is because the new financial year for BSP will start on 1<sup>st</sup> January and if we did not do it in this session, then they would have difficulty moving towards a fully-fledged subsidiary governed by the Companies Act 2015 of Fiji. That is the

reason, Mr. Speaker, Sir, I have moved this motion under Standing Order 51, and I urge honourable Members to support this.

MR. SPEAKER.- Honourable Members, the floor is now open for the debate on the motion. At the end of the debate, we will have the Right of Reply from the mover.

HON. F.S. KOYA.- Sir, I will give over to the Whip. I think the honourable Whip wanted to speak.

MR. SPEAKER.- He is referring to you, honourable Koya.

HON. F.S. KOYA.- Mr. Speaker, obviously, this has been brought under Standing Order 51, but I think it has a valid reason, it needs to be done and this is not like something new. We will have time to munch over it and then come up with something, if there is something within the substantive Bill, but in order to get it done, especially in light of the fact that it needs to be done before January, we do not have any problem and issue with this coming under Standing Order 51. So, all in all, we support the current motion before the House.

HON. M.D. BULITAVU.- Mr. Speaker, Sir, for the Bloc-9 Group, we support the motion, given the urgency, given the bank's financial year starts in January, and that is quite urgent given this is the only sitting of Parliament that these changes can be done. That meets the requirement for Standing Order 51 to go through the shortcut provisions of the Standing Orders so that the Bill passes without delay under Standing Order 51.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, I just wanted to thank the two honourable Members from the Opposition for supporting the motion. I do not have anything further to add at this stage, but during the debate tomorrow, I will talk about the Bill a little bit more.

MR. SPEAKER.- Parliament will now vote.

Question put

Motion agreed to.

### **FIJI TRUTH AND RECONCILIATION COMMISSION BILL 2024**

HON. S.L. RABUKA.- Mr. Speaker, Sir, pursuant to the resolution of Parliament on Monday, 2<sup>nd</sup> December, 2024, I move:

That the Fiji Truth and Reconciliation Commission Bill 2024 be debated, voted upon and do pass.

HON. RO F.Q. TUISAWAU.- I beg to second the motion, Mr. Speaker, Sir.

HON. S.L. RABUKA.- Mr. Speaker, Sir, I rise to speak on this Bill which is before Parliament for debate, voting and passing pursuant to the resolution of Parliament on Monday, 2<sup>nd</sup> December, 2024.

At the outset, may I express my thanks and appreciation to honourable Members from both sides of the House who supported the motion to bring this Bill, being the Fiji Truth and Reconciliation Bill 2024 to the stage. I would also like to thank the Steering Committee which was set up to undertake the preparatory work pertaining to this Bill.

Mr. Speaker, Sir, the Committee comprised the honourable Assistant Minister for Women, Children and Social Protection as Chair, and members being the honourable Assistant Minister in the Office of the Prime Minister, honourable Assistant Minister for Foreign Affairs, honourable Assistant Minister for iTaukei Affairs and the honourable Assistant Minister for Rural, Maritime Development and Disaster Management.

On the compilation of the Bill, Mr. Speaker, Sir, in drafting the Bill, the Committee had many consultations with victims and perpetrators of different political events. Consultations were held with civil society, faith-based groups, human rights activists, media organisations, political parties and communities in the Northern, Western and Central Divisions. There were also engagements with the youth groups, as well as the diaspora through digital platform. The basic elements of the Bill are drawn from the Commissions of Inquiry Act 1946, and the Committee also learned from global experiences.

I would also like to acknowledge with deep appreciation the excellent work which the Republic of Fiji Military Forces, under the visionary leadership of the Commander, Major General Ro Jone Kalouniwai, had done and they have done in inculcating the virtues of truth, reconciliation and healing in the institution. As a result, we are seeing and feeling an atmosphere of togetherness, perseverance and hope, which will contribute immensely to achieving the desired impact and results of lasting peace and harmony for our people and our nation.

Mr. Speaker, Sir, over the years, around the world, more than 50 countries at some point, established Truth and Reconciliation Commissions. One of the major purposes of this initiative was to resolve historic injustices and abuses through public hearings, truth telling and reconciliation between victims and perpetrators, as a way of moving beyond the painful past towards a peaceful future. The many lessons from those processes indicate the need to be sensitive to the specific historical, political and cultural context rather than using a model which is deemed universal in relevance and the application. So, while we learn from the many lessons, the Truth and Reconciliation Commission in Fiji, we have to be relevant to our own cultural and historical context.

Through the support of the UNDP Consultant, Mr. Reuben Karanja, from the International Centre for Transitional Justice in New York, there were conversations facilitated around the country. Mr. Speaker, Sir, at each of these consultations, there were strong support for the setting up of the Truth and Reconciliation Commission, from young and old, from rural and urban areas.

The central purpose of the Commission will be aimed at the promotion of reconciliation and forgiveness among the perpetrators and victims of various *coups* and political persecutions by the past Governments through full disclosure of truth in safe and enabling spaces. It is hoped that many who have suffered gross human rights violations, and their families and communities will find healing and closure.

On the salient features of the proposed Bill, Mr. Speaker, Sir, the Bill will be known, after approval, as the Fiji Truth and Reconciliation Commission Act of 2024.

In clause 3, the purpose of the Bill states that it is to promote social cohesion through healing and reconciliation. Secondly, it is to facilitate open and free engagement in truth telling regarding the political upheavals during the *coup* periods, and to promote closure and healing for the survivors of those events.

Part 2 of the Bill provides for the establishment of the Fiji Truth Reconciliation Commission, which will comprise of five members appointed by the President.

Clause 6 of the Bill provides for the functions of the Commission and clause 7 of the Bill provides the powers of the Commission.

Clause 9, the Bill outlines the procedures for the Commission and its hearings under the new legislation. The Bill provides for the term of operation for the Commission to carry out its obligations under the new legislation, as well as the process for hearing that the Commission may conduct.

Mr. Speaker, Sir, the independent and integrity of the Commission is mandated under Clause 10, and Commissioners have to swear an oath before the President, as set out in Schedule 2.

The Code of Conduct is set out in clause 12, which requires the Commissioners to be apolitical and to uphold their term in office.

Following that, in clause 13 are the conditions of immunity for the Commission which gives a sense of trust, integrity and authenticity.

The Bill requires the Commission to provide support to the survivors of historical events, as well as witnesses protection.

Clause 17 of the Bill requires the Commission to submit a final report to the President.

It is also important to note how the Commission is going to be financed, and that is from budgetary provision by Government. The Commission is auditable as stipulated under clause 20. With the anticipation of knowing the outcomes of such Commissions, it is also important to manage them responsibly regarding funding.

Mr. Speaker, Sir, as we embark on this journey of voicing the truth and working on reconciliation, we must never forget the statement made by the late President of South Africa, Mr. Nelson Mandela, and I quote:

“In the end, reconciliation is a spiritual process, which requires more than just a framework. It has to happen in the hearts and minds of people.”

In the *iTaukei* or *vanua* tradition, when one tries to reconcile, they must have the genuine yearning for change to forgive and also to forget. I understand we are humans, and it is very difficult to forget. This Bill provides a pathway for all to work on reconciliation, as that will allow healing and growth.

The vision of this Government is to empower the people of Fiji through unity. Unity and empowerment can only manifest, if there is forgiveness, acceptance and reconciliation.

Mr. Speaker, Sir, I would like to thank everyone who has taken part in the consultations and have contributed to this Bill. I commend the Bill to the House.

MR. SPEAKER.- Honourable Members, the floor is now open for debate. I have on the batting list a total of 16 speakers from all three sides of the House, if there is such a definition of the House.

HON. I.B. SERUIRATU.- Mr. Speaker, Sir, I thank the honourable Prime Minister for the third reading of the Bill, which he had just presented on the floor of the House.

Please, allow me, Mr. Speaker, Sir, to acknowledge Government's commitment to promote national healing through the establishment of the Fiji Truth and Recognition Commission, which Bill No.19 seeks to establish.

There is no denying the fact that Fiji needs this process to address the many challenges we had faced politically and socially as a nation in the past 37 odd years or may be even beyond that, and which have hindered our progress, as a nation, and continues to haunt the many individuals, families and communities who were negatively affected by the impacts of our badly tainted history.

Considering the importance of this process to Fiji as a nation, what I would advocate is that this exercise must be approached with a genuine desire to uncover truths. The honourable Prime Minister has stated the words of Nelson Mandela, and I hope that our words will be consistent with the actions that we take. Genuine desire to uncover truths and promote reconciliation and forgiveness amongst perpetrators and victims, who had suffered gross human rights violations at the height of our political upheavals.

Mr. Speaker, Sir, it my sincere desire, therefore, that Government will provide the leadership that is necessary to see this truth and reconciliation process right to the end.

I recall the words of the honourable Prime Minister when this Bill was debated in September 2023, I thought that to me, it was a call - a call not only to try and find out not only what happened before 1987 and what happened before 2000, what happened before 2006, but why did it happen?

Mr. Speaker, Sir, we understand the timings. I know that the Bill has already laid the timeline, which is 18 months, according to Part 3, Clause 14(3) which states, and I quote:

“The Commission must operate for 18 months after the preparatory period.”

Of course, the provision for the extension as well.

Let us not be driven by political timelines only. Let us put this issue to rest and this is the opportunity for us to do it right, do it well, bring healing into the nation and, therefore, the processes that we take, Mr. Speaker, Sir, is very, very critical. We are all for reconciliation, but it is the process that takes us into that end stage, as alluded to in the Bill. That is very, very critical for all of us.

Last year, Mr. Speaker, Sir, after the debate in here, we had a long chat with the honourable Deputy Prime Minister and Minister for Trade, Co-operatives, and Micro, Small and Medium Enterprises and Communications, asking me about why we did not support the Bill back then. My response to the honourable Deputy Minister was this, “This is not an ordinary Bill, this is a special Bill. Given our history, the sufferings that we went through, we really need to tread carefully.” And particularly, Sir, the involvement of every stakeholder and most importantly, political parties in this process, because if we at the history of our problems in Fiji, politics is the root cause.

I have written an article but, unfortunately, the title was not taken by the media - “The Politics of a Revolution”, but I will come later to that, Mr. Speaker, Sir. In a revolution, politics is always the objective, military is the means. We need to get to the root cause of this and politics is the root cause.

We have had elections, we have had constitutions, but despite the result of elections, we still have problems, and the root cause of those problems are political, Mr. Speaker, Sir. And that is something that is very important. This is the time to address this, once and for all. Let us do it right. Let us be genuine, Mr. Speaker, Sir.

First, again, the process. I have spoken about the timelines, I urge Government, “Let us make full use of the parliamentary process because that is very, very important”. When honourable Bulitavu was a loyal Opposition, he always talks about the difference between consultations in the Executive and consultations in the legislative framework. That is exactly what we insist on this Bill, Mr. Speaker, Sir.

We must be involved. This Parliament - the voice of the people must be involved. And we need to be part of the process because of the involvement of politics in the past. I have quoted Clause 5(2), which will establish the five Commissioners. We do not know whether we will be represented in that Commission or not. And that is why we need to be more careful, involve in the development of this Bill before we come to the actual process itself, because in the end, we will all be answerable.

Mr. Speaker, Sir, the process of 51, again, I urge Government, put aside the political timeline. Let us get this through the normal process of legislative work in this House. If this can be referred to the Committee, well and good, Mr. Speaker, Sir. Whether it is early next year or mid next year, if this can be referred to the Committee, because we need this House to be involved.

Let me talk on a few critical observations about the Bill. Mr. Speaker, Sir, on 5<sup>th</sup> September, the Office of the Opposition requested the Steering Committee, together with the technical team from the Fiji Law Reform Commission, to present to us the Draft Bill. We thanked the Steering Committee, the honourable Tubuna and probably honourable Vocea as well, who are part of the Steering Committee that came with the Law Reform Commission.

I have talked about the process. Before I touch on the other minor issues in the Bill, Mr. Speaker, Sir, I did make a submission to the honourable Chairperson, dated 11<sup>th</sup> September, 2024, based on the discussions that we had and what was presented to us about the draft.

Mr. Speaker, Sir, there is one worry that I have in the current Bill, as compared to the initial Draft that was presented to us on 5<sup>th</sup> September. And that, Sir, is in Clause 7 of this Bill, as opposed to what was in the initial Draft.

Mr. Speaker, Sir, if we go to Clause 7, the Commission has the following powers. This is the powers of the Commission, and I quote from the Bill:

- “(1) (a) To examine under oath any witness;
  - (b) to consider any written or oral evidence in hearings regardless of whether such evidence would be admissible in a civil or criminal proceeding;
  - (c) to consider whether to exclude the presence of a member of the public, including the media from any proceedings or meetings of the Commissioners;
  - (d) to exclude any person, if necessary, to ensure the due conduct of the hearings or to preserve order; and
  - (e) to engage consultants with specific expertise in an area related to the functions of the Commission;
- (2) A person who intentionally misleads or gives false information to the Commission is deemed to have committed contempt of court and may, at the discretion of the Commission, be referred to the Magistrates’ Court.”

The first thing that I noted, Mr. Speaker, Sir, is the omission of what was in paragraph (a) of the Draft. This is what has been omitted from this current Bill, that I have just read. This is what was in the draft.

The Commission has the following Powers:

- (a) to issue summons to witnesses in the form prescribed in Schedule 1; and
- (b) to call for the production of books, plans and documents and to examine the witnesses and parties concerned on oath.

Apart from the way in which it was rearranged, the other omission was in clause 7(2) of the initial draft that states, and I quote:

“...failure to respond to a summons issued by the Commission or failure to truly or faithfully answer questions of the Commission after responding to a summons, or intentionally providing misleading or false information to the Commission shall be deemed equivalent to a contempt of court and may, at the discretion of the Commission, be referred to the higher court.”

Mr. Speaker, Sir, I will come back to that, but also the other omission related to this is, is in Schedule. In the initial draft, there were four Parts to the Schedule, but in this Bill, there are only two Parts in the Schedule. Schedule 1 of the initial draft was summons (the form) to be issued by the Commission if and when needed for a person to appear before the Commission to answer to any allegations or have the opportunity to defend himself or herself, and in brackets (still under consideration).

What I want to say, Mr. Speaker, Sir, is this, this is why I am requesting this august Parliament, please, get this through the Committee, because there have been changes in the initial draft that has caught us by surprise, and omitted from the current Bill that we are debating before Parliament. So, my question is, when was this change made? Who did it? Under whose authority? Why? Because the powers to summon is so important in the convening of this Truth and Reconciliation Commission, Mr. Speaker, Sir, otherwise, there is no teeth in this Commission.

What I want to ask is, again, when was this change made? Was the Consultant aware of this? Was it made by the Steering Committee? Who made the changes and why? This is a very critical part of this Bill. When we talk about integrity, when we talk about transparency, genuineness in our approach, this has been taken away, and then it is coming through Standing Order 51. The credibility of this Bill is questionable now, because of the path that you have decided to take.

Mr. Speaker, Sir, this is very, very critical. I know for a fact that now, we have former soldiers released and civilians involved in the upheavals. I want to go into it, but will they participate? I had a good discussion with the RFMF Team, Mr. Speaker, Sir. “You are doing a great job with the reconciliation”, but I honestly asked them. “The challenge for you will be, when it comes to the truth - the truth telling part of the reconciliation process, because as I have stated, in revolutions, military is the means, politics is the objective.

I had raised this issue when I was the Defending Officer for the CRW soldiers during the Court Martial way back in 2004. I asked the Panel of Judges, “Please, release the soldiers. Let us find the politicians who were behind these soldiers because of the objectives of revolutions.” Then we must do this truth and reconciliation well, Mr. Speaker, Sir, because we need to identify the politicians. They must come to the truth telling. We must identify the businesspeople who supported the *coup* perpetrators or *coup* instigators.

Chiefs were involved, Mr. Speaker, Sir, religious leaders were involved, so without the summoning power, we are weakening this process and it is already questionable. We are for a Truth

and Reconciliation, but let us get it right, let us do it well. There is nothing to hide, it is about Fiji, it is not about politics. It is about Fiji in the years to come.

Mr. Speaker, Sir, I will not go into other details because other speakers from this side will probably highlight on some of the components of the Bill, but I am pleading to Government, we need the reconciliation process, but let us do it right. This Parliament must be involved.

Mr. Speaker, Sir, after the events of 2006, there was a committee. Probably that would be a better approach, so that we involve everyone. Not all political parties are in this Parliament, but politics plays a critical role and even the political parties that are in this Parliament are not involved. So, if you can answer those questions for me, Mr. Speaker, Sir, that is something that I look forward to.

May I just conclude by saying, Mr. Speaker, Sir, that as I have alluded to, the Bill in its current state and, of course, with the resources allocated to it, to some degree, lacks the power and the legal authority to carry out its functions effectively and efficiently.

Finally, I have talked about the Bill, the process and the end state. Linking the objective of the exercise to the final outcome of the process is critical in this whole initiative and without which, this whole exercise will be done with futile ambitions.

MR. SPEAKER.- Given the time, I would like to give opportunity for honourable Naivalurua to also participate for his intervention before we adjourn for dinner.

HON. I. NAIVALURUA.- Mr. Speaker, Sir, today, a bill of historic proportion for our nation and this generation is presented before this august Parliament for debate. This Truth and Reconciliation Commission Bill 2024, contains immense gravity and opportunity. While we cannot rewrite our history, we can reconcile, heal and learn from the past. This Bill provides the framework for action, establishing the Commission to achieve the reconciliation, healing and learning essential to our future.

Mr. Speaker, Sir, I thank the honourable Prime Minister for taking the initiative to lead our nation on a journey of truth and reconciliation. I acknowledge the boldness required to call for this. In doing so, the honourable Prime Minister has provided a clear call to what now defines our future.

Mr. Speaker, Sir, I would like to acknowledge and thank the honourable Assistant Minister for Women, Children and Poverty Alleviation for shouldering the responsibility of listening, engaging and shaping the National Reconciliation Framework for that has become the current Bill before us today.

Mr. Speaker, Sir, as I have read the document and considered the Commission's purpose and intent, there are essential aspects to consider and debate before this august Parliament.

Mr. Speaker, Sir, the Commission will be led by five Commissioners, appointed to undertake the critical work of the Truth and Reconciliation Commission.

Mr. Speaker, Sir, the scope of this Bill is a serious task and a heavy burden. Added that the heavy burden and responsibility is a short time frame for this Commission to undertake its task. These two issues alone will place high demands on the leadership capacity of the Commissioners with their presence needed across multiple hearings and sittings.



Mr. Speaker, Sir, this serious undertaking must be completed on time. While I respect the time constraints, I am also aware of what is being encouraged to come out of the shadows, so that our national healing can begin. Mr. Speaker, Sir, I foresee that future considerations may need to be given to the honourable Minister responsible to return to this Parliament seeking further provisions if need be.

Mr. Speaker, Sir, I state this because this is the work of the heart, our nations heart. Finding the heartbeat and providing permission for the public to have a voice and be heard, this is sacred work and a sacred privilege.

Mr. Speaker, Sir, I note that Clause 8 speaks to the Government's cooperation with the Commission. While I do not underestimate the goodwill this process will generate among our communities, the clause states the following, and I quote:

“...The Government and its agencies of the State must cooperate with the Commission to assist with its functions under this Act.”

I urge this Parliament and the honourable Government Ministers responsible for the departments and agencies to prioritise the departments cooperation for the nation’s work.

Mr. Speaker, Sir, Clause 3 of the Bill states the purpose of establishing the Commission, and I quote: “...To promote social cohesion through healing and reconciliation.”

The benefits of social cohesion cannot be understated. Importantly, social cohesion builds on human dignity, a critical resource to nation building. Time does not allow me to go into any length of the benefits that flow from a people who are knitted together with social cohesion, other than to commend the honourable Minister for bringing such depth to the clear and simple purpose of this Bill.

Mr. Speaker, Sir, I commend the Commander of the Republic of Fiji Military Forces for his bold step and firm courage to initiate the truth and reconciliation process among our Armed Forces. I was invited to participate in this process and in doing so, I witnessed first-hand the impact of this social cohesion and its effect on human dignity.

Mr. Speaker Sir, this Truth and Reconciliation Commission Bill provides the gifts of truth and forgiveness, as well as the grace of reconciliation, which are essential for justice and mercy to achieve their true end, our restoration, our cohesion and our future.

Mr. Speaker, Sir, every nation carries its history both commendable and regrettable. In this Bill, I see the steps and the opportunity of a reset of our national consciousness to become defined by what we can achieve together and pave the way for our future.

Mr. Speaker Sir, I and my Bloc support the Bill.

MR. SPEAKER.- Honourable Members, our next speaker would be the Assistant Minister for Women, Children and Social Protection, but that will await our recess.

Honourable Members, at this point in time, we will suspend the proceedings for dinner. Parliament will resume proceedings in 45 minutes.

The Parliament adjourned at 6.19 p.m.

The Parliament resumed at 7.16 p.m.

HON S. KIRAN.- Mr. Speaker, Sir, Honourable Prime Minister, Deputy Prime Ministers, Opposition Leader, Ministers, Assistant Ministers, Members of this august Parliament and people of our beloved Nation. I rise in support of the motion before the Parliament.

Let me first clarify LOPs regarding the draft, yes from submissions, the draft had amendments based on submissions and finalised. Regarding your concern on provision for summoning of witnesses. The power to summon means following through and prosecuting, that has been allowed for in Clause 9 on Procedure. The Commission must regulate its own procedures, Mr. Speaker, Sir, you very well know that the High Court sets its own procedures, this provision allows the Commission to make provisions for summons, its processes and procedures and they can claim awareness around that.

Mr. Speaker, Sir, I must say I am very grateful to the honourable Prime Minister and the Cabinet for placing trust in us, the Committee that was established to undertake the work of consultation and developing the legal framework for the establishment of the Fiji Truth and Reconciliation Commission. A process that gave us an insight on where we are as a nation.

We look like a happy nation, but when we created safe spaces to engage, we realised how deeply divided and wounded our people are and it was obvious there is a need for restoration of fractured relationships by overcoming grief, pain and anger.

We consulted victims and those who took part in the different political events, in groups as well as individuals. The first *coup* took place 37 years ago and last *coup* 18 years ago, but pain shared with us was fresh. Both victims and perpetrators shared they have never felt heard and carry the burdens of their trauma, guilt and pain with them. Many have lived in fear. Many were worried about reprisal and victimisation if they spoke. The Commission will now enable them to share their stories with its provisions of victim protection as well as options for in camera proceedings.

Everyone we spoke with agreed that there is a need for a space to be created for healing. Some asked for truth, many asked for healing whether they were elders or youth who have seen their elders suffer from their burdens and sharing of painful narratives of the past.

As part of the conversation, we started with trauma awareness and recovery sessions with Fr. Ioane Sigarara, a psychologist with speciality in Post-Traumatic Stress disorder. Youth, women, faith leaders, community leaders when they became aware of the symptoms of post-traumatic stress disorder during these workshops, shared their realisation on how deeply impacted their families and communities have been. Hurt people, hurt people, Mr. Speaker, Sir.

We rate one of the highest in the world on violence against women and children chart. Our tolerance for intolerable has increased because we have justified crimes committed during each political upheaval, whether it was 1987, 2000 or 2006, no coup can be justified. Emotions used in these political events have tried to divide our people on ethnic lines and dehumanise each other.

Sadly, many political leaders have thrived on narratives of division, fear and hate for their own political expediency. But past has happened, we cannot deny our past, we can only learn from it, heal from it and create a new Fiji based on healing and better understanding of each other's fears, dreams and hopes. This process needs courage and political will, Mr. Speaker, Sir. Our Prime Minister and our Coalition Government has the political will, and hearing from our consultations indicate that for the first time, the whole nation is ready to embrace this process. It will not be easy but is necessary. I would also like to quote South African leader Nelson Mandela, well known and

loved around the world for his commitment to peace and reconciliation, and I quote:

“Reconciliation does not mean forgetting or trying to bury the pain of conflict but working together to correct the legacy of past injustice.”

Mr. Speaker, Sir, the Commission once established, will be mandated to serve as a guide for all Fijians in identifying and moving towards overcoming the causes and consequences of the political violence, social divisions and economic inequalities that have divided us since 1987. The Commission, through its non-judicial character, and non-retributive approach will facilitate truth telling through public hearings, conduct truth sitting through research, data gathering and analysis, and promote healing and reconciliation.

The Commission will set its processes for statement taking and will create awareness on its work. The Commission will identify and recommend institutional reforms, particularly within the State institutions that it determines as responsible for committing, enabling or failing to uphold the State’s obligation to fulfil, respect and protect human rights.

Mr. Speaker, Sir, the Commission Chair will be sourced from global human rights community to ensure trust and transparency in the process. Nelson Mandela when released from prison after 27 years of incarceration chose not to use his suffering and pain to take revenge on perpetrators. He chose to forgive and be a true leader for his nation and a beacon of peace to the whole world.

We are hoping these leadership qualities will shine in every sphere of Fiji as we embark on this journey. We have seen the Commander of RFMF, Major General Jone Kalouniwai take a major step within Fiji’s Military Forces to work towards healing the falls that was divided for past 24 years. Almost all segments of our society had been wounded in one event or the other, but resentment and hate will not take us far. If I may quote Mandela again:” Resentment is like drinking poison and then hoping it will kill your enemies.”

Forgiveness can contribute to creating a foundation for dialogue. It can help release bitterness and anger and facilitate the re-humanisation of being other. This is key to the reconciliation process, which cannot happen without eradicating the dehumanisation factor that has resulted in the stereotyping that we see. We cannot be selfish and use our personal hurts and agendas from keeping the country going forward. Fiji Truth and Reconciliation Commission provides the opportunity for the whole of Fiji to create a future of hope, healing and truly the way the world should be. I must say, Mr. Speaker, Sir, that for once, every group conversations we had, whether it was with faith leaders, youth, women and all the political leaders whom we met, everyone said, yes, this is needed.

I hope from here onwards, we will go and I ask Fiji to support the work of the Truth and Reconciliation Commission so we can truly have a Fiji, the way the world should be. With that, I support the motion.

HON. S. NAND.- Mr. Speaker, Sir, I rise to speak on the Truth and Reconciliation Commission Bill before the House. Truth and Reconciliation Commission, is the truth really forthcoming to effect the real reconciliation? By establishing the Truth and Reconciliation Commission in its current form, we are opening the doorway to retraumatise our victims. We are forcibly reopening the wounds that really has not healed, but has slowly been forgotten about, just to please some in the name of tick in the box. The victims will have to relive those ugly and dreadful days. We will be breaking down and re-victimising the victims again.

Mr. Speaker, Sir, I am a victim of one of the *coups*. I lost a family member because of a subsequent event of a *coup*. Does this Government think that I would like to relive the trauma without

knowing the truth? I will only reconcile if the truth comes out.

Mr. Speaker, Sir, Commissioners should have the authority to summon individuals, institutions or Government bodies to provide testimony, documents and other evidence relevant to the enquiry. This power is missing from the Bill. Not only that, Mr. Speaker, Sir, it was deliberately taken out, God knows why.

Mr. Speaker, Sir, does the Government honestly think that the perpetrators will willingly come forward and tell the truth? Will they willingly divulge the names of the people and institutions that were behind them during the events in question? Do you think these perpetrators acted alone during those events? No! I do not think so, they will have to be summoned and this power is not given to the Commission.

HON. PROF. B.C. PRASAD.- It is there.

HON. S. NAND.- It is not there, I hope you can read!

Mr. Speaker, Sir, the Commission does not have the power to initiate investigations, including the ability to independently gather evidence, interview witnesses and review relevant archives. Why set up this Commission and not give them the teeth to bite? The Bill states that His Excellency the President will appoint the Commissioners. The question is, on whose recommendation? What will be the composition of the Commission? What provisions are there to have some sort of gender balance in the Commission? None of these are addressed in the Bill. It is wide open and can be interpreted in whichever way one deems fits so. The Bill states that the Commission may hold in-camera proceedings as necessary. Why should it be? All proceedings should be made public.

Mr. Speaker, Sir, the Commission should be empowered to be able to publish comprehensive reports, detailing their findings and recommendations and the outcomes of their investigation. These reports should be widely disseminated to the public, Government and relevant international bodies rather than just reporting to it to His Excellency the President.

Mr. Speaker, Sir, powers should be given to the Commission to propose institutional, legal and policy reforms to prevent the reoccurrence of human rights violations. These might include recommending change in laws, education systems or other mechanisms.

Mr. Speaker, Sir, in this case the Truth and Reconciliation Commission can easily be seen as an institution that favours reconciliation over justice, allowing powerful elites to avoid prosecution for their crimes. I am sure most of us sitting know who they are and whom we are trying to protect. The Truth and Reconciliation Commission's focus is mainly on individual acts. It is not investigating or addressing the system that causes or favours such acts to happen. It is not addressing the structural system or the institutional setup that causes such acts to happen and thus resulting in the terrible acts of human rights violations.

Mr. Speaker, Sir, this Commission lacks authority to challenge the broader socio and economic systems that may lie behind the gross violations of human rights during the events. I believe failure to do so will fail to have any real and meaningful effect of change in the long run.

My question is, is this Government willing to act on the recommendations of the Truth and Reconciliation Commission? Does it have the political will to do so and will the recommendations of the Commission be ignored or downplayed.

Mr. Speaker, Sir, if the Government has the political will to do so then I challenge them to give powers to the Commission and make their report public whilst a copy is presented to His Excellency the President. I believe that for both discretions the answer from the other side would be “no”. They are not willing to go that way.

Mr. Speaker, Sir, the current setup and the operational demarcation of the Commission will not allow this to happen as they bounded not to make their report public but to present it to His Excellency the President. If this is not going to happen, then why is this Commission being setup? Is it just a tick in the box we were promised and we have done it? Is it that simple? That is what it looks like.

Mr. Speaker, Sir, the Truth and Reconciliation Commission, if composed well and empowered properly can become a very powerful tool for healing and rebuilding trust within our people. I do not see this coming in the current setup.

Mr. Speaker, Sir, if the truth is not forthcoming then I honestly do not see any real reconciliation happening. This is a sad state. Mr. Speaker, Sir, one only knows the pain of a wound if they have had their finger cut. If you had not suffered that cut, you do not know the pain.

I suffered during the *coup*, can anyone stand up and say, I also suffered directly? No. So, you can only know the pain if you have cut your finger. By having this Truth and Reconciliation Commission setup in such a way, we are letting our people down. Their silence is deafening. I know people are watching with interest and I leave it at that. Mr. Speaker, Sir, I do not support the Bill before the House.

HON. P.K. RAVUNAWA.- Mr. Speaker, Sir, the honourable Prime Minister, honourable Deputy Prime Ministers, honourable Leader of the Opposition, honourable Members of Parliament. On the outset, the Bill before the House is in fact a heart issue. I thank the honourable Prime Minister for the wisdom in the formulation of the Bill.

Mr. Speaker, Sir, it is my great privilege to support the Truth and Reconciliation Commission Bill (Bill No. 19/2024) tonight. I wish to focus on clause 6(f) of the Bill which articulates the critical function of the Commission with regards to facilitating trauma support, faith-based or pastoral support, and counselling for survivors. One of the unsung roles that made the foundation of democracy resilient is to confront its darkest days. In a bid to understand, reconcile and hear from them in this respect, the establishment of Fiji’s Truth and Reconciliation Commission is not only timely but pivotal for Fiji's healing, growth, and progress.

Important to note is the role illumination of truth plays, but of far more paramount significance is what we do with this truth thereafter. Clause 6(f) of the Bill carves the pathway for our forward journey towards healing, growth and justice with unequal precision.

In establishing a trauma support, will indicate our understanding that bearing witness to harsh realities can unearth deep-seated emotional wounds. These wounds, if left unaddressed, can perpetuate a cycle of hostility and unrest, threatening the cohesive fabric of our Fiji. The Commission's commitment to facilitate trauma support is, therefore, a strong testament to our collective will for preserving peace, unity and wellbeing of our beloved nation.

Furthermore, faith-based and pastoral support, Mr. Speaker, Sir, will play a pivotal role and a vital one in solace seeking process for many survivors. The power of spiritual and pastoral healing cannot be undermined or overlooked, for it produces a huge strength, resilience and hope in people encountering immense despair and distress.

By acknowledging this, Mr. Speaker, Sir, and building into our mechanism, we respect and honour the individual healing journeys of our citizens, thereby nurturing an inclusive, tolerant and compassionate society that is equipped to rise above its tribulation.

Moreover, the Bill underscores the importance of professional counselling for survivors. Counselling offers a safe haven for victims to express and understand their emotions, rethink their past experiences and constructively define their future. Through counselling, Mr. Speaker, we equip our survivors with tools to reclaim their families, rebuild their lives and contribute positively to the society – an invaluable investment for our nation’s future.

Building upon my previous affirmation of the Truth and Reconciliation Bill, I would like to approach this from a Christian perspective using the wisdom and teaching of the scriptures from the Bible. Christ’s message in the *Holy Bible* is one of absolute love, absolute forgiveness and absolute reconciliation which aligns closely with the ideals of this Commission.

The Bill also adopts a Christ-like godly compassion for the victims and survivors emulating God’s heart for the oppressed and broken-hearted. In Psalms 34:18, we learn and I quote, “The Lord is close to the broken-hearted and save those that are crushed in spirit”. This Commission seeks to extend the same hand of comfort, to restore the dignity and respect that was taken away from them. The focus of the Commission of future prevention also echoes Christian teaching, emphasising a transformative change in behaviour.

In addition, the *Holy Bible* reminds us in Proverbs 28:13, “Whoever conceals their sins does not prosper, but the one who confesses and renounces them finds mercy”. Similar to this verse, the Commission provides a platform for individual and institution to confess their wrongdoings and renounce violence and oppression and begin the process of healing and forgiveness; in doing so restoring social harmony and justice.

In conclusion, Mr. Speaker, the initial endorsement of the Fiji Truth and Reconciliation Bill (Bill No. 19/2024) is an attainable epitome of our collective moral, social responsibilities towards those who have suffered wrong. By supporting this Bill, we are making a commitment to truth, justice and healing, we solidify our stand for human rights, we safeguard the progress made since our independence and we ascertain that the Fiji of the future is a united, harmonious and prosperous nation with all yearn for. As we debate this Bill this evening, let us remember that in facilitating trauma support, faith-based support and counselling for survivors, we are truly nurturing the heart and soul of our society.

HON. A.A. MAHARAJ.- Mr. Speaker, I rise in this Chambers today to give my contribution on the Fiji Truth and Reconciliation Commission Bill 2024. I am not a lawyer, Sir, but with little know that I have, you can only make a regulation if the authority is given in the Act itself. I am a Pharmacist, I can be corrected on this. If the law gives you authority, then you can make regulations.

Under procedure, there is no authority given to the Commission to do anything that they can summon a witness. If that was the case, Mr. Speaker, all these Commissions can go and regulate themselves tomorrow, and they can start summoning witnesses. However, the law does not allow that. In Clause 9, it only talks about the procedure. That is all I have to say about removing the summoning power of the Commission from the Act itself.

Mr. Speaker, there are other lawyers on the other side, they might contribute but, please, you are lawyers. I might be a bush lawyer but you are professional lawyers so be wary about what you are saying in this august Parliament.

Mr. Speaker, the Bill that we are talking about, I admit that one of my iTaukei friends, Mr. Matai Korosaya from BSP, once told me when we brought in Bill No. 17 said, “Let us see, we have a very different kind of thinking. If you ask us, we can give you anything. You people came from India, we gave you land to build your house, we gave you land to do farming and everything. As a friend, if you ask me tomorrow for my house, I will even allow you to come and stay with me. This is the mentality he said of us being *iTaukei*. But the moment you try and tell us instead of getting anything from us, you will be getting a kick from us.” These are the words of my friend who actually said that.

During Bill No. 17, there was ignorance and arrogance. Today, I see that same arrogance and ignorance coming in from the Government side. On one side, we have...

(Honourable Member interjects)

HON. A.A. MAHARAJ.- Please, listen!

MR. SPEAKER.- Order, order!

HON. A.A. MAHARAJ.- ....the honourable Leader of the Opposition standing and suggesting that if we want to reconcile everyone, let us get some reconciliation between the Members of Parliament within this Chambers. That is all what we are actually asking at this point in time, Mr. Speaker. But that same ignorance and arrogance coming from the other side is not letting that happen. The moment we actually make the decision, we will go with it, whether the consequence mean anything, but we will ensure that we have actually passed it. We bring it under Standing Order 51, we will pass it under Standing Order 51.

Mr. Speaker, Sir, if we are talking about truth and reconciliation, we will be speaking bitter today because it is all about truth and reconciliation. We cannot pass this Bill without actually speaking the truth in this august Parliament.

One of the truths, Mr. Speaker, is a blatant lie in this Parliament that consultation was done throughout Fiji. I can name two such places where the Steering Committee failed to hold public consultation which were places of interest during 2000 *coup*. Mr. Speaker, that was in Dreketi and Muaniwani.

(Honourable Member interjects)

HON. A.A. MAHARAJ.- Listen, please! It is my time to speak - please listen!

We just said that we have done national consultations and then got this Bill. And now we are saying all of a sudden that the Commission will do it on our behalf. If you people have not done it, send it to the Committee so that the Committee can go to these places and talk to these victims.

Mr. Speaker, I very well stated on Monday that we should not rush through this Bill. The Bill will open a lot of wounds that have either healed or is in a process of healing or are hidden for ages.

Mr. Speaker, we have heard the lies in this august Parliament when we were informed, as I had suggested earlier, that consultation was done all throughout the nation. That was a blatant lie.

Mr. Speaker, on that same note, once segment of group of our society had been totally neglected or rather ignored in this particular Bill, and they are females - our mothers, sisters, daughter, granddaughters and daughter in laws.

Mr. Speaker, Sir, I will read out the definition of survivors. The Bill states, and I quote:

“survivors” includes any person, whether in Fiji or abroad –

- (a) Who, individually or together with one or more persons, suffered harm in the form of physical or mental injury, emotional suffering, pecuniary loss, or a substantial impairment of human rights.”

There is no mention of sexual assault. Ladies were raped. Females were raped. And under the definition, we are not even incorporating sexual harassment. We can go on trying to explain this and that but sexual assault is not part of the definition, Sir.

Mr. Speaker, during the turmoil that happened during the *coups* in Fiji, it was not just a man killing another man, or the action of a man brought drastic consequence to Fiji. What we have forgotten is how our ladies were raped in places like Muaniweni and Dreketi. Ladies had to run all the way from Muaniweni to Girit Centre to save their dignity. Why did the Steering Committee led by honourable Kiran, not go to these areas to conduct public consultation so that people can have their say in this particular Bill? It is a total ignorance, Mr. Speaker. The very families that had sleepless nights because they were worried about their security that a perpetrator may walk anytime and rape the family member.

Mr. Speaker, these are hard realities that we need to look into. There were lot of domino effects actually happening during and post-*coup* as well.

Mr. Speaker, for months, many of these families had to hide a female member in a farm, cassava patch, in the forest as soon as it is 6.00 p.m. These people were never compensated. Because of victimisation and humiliation, they did not even report these matters to the Police and this is a well-known ....

HON. RO F.Q. TUISAWAU.- A Point of Order, Mr. Speaker, Sir.

MR. SPEAKER.- Honourable Tuisawau?

HON. RO F.Q. TUISAWAU.- Standing 62(4)(d) on prohibited references, and I quote: “words that are likely to promote or provoke feelings of ill-will or hostility between communities or ethnic groups within Fiji.”

Mr. Speaker, Sir, we are discussing the Bill and the provisions of the Bill and we should stick around those areas. The pros and cons of the Bill or why we are rushing it through, if you want, rather than going into the details of acts which may have happened but which, at the moment, is contravening Standing Order 62(4)(d).

Let us discuss the framework of this. Those kind of matters can be raised during the process where we share those experiences and how we can deal with it and ensure that through that process, we understand what happened and how we deal with it through the provisions of the Bill. I am not saying those things are light or did not happen, but what I am saying is, this may not be the right forum for expressing those. The forum in which we can express those are where we can deal with it in a more professional and more appropriate forum.

MR. SPEAKER.- I have taken on board your Point of Order. It does evoke emotional reactions, nevertheless, I will allow the speaker to continue as he was on this issue.



HON. A.A. MAHARAJ.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, in these two areas where the consultation did not take place, a perpetrator would actually walk in a house, grabs a lady's hand and rapes her in the bedroom, while the males in the family are sitting in the living room with a cane knife at their neck. These are the group of people whom we have missed during public consultation to have their input in this particular Bill.

Mr. Speaker, Sir, it went to an extent that the perpetrators actually come into the house and if they do not find the ladies, if they are actually hiding somewhere else, males would be beaten the whole night. The whole night, males were beaten so that they can tell where the females are hiding. That was the extent to which these people in those two areas suffered, and the Chairperson of the Committee did not even think that it is important to have public consultation in those areas. What a shame!

It does not take much time to ask for forgiveness from others, but it is a shame that she did not find those particular places important for public consultation. Mr. Speaker, why were these two areas and these victims excluded from public consultation? That is one of my biggest questions. It is ridiculous and unacceptable that being a female Member who as the Chairperson ...

HON. S. KIRAN.- Mr. Speaker, Sir, a Point of Order!

MR. SPEAKER.- Yes, honourable Kiran.

HON. S. KIRAN.- Mr. Speaker, Sir, Standing Order 62(1), What is being indicated is that we did not speak to the victims of those places, but we did. So what he is saying is not accurate. We have a list of victims who have spoken from those areas, without necessarily having public consultations in those areas. What honourable Maharaj is saying about the victims, we know victims, I have worked with those victims, and we have consulted them. They were the first lot of people we have consulted, and it is improper to say that it was not done.

(Chorus of interjections)

MR. SPEAKER.- Order, order!

Honourable Kiran has pointed out Standing Order 62(1), which says when speaking, a member must not impute improper motives to any other member. Is that what you are saying, honourable Kiran?

HON. S. KIRAN.- Yes, Mr. Speaker.

MR. SPEAKER.- Correct, and specifically referring to issues that have been raised by honourable Maharaj, these particular complaints have been heard by the Committee at their hearings in various places. If that is correct, then she has a point under Standing Order 62(1), honourable Maharaj. So, keep away from any other specific reference to those issues that you have raised in respect to that.

You may proceed, honourable Maharaj.

HON. A.A. MAHARAJ.- Mr. Speaker, with all due respect to the Point of Order, I would just like to....

MR. SPEAKER.- Do not speak on a Point of Order, you proceed where you have been. You continue without any more reference to what I have just ruled on.

HON. A.A. MAHARAJ.- Thank you, Mr. Speaker, Sir.

I received several calls from the members of public stating that they were not consulted and that is exactly what I am saying, Mr. Speaker. We do not have any report from the Committee...

HON. PROF. B.C. PRASAD.- Hearsay, hearsay!

HON. A.A. MAHARAJ.- ...with a list and everything, Mr. Speaker, Sir, and whatever information is at hand, that is what I am speaking on.

Mr. Speaker, Sir, with what I have actually gathered, I had asked the honourable Prime Minister if he was actually aware, that a public consultation did not take place in those two areas and do we need to continue with the current process to pass this Bill under Standing Order 51 or we can still send this Bill to the Committee stage for them to carry out a public consultation and then from there on, we can bring it back with a bipartisan Report from all the Committee Members and have it debated in Parliament. It is a very important question to the honourable Prime Minister, Mr. Speaker, Sir. Now, it is clear that public consultations did not take place in those two areas.

MR. SPEAKER.- Honourable Maharaj, the process we have, the procedures have been followed under Standing Order 51, so we have passed that stage. What are you trying to do now is plead with the honourable Prime Minister to retract and go back and have further consultation with reference to the Standing Committee? Is that what you are saying?

HON.A.A. MAHARAJ.- Yes, Mr. Speaker, Sir. All I am asking and all I am requesting is that the honourable Prime Minister to reconsider if this particular Bill can be referred to a Parliamentary Committee which consists of both, Government and Opposition Members.

Mr. Speaker, Sir, let us protect and respect our ladies in Fiji. The Bill is not designed to protect that Government has jumped the gun. The Military is already in the process of reconciliation. Perpetrators are already out of prison and living a normal life. Honourable Prime Minister has already publicly apologised to the nation. Then what is the rush, Mr. Speaker, Sir, to bring this Bill if the process is already taking place?

Mr. Speaker, Sir, the process of reconciliation is already taking place. What we are saying is, let us have that bipartisan approach in this Parliament and let us incorporate all of these things in the Bill itself before it is passed in this august House. *Vinaka!*

HON. A.M. RADRODRO.- Mr. Speaker, Sir, I rise today in support of the Fiji Truth and Reconciliation Commission Bill 2024. I also join the honourable Prime Minister in commending honourable Sashi Kiran, the Chairperson of the Steering Committee for her patience and tireless efforts in advancing this critical work. Her dedication, alongside the contributions of the members of the Committee, especially the Assistant Ministers and other stakeholders reflect the united commitment for a Bill that is more than ever crucial, as it embodies the values of truth, accountability and reconciliation. It seeks to confront the pain and trauma of our history, particularly the socio-political crisis of the past.

For far too long, Mr. Speaker, Sir, many Fijians have carried the heavy burden of unresolved grievances and unspoken truths living them unrested. And the establishment of this Truth and

Reconciliation Commission offers a pathway for healing and for closure, ensuring that this painful chapters are not forgotten, but serve as a lesson for a brighter and a united Fiji.

Mr. Speaker, Sir, the Commission proposed by this Bill will create an open, safe and supportive space for truth telling and healing. It is dedicated to honour the voices of survivors and provide justice through transparency and accountability. Compose of the 5 members, the Commission will operate with diverse expertise, integrity, independence and impartiality. And these qualities are essential to fostering trust among all stakeholders and ensuring the Commission's findings and the Commission's recommendations are credible and impactful.

Mr. Speaker, Sir, the multi-faceted functions of the Commission, which is strongly supported to one, provide the truth, sharing platforms for survivors to share and hear their experiences. It is not about blame, but about giving voices to those who have been silenced and most importantly, listen. By uncovering the root causes and systematic issues underlying political upheavals, the Commission will address the injustices that have shaped our history.

Not only does this Commission intend to provide a platform and uncover root causes of the political upheavals we have faced, it embarks to facilitate trauma support services for our survivors, drawing on the experiences of our faiths and counsellors and this injustices cannot be repeated. Legislation reforms must be carried out to strengthen our institutions, protect human rights and uphold democracy. As this side of the august Parliament have always advocated for, upholding democracy and fight against injustices that have prevailed.

Mr. Speaker, Sir, the powers entrusted to the Commission ensures that it can fulfil its mandate effectively by hearing, mentioned in Section 15 of the Bill, that emphasises inclusivity and fundamental principles in its operations. This is crucial for ensuring that all individuals regardless of their background or abilities, can participate fully in the Commission's processes.

A further mandate support for individuals with disabilities through provisions such as sign language interpretation, the selection of disability access venues for hearing, and assistance with physical access to these premises. Through recognising the sensitive nature of its work, the Commission will adopt survivor centred approaches, prioritising dignity and well-being. And through robust measures, will be in place to safeguard the identities of the survivors and witnesses especially in cases where fear of reprisal exists.

Mr. Speaker, Sir, at the heart of this Bill, lies its commitment to supporting survivors. Survivors will receive psychological, medical and legal support, ensuring that their needs are addressed holistically. It also recognises the courage it takes to come forward and the Commission will implement robust mechanisms to protect witnesses from harm or intimidation.

The independence of the Commission is a cornerstone of this Bill. Free from political interferences, free from been influenced by any agencies for its operations will be credible and impartial. Furthermore, regular audits and particular recordkeeping will ensure transparency and maintain public trust.

Mr. Speaker, Sir, the Commission's final report will present findings, will present recommendations and actionable measures tailored to a Government's capacity to ensuring a realistic and sustainable implementation. So, the question is why is it that this Bill is so crucial?

Mr. Speaker, Sir, this Bill is essential for Fiji's future. Confronting our past is not about revisiting old wounds, but about acknowledging the pain, the sufferings and learning from it, to never happen again. It is also crucial to address issues that have been shelved for over 30 years, as doing

so will pave the way for healing and progress, ensuring that we build a more inclusive and resilient society moving forward.

As the late Nelson Mandela wisely said, and I quote:

“...true reconciliation does not consist in merely forgetting the past, but in facing up to it and coming to terms with it.”

So, Mr. Speaker, Sir, this Bill provides a framework for us to face our history with honesty and integrity, allowing us to heal as a nation and we are fortunate to draw on the experiences of other nations, such as South Africa and the Solomon Islands in designing our Truth and Reconciliation Commission.

The South African Commission, born out of the fight against apartheid, demonstrated the transformative power of truth telling and reconciliation in rebuilding a divided nation. Similarly, the Solomon Islands processes emphasised the importance of tailoring reconciliation efforts to cultural and social contexts. We also have the guidance of international experts like Mr. Ruben Carranza, whose work with the International Centre for Transitional Justice has helped nations navigate this complex process.

Mr. Speaker, Sir, this Bill presents an opportunity for Fiji, to stand united, to listen, to heal and to avoid repeating the horrors of our past. And I urge all members of this august Parliament to support this motion wholehearted. To the people of Fiji, I encourage you to participate in the public consultations. Share your views, your stories, and your hopes for our nation's future. This is your chance to shape a legacy of peace, justice and unity for generations to come.

The Truth and Reconciliation Commission is not just a mechanism for addressing past injustices. It is a beacon of hope for the future. It reminds us that our strength as a nation lies in our ability to acknowledge our mistakes, learn from them, and grow together. This Bill is our opportunity to honour the resilience of those who have suffered, to rebuild trust within our communities and to create a society where every Fijian, regardless of race, culture or background, feels valued and empowered.

Mr. Speaker, Sir, as the leader of the party for SODELPA, I speak as well on our behalf to urge that we all commit our hearts to this reconciliation, so that we heal as a nation and move forward. We cannot afford to do lip service as leaders because it will make us hypocrites and we will be remembered by our people as having failed them.

Mr. Speaker, Sir, when we look at the amount of damage that has been caused by all our political upheavals, over the years, all I can say is, what a loss. It is now time to reshape our thoughts and hearts and place our people above our personal interest, above our tribal interest, above racial interest.

Mr. Speaker, Sir, as a nation, we are stronger together and weaker divided. Lastly, by way of this Truth and Reconciliation Bill, we, as leaders, must all vouch that we put an end to the usurping of powers via illegal means. Never again must Fiji go through the dark days of a *coup* and we must denounce *coups*, not only to protect our future generation and our economy, but also the word of God provides crosses to us that whatever we do as leaders, will be felt by our people, our family for generations to come.

Mr. Speaker, Sir, together we can ensure that Fiji's future is defined not by its division, but by its commitment to justice, to peace and reconciliation. *Vinaka saka vakalevu* and may God bless Fiji.

HON. F.S. KOYA.- Mr. Speaker, Sir, I think when I stood up before you for the first time, Sir, I did mention that this is a hot house where there will be many occasion for many arguments to come, that would be very sensitive et cetera and it is very visible today, Sir.

Mr. Speaker, Sir, the Bill that is before the Parliament, I think what needed to be spelt out, was spelt out quite clearly and succinctly by the honourable Leader of the Opposition, and you could see how passionate he was when he spoke about it, enough for him to become emotional. What he portrayed today is what the general populous portrays. This is a very emotional topic, this is not something that can be washed over, this is not something that can be rushed, Mr. Speaker, Sir.

This is an important document, and I want to congratulate the honourable Minister for Education, because I think he said many things that are extremely good and they hit the nail on the head. Mr. Speaker, Sir, honourable Usamate, a couple of days ago, when this Bill was brought before us, again hit the nail straight on the head when he stood up straight, and the first thing that he said was: "without truth, you cannot have reconciliation."

Mr. Speaker, Sir, as you and I both know, and some of the other lawyers in this Chambers, one of the most important parts of the law and justice is when someone takes a witness box and the first thing they say is: "I swear to tell the truth, the whole truth and nothing but the truth."

Mr. Speaker, Sir, those are not just words that should ring through in this document, in various forms it can. I want to just reiterate also, Mr. Speaker, Sir, when the original document, the draft document that the honourable Leader of the Opposition spoke about came to us, it was quite heartening to see, and I want to spell this out to the honourable Assistant Minister for Women, Children and Poverty Alleviation, it was quite heartening to see the actual stipulation of the powers of the Commission and it contained that particular provision that the honourable Leader of the Opposition referred to regarding the issuing of summons to witness in a form prescribed and to call for a further production of plans, books and documents and to examine witnesses and parties concerned, on oath.

Mr. Speaker, Sir, we all heard it, the honourable Assistant Minister for Women, Children and Poverty Alleviation responded to it by saying: "it is covered under Section 9 of the Bill." Which says, subject to this section the Commission must regulate its own procedure.

Mr. Speaker, Sir, you and I both know there is a difference between procedure and power. We might fight it about all day, but there is a difference between procedure and power. The authority to summon someone, to call someone to give witness, you must get that authority from somewhere and that particular initial draft gave the authority to the Fiji Truth and Reconciliation Commission to allow them to summon people and that is the very reason why, Mr. Speaker, Sir, you can see that is divided into Sections 7 and 9.

One is to do with the powers of the Commission, and the other is to do with the procedure of the Commission. We cannot muddy the waters, Mr. Speaker, Sir. Even in Court, the authority for a witness to come, you have to issue a subpoena for them to come. It is not an easy thing to do, with this current document the Commission will not be able to summon anyone to come and give witness. They are going to be at the mercy of the decision of the person who wants to, whether they want to or not, you are not going to be able to.

And, one of the most important things here, Mr. Speaker, Sir, is that the ability of the Commission to actually probe forensically, look at something or ask for evidence that may be with the Police or the DPP or any other institution, where is the authority to do that? You cannot say that it is going to be covered under procedure.

Mr. Speaker, Sir, again, without the truth we will never ever have any reconciliation. There are many people in this country, including those of us sitting in this Parliament that are quite emotional about how this actually works. I do not think this side of Parliament and especially the 16 of us are saying, that this should not happen, but what we are saying is, that it should be done thoroughly and properly.

There are many countries around the world that have done this, Mr. Speaker, Sir, they have gone through this. Some have been successful, very few have been successful, but most have not been successful. Purely because they have not been able to address everything. We are not going to be able to cover every corner, but at the very least, Mr. Speaker, Sir, with the experience of all those countries having done that and our own experiences, our own way of doing things and how we reconcile, we must do this thoroughly. In its current form, Mr. Speaker, Sir, this particular Bill is not thorough.

There are questions that remain, will the Government adopt that Act upon the reports when the recommendations come out? Who is actually going to be the Commissioner? Does it say that they have to be apolitical? How much flexibility is there? Will the Commission be an independent institution full of integrity? We already have problems, I see honourable Deputy Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics going like this. Sir, give us a chance, you just need to hear us.

HON. PROF. B.C. PRASAD.- Independent.

HON. F.S. KOYA.- Yes, I know! I am reiterating what is in there. I think, Mr. Speaker, Sir, this entire Parliament is actually on the same page, they are on the same page, we are not saying do not do this! We are on the same page, but what we are saying is, please ensure that it is done thoroughly. The fact that it was brought under Standing Order 51, it got through, but we are still saying and we are asking for the Prime Minister to revisit it and say, please take it back so that we can get the consultations done.

Mr. Speaker, Sir, the Commission within the actual Bill says that it has these particular powers to examine under oath any witness. How are you going to bring those witnesses? Clause 7(1) states and I quote:

- “(b) to consider any written or oral evidence in hearings ....
- (c) to consider whether to exclude the presence of a member of the public, including the media from any proceedings ....
- (d) to exclude any person, if necessary, to ensure the due conduct of the hearings ....
- (e) to engage consultants with specific expertise in an area related to the functions of the Commission....”

Those are the powers that it has. What other powers should it have and does it align itself to the fact that the functions of the Commission are to facilitate enabling spaces and engage all relevant stakeholders in the reconciliation process? They have not even engaged with all the relevant

stakeholders in bringing this Bill to Parliament, to examine the nature of antecedents, root causes and accountability, there is a whole host of stuff that is actually in there, but the very power, the very authority that allows them to summon anyone and everyone is gone. It is not a small matter.

Yet, until now, even the Chairperson has not given a reason as to why. That question was asked by the honourable Leader of the Opposition. Why did you take that provision out? Why is it that the Commission will not be able to step into the Police Force, ODPP or anywhere with those information to be able to extract it? Without that power, this Commission is toothless and powerless. How can that be? How are we going to do justice to every victim of anything that has happened post-1987?

Mr. Speaker, we are all on the same page. We just make sure that we have to come to the right agreement with respect to how it is done. I keep hearing from the other side, trust the process. You have not even gotten the process right to bring this Bill. You have heard the stories already from the previous speakers. We cannot do justice to those people that are aggrieved, and I can tell you this much. Sir, if I may relay a story. In my days when I was practising, Sir, there was a particular client who was still in prison for murder. He was a very intelligent man and he said to me one day, “Boso, one minute of incarceration is a lifetime of pain.” If you equate what he said to one minute of violence inflicted on anyone is a lifetime of pain, whether it is mental violence or physical violence.

Honourable Alvick Maharaj raised an issue that, where is the specificity with respect to sexual crimes that have been committed? You can get out of it. Where is it? So I am just saying that it needs to be thorough so that anyone who is sitting on the Commission is able to do his or her job properly without fear, without favour or without any prejudice. That person needs to be able to understand that I am empowered to go and get the evidence regarding this to seek. What are we seeking? We are seeking the truth, Mr. Speaker, so that we may reconcile because remember we are not going to do this over and over again. This is a one-time thing. We must learn from the other Reconciliation Commissions that have actually happened around the world.

Some have been brutally violent, yet even their Reconciliation Commissions have not been able to do this. How are we going to do this? Are we going to inculcate the findings into our educational system? Are we going to teach our children that this is what happens to X, Y, and Z and it should never happen again? How are we going to do it? We cannot treat this lightly. With all the passion in the world, Sir, this side of Parliament is asking for a fair whack at the cherry. I urge the honourable Prime Minister along with all of us that are saying, “we must revisit how we actually do this.” We have not completed the particular process. It is not about not bringing this to the House, it is about getting it right.

Mr. Speaker, Sir, the Commission is there to actually address a hugely long period of violence in the past. Some of the atrocious activities that have gone on, if it was a normal one, that would mean that that person or persons would be incarcerated for life. But under the guise of a *coup* or a takeover, or whatever it is, a lot has gone on and we are looking to try and bury all of that.

Mr. Speaker, Sir, it is important that we realise the failures of the Commissions around the world come in many different forms. As I said earlier, incorporating these things into our education system, some of them were not implemented in these particular places. We must ensure that we integrate what we actually learn into our broader framework of our society. Where is that? Where is the thoroughness that we actually all have the ability to do?

There are so many intelligent people in this House who know this. This is not about politics. This is about playing with people’s minds. We cannot play with people’s minds. Whether it is one victim or a thousand victims, we cannot mistreat or illtreat them because they have been damaged.

The passion with which honourable Maharaj has actually spoken regarding some of the victims who have spoken, you can see, Mr. Speaker, Sir, when he does raise it, up comes someone to say, "Point of Order." If it is raising issue here, what will it do when we have this Commission sitting in place? People will not come out of fear. We must remove the fear from here. In effect, if you look at this, these things are done by looking at what you want to achieve at the end. What do we want to achieve? There are things in here which actually spells it out.

Mr. Speaker, Sir, what is the purpose behind this Truth and Reconciliation Commission? Clause 3 simply states and I quote:

“(1) The purpose of the Commission is to promote social cohesion through healing and reconciliation.

(2) The purpose of this Act is to facilitate open and free engagement in truth-telling regarding the political upheavals during the coup periods and to promote closure and healing for the survivors of these events.”

The first line does not even speak about truth. It ought to and it should say that the purpose of the Commission is to promote a truth-telling exercise and then to promote social cohesion through healing and reconciliation. Where is the truth? Mr. Speaker, Sir, without the truth, we are not going to have reconciliation. We cannot treat that is just a normal document, like one of those Bills that come to our House, we fight about it, it is passed and is forgotten about. We cannot. This is historically one of the most important documents that has ever come through this House, and I am talking about from the day this House became what it is, because of our history. It is so important for our children and our grandchildren to learn from our history.

Mr. Speaker, Sir, we all want to heal. We all say grand things in this House about what needs to be done, what we want to do, but we do not succeed. This is the one opportunity we have to be on the same side and to be honest and truthful with our populous, because that is what our duty demands us to do as Members of Parliament. This is a very emotional subject, it is something that is going to raise the temperature even more, I know there are other speakers after me. We want this done also, but we want it done properly. In its current form, we do not agree with it because it is powerless, it does not do what it is supposed to do.

I think learning about what has happened in many other jurisdictions is a lesson to all this. Will this document properly address all our human rights abuses? Will the perpetrators be brought to justice? Will there be a recompense? Having a Truth and Reconciliation Commission must be for the right reasons. Otherwise, Mr. Speaker, Sir, there will never be an end and the need for truth and reconciliation is a must for us to grow as a nation and for us to be really truthful about who we are, what we are and what we stand for.

HON. A.N. TUICOLO.- The good old book states in 1 Thessalonians 5:18 and I quote: “In everything give thanks for this is the will of God in Christ Jesus concerning you.” Mr. Speaker, Sir, I thank God for my life and the rare opportunity that confronts me today.

Mr. Speaker, Sir, though my contribution to this motion may appear irrelevant to many in this august House, nevertheless, this is the ultimatum and mission given to me for my family and my people, if I should have an opportunity in this House to remember the devastating impact of the “little war” in terms of the identity crisis that they have suffered for generations.

Mr. Speaker, Sir, I count this as that rare opportunity to briefly outline this tragic event which I believe should also be covered by the work of the Commission under clause 3(1) of the Fiji Truth



and Reconciliation Bill. While we are still focussing on the modern political upheaval, let me take you back to the biggest and devastating upheaval in Fiji's history.

Mr. Speaker, Sir, it is with some measure of regret that this august House, not to mention the whole of the country ignorantly forgotten or purposely downplayed the impact of one of Fiji's terrible, historical and bloody political exploits that left hundreds of hill people of the Sigatoka Valley homeless, seeking refuge in other districts or islands and thousands of people shot dead and hanged by the then Colonial Government.

Mr. Speaker, Sir, 148 years today in 1876 barely two years into Fiji's Cession to Great Britain in 1874, the "little war" broke out after the failure of negotiations between the natives and the native constabulary forces to appease the natives from blaming the Colonial Government of sabotage and criminal intimidation that the great measles pandemic swept through the nation in 1875, killing a quarter of the population, roughly 40,000 people was purposely brought by the new settlers to wipe away the natives in order to possess their land.

Mr. Speaker, Sir, as a result, the natives of the Sigatoka Valley in Navosa took up the traditional arms of clubs and spears against the whole provinces of Fiji including the neighbouring Nadroga and Namosi, who assembled at Nasaucoko in early 1876. About 2,000 in total, assisted by the modern weaponry of the new government.

Mr. Speaker, Sir, it was a David-Goliath struggle between sheer brute force against a well-armed auxiliary native force backed by the Colonial Government.

Mr. Speaker, Sir, the Government was pushed to its limit for several months. After some time, the government prevailed in killing people in caves namely the Tawaleka, Nahehevia taking them as prisoners and hanged or shot them dead. The natives were finally conquered with the leaders Jolame Mudu of Naqalimari and Nabisiki of Noikoro who were brought down to Sigatoka for the final judgement.

Mr. Speaker, Sir, after the emancipation, the natives returned home, they were not be bu. They were not to build forts and never to return to full normalcy and now some are still in their exiled home.

Mr. Speaker, Sir, instead of requesting compensation from the Fiji Truth and Reconciliation Commission for the lives of men, women and children who died at the duration of the "little war", we plead with the honourable Prime Minister to continue the good work of helping and building the inland town at Navatumali in Keiyasi, not only improving the infrastructure by building their lost identity taken away from them.

Mr. Speaker, Sir, since the moving of the Navosa Provincial Office from Natuatuacoko to Lawaqa in Sigatoka in 1944, the people of Navosa want a province for themselves. Demographically it cannot be joined and subjugated to a chiefly leadership that is not identical to the ethos and identity of their cultural environment. Navosa has 12 *tikina* and Nadroga has 10. The two provinces are not equal partners or players, one of them automatically becomes a footstool and subjugation in the name of the game.

Mr. Speaker, Sir, when the Natuatuacoko office moved to Sigatoka in 1944, it was a temporary move to improve communication.

Mr. Speaker, Sir, it did not appear that it will last this long - 80 years. To quote from the *Bible* the popular song, "Truly they are sitting down and wept when they remembered Zion" this present

arrangement has strongly impacted the identity crisis of the province.

Mr. Speaker, Sir, more than 20 *tabua* have been presented to various provincial leadership, head of the then Native Land Trust Board, including two to three Prime Ministers.

Mr. Speaker, Sir, on 27<sup>th</sup> May, 1999, a large delegation of Navosa people representing the 12 *tikina* converged in Suva to formally request the then Deputy Prime Minister and Minister for Fijian Affairs, the late Adi Kuini Vuikaba Speed, Tui Noikoro and her Permanent Secretary, Ratu Meli Bainimarama about the separation. Mr. Speaker, Sir, this was the apex, the optimum level, the level that should have been the climax of everything that for generation the people of Navosa had aspired to.

Mr. Speaker, Sir, this was the promise made to them, and I quote:

“Be rest assured that Navosa will now become Fiji’s 15<sup>th</sup> province”, Ratu Meli Bainimarama told the large delegation. “That is it, I will now work on the other aspects as required before the declaration of Navosa as a province.” (*Fiji Times* 28, 1999)

However, Mr. Speaker, Sir, the untimely death of Adi Kuini Speed had put the Navosa movement in disarray and threw the work of decades into confusion in terms of healing the identity crisis which has been stalking the province for generations.

I sincerely hope, Mr. Speaker, Sir, that the separation of the two provinces would be a matter of urgency by the Fiji Truth and Reconciliation Commission. Mr. Speaker, Sir, I support the motion before the House.

HON. K.K. LAL.- Mr. Speaker, Sir, esteemed Members of this Parliament, fellow Fijians who are watching this live Parliament tonight, I rise today with a heavy heart not to reject the idea of reconciliation but to urge caution towards the establishment of the Truth and Reconciliation Commission as proposed by the Coalition Government. While reconciliation is a noble aspiration, we must ask ourselves at what cost. Who will bear the burden of this process? And will it truly heal our people or deepen the very wounds we are trying to close.

Mr. Speaker, Sir, honourable Members, let us not forget the silent cries of our people, every victim of past atrocities carries scars, both visible and invisible. For them, a Truth Commission is not just an exercise in dialogue. It is a reopening of the pain they have fought to overcome. It is a forced return to a chapter they have desperately tried to close.

Honourable Members, do we as leaders have the right to demand this of them? Reconciliation must be built on compassion, not compulsion. Asking victims to relive their anguish, risks re-traumatizing them and plunging our nation further into emotional turmoil.

Mr. Speaker, Sir, let us not be fooled by grand promises of reconciliation. This Commission, while presented as a path to healing, carries the dark potential to re-open wounds that have barely begun to heal. Imagine the mother who has lost her son in the chaos of past injustices, or the young girl whose life was forever altered by the acts of cruelty. For them, this is not just about re-visiting history, it is about being forced to relive the anguish they have fought to overcome. Who will stand by these victims when this process tears apart the fragile peace, they have managed to build within themselves? Is it truly just to subject them to this tantamount under the guise of reconciliation?

Mr. Speaker, Sir, our nation’s resources are not infinite. In this time of economic struggle, when families barely afford necessities due to high cost of living, is it justifiable to divert millions of

dollars towards this Commission? Every dollar spent on this initiative, is a dollar not spent on building schools, improving hospitals, getting water to Tamavua, fixing our potholes that are on the streets, or alleviating poverty.

Mr. Speaker, Sir, are we, as representatives of the people, prepared to stand before them, and explain why their struggles must wait while we chase uncertain goals?

Furthermore Mr. Speaker, Sir, there is a grave risk that this Truth and Reconciliation Commission may become a potential platform for political manipulation. The Government, with all its power and influence could use this Commission to promote its own agenda and selectively target individuals or groups potentially deepening the divisions within our society. What about justice Mr. Speaker, Sir? The Commission by its very nature, cannot prosecute those who committed atrocities. Will we allow perpetrators to walk free? Their heinous crimes forgiven in the name of reconciliation? How will the victims feel seeing their oppressors absolved without consequences?

Reconciliation without justice, is an empty promise. One that risks alienating those who suffered the most. Let us be realistic about participation, many of those affected by the events we seek to address, may choose not to engage out of fear, trauma or distrust. Their absence will leave gaps in the narrative, unheard voices and untold stories that undermine the very purpose of reconciliation. Can we truly call it a Truth Commission if it is incomplete?

Mr. Speaker, Sir, honourable Members, this path is fraught with danger. It risks harming the very people we aim to help. It risks exhausting resources that could uplift lives. It risks dividing us further, at a time when unity is paramount and above all, it risks betraying the trust of the Fijian people.

Mr. Speaker, Sir, and honourable Members, reconciliation is not achieved through Commission. It is achieved through honesty, fairness and genuine commitment to justice. We must invest in strengthening our communities, addressing root causes of division and providing real support for the victims. We must not open old wounds without the tools to heal them and let us tread carefully, Mr. Speaker, Sir, for the road ahead is treacherous and the stakes are too high for us to fail. I do not support this Bill before Parliament.

HON. P.K. BALA.- Mr. Speaker, Sir, I rise to briefly address a matter of profound importance to our nation. The Truth and Reconciliation Commission Bill. While the pursuit of the Truth and Reconciliation are indeed, a noble objective, Mr. Speaker, Sir. It is imperative that these goals are approached with honesty, fairness and respect for the rights of all citizens.

Mr. Speaker, Sir, the Bill in its current form pertains to undermine the very foundation of our democracy, contradicts the principles of the 2013 Fijian Constitution and deepen existing divisions within our society.

Mr. Speaker, Sir, this is not a simple Bill, here we are discussing the events of the last 37 years. This Bill comes at a time when Fijians face unprecedented hardships, and let us not ignored the reality on the ground, Mr. Speaker, Sir. Fiji as a nation is in crisis, and the TRC is nothing more than a convenient diversion...

(Chorus of interjections)

MR. SPEAKER.- Order, order!

HON. P.K. BALA.- ...rather than a serious attempt at truth seeking, reconciliation and healing. Mr. Speaker, Sir, the TRC should not be imposed, just because you have numbers.

Mr. Speaker, Sir, the Government points to international examples of Truth and Reconciliation Commissions, but their understanding of this is shallow and weak. They should go and research more and see what was the approach taken, and not just come here and talk about Mandela and all those. This Bill is not about reconciliation, Mr. Speaker, Sir, it is a political tool...

(Chorus of interjections)

HON. P.K. BALA.- ... and not a path to unity. It is about the political agendas, the current Chair has acted with self-proclaimed powers over all our people making statements about healing and issuing apologies without any authority.

Mr. Speaker, Sir, there was no formal or informal discussion between the Government and Opposition. I have checked with honourable Leader of the Opposition whether there was any invitation from the honourable Prime Minister on this subject matter, and he told me there was none.

Mr. Speaker, Sir, there was no invitation from the Government to join in Cabinet's Sub-Committee or any Committee on the TRC to put together the draft terms of reference for submission to Parliament.

Mr. Speaker, Sir, let us be clear, only a consensus Commission will work, not an imposed one. We should have engaged in a sincere process of dialogue given our special circumstances as a multi-racial, multi-religious country. Mr. Speaker, Sir, the TRC Bill are set to cover the period from 1987 to the present, and we have just heard from honourable Alipate Tuicolo, going back 248 years. It all will come, and we need to be prepared for this.

However, Mr. Speaker, Sir, it raises the question, why not include from 1977? When the NFP was denied to form the Government? That was a coup without gun, Mr. Speaker, Sir. Expecting this scope to include this... There you go! This is the kind of people we have in this Parliament, and here we are talking about truth and reconciliation. Expanding the scope to include this period would provide a more comprehensive understanding of our political history.

In addition, forming a three-person commission with one member from the Government, one from the Opposition and one independent Chair would ensure a balance and a fair process. We would have supported such a structure, Mr. Speaker, Sir, and I take back to all of you in 1996, the Honourable Prime Minister worked very closely with the then leader of Opposition on the review of the Fiji Constitution Commission. There was a consensus. I want to ask the Honourable Prime Minister that he was able to do that in 1996. Why can't he do it now? And I know in his response he will consider all what we are saying, because as I have said, Mr. Speaker, Sir, this is not a simple document.

Mr. Speaker, Sir, I must ask why is this Bill being pushed through so quickly? What is the urgency? Who truly stands to benefit from the people? The people of Fiji deserve transparency and genuine efforts towards reconciliation, not a hasty decision that will steer up uncertainty. Let us take the time to address the real issue facing our nation.

Mr. Speaker, Sir, reconciliation is not a magic bullet. It requires courage, honesty and a commitment to justice. We cannot achieve truth when the process is political and agenda driven. The reason why I am saying this, because the Opposition was not consulted on this very important

document. Let us not forget we are also elected Members here! We have the same right like you! We all are equal here!

MR. SPEAKER.- Order, order!

HON. P.K. BALA.- We need proper engagement with all Fijians as equal citizens, Mr. Speaker. Sir. And as a starting point, let us commit to a genuine process of reconciliation. One that respects our Constitution, addresses the needs of all Fijians and builds a future based on equality, unity and shared purpose.

Mr. Speaker, Sir, I urge the Government to press the reset button on this process. Let us have a parliamentary process. We can discuss here. We can refer this to the Select Committee, and from both sides we have Members in it, and I know we all will support it. Mr. Speaker, Sir, I call for a genuine reconciliation. Truth and reconciliation are not important to be reduced to the political convenience of the Coalition Government and its chosen few.

Mr. Speaker, Sir, I thank you, and I do not support this Bill in its present form and ask that common sense prevail this evening.

HON. M.D. BULITAVU.- Mr. Speaker, Sir, I rise to support the Bill that is before the Parliament and that is Bill No. 19 of 2024. I think the purpose of the Bill, as it reads in clause 3, the purpose of the Commission is to promote social cohesion through healing and reconciliation. The purpose of the Act is to facilitate open and free engagement in truth telling regarding political upheavals during coup periods to promote closer and healing for survivors of these events. It is very important. It is very painful to open up wounds, but we need to open up those wounds if they are infected because it will remove the pain.

We have heard from the submission from my fellow colleagues, from the G16-bloc on their various perceptions of the various coups that have happened in Fiji. Some have talked about the 1987 coup, some have focussed on the 2000 coup, and some have treated those events in isolation. I have not seen or also talked about in its entirety the other coups that also happened in 2006 where many too were also victims.

Most are civil servants, most are even sitting on that side of the Parliament, even lost their jobs, given to some political decisions that happened during that period. They are also victims. They will also want to go through the Commission and want to get some answers from those whom they think owe it to them, an explanation.

This is the pathway, the process that we need to trust, honourable Bala has gone into lengths saying that this is a political tool, it is not a reconciliation tool. At the same time the honourable Bala is asking for a Committee to be set up by Parliament though a bipartisan approach that will include politicians.

This particular Bill is proposing that the Commission will be apolitical. Will leave it as it is, to be apolitical, so they can independently assess and analyse political events and those who are victims of those events or the perpetrators can tell their stories freely to the Commissioners who will be apolitical. So, I do not know what the honourable Bala wants. Whether he says that this is a political tool, and at the same time, he wants politicians to participate and form a Committee, to review this particular Bill. He needs to confirm on what he wants.

At the same time the honourable Bala had gone right back to 1996, on a bipartisan approach where the Leader of the Opposition then, the late Jay Ram Reddy, with the honourable Prime

Minister, had worked on a bipartisan approach and the talks that led up to the review of the 1990 Constitution that led to the review of the 1997 Constitution that was enacted through an Act of Parliament. It came through Parliament, not like the Constitution that the honourable Bala is talking about, that was decreed into being and it was an enabling Constitution, just like the 1990 Constitution. We are hoping that after this Truth and Reconciliation Commission, once we bury all that, we will also be able to review and come to freedom where the people of Fiji will be given that choice to select and give their views as to what type of Constitution they want to govern them. These are some of the stepping stones that will reach full political emancipation or freedom, and that should be the aim.

I do not know what honourable Ketan Lal was saying when he said that victims should not be compelled, while the Bill clearly states that the survivors will be protected and that is in Clause 16 - Survivor support and witness protection. He is saying that victims should not be compelled but the victims will come in and share their story to the Commissioners.

At the same time, honourable Koya has been saying that there is no provision in this Bill that summons witnesses. I do not know whether they know what they are talking about. One is saying that no victim should be compelled, while the other is saying that the victim is compelled. They are contradicting each other. This confusion is coming out from the G16 Bloc contributions.

(Honourable Member interjects)

MR. SPEAKER.- Order!

HON. M.D. BULITAVU.- Again, let me take a point that was raised by honourable Koya in regards to the powers of the Commission that was read out by honourable Sashi Kiran, that was clause 9. So, I urge honourable Koya to read clause 6(j) which talks about the functions of the Commission, which are to do all things to the fulfilment of the objective of the Commission. That needs to be read together with the powers of the Commission in clause 7 and that will come down to the procedures that the Commission will then make to regulate its own procedures in summoning witnesses. That should be read together. It is a pathway that allows this Commission to see that all things that lead to the fulfilment of the objective of the Commission is done by the Commission.

The other thing that the honourable Leader of Opposition raised was the truthful confession. I think there is provision in this particular Bill that talks about if you give false information or if you give a false confession, you will be dealt with by the law where the Commission can refer you to the courts. So that is also taken care of, and you should not worry about that.

Again, Mr, Speaker, Sir, the purpose and the objective of this Bill is to bring unity, and this is what our nation badly wants at the moment. We need to reopen those wounds, despite them being painful and at the same time, we find solutions, we find healing amongst ourselves and given all the provisions that are given within the Bill, whether Commissioners are also allowed to invite traditional leaders and also religious leaders that will further advise the Commission in coming up with a decision.

On the other note, a point that was raised by honourable Sachida, in terms of the Commissioners making a report. In clause 17(3) and (4), it specifies that the copy of the final report must be presented to the State to allow the implementation of the recommendations and the State must take responsible measures within its available resources to implement the recommendations provided in the final report. So, it allows for lessons that will be learnt from the findings of the Commission, and also the recommendation that will allow the State to put in measures and policies to educate us and also our future generations that we do not return to those dark days.

Another provision that was highlighted by the honourable colleague and friend, honourable Maharaj. There is no provision in this particular Bill that talks about women and sexual offences. If you go to clause 15(10), it says that the Commission may implement special procedures to address the needs of particular survivors such as children and those who have suffered sexual abuse, as well as working with child perpetrators of abuse or violence. So that is also in the Bill.

There is also provision in the Bill where those survivors, all those victims, through hearings, will be able to also bring out their case and they are also protected, and at the same time, will be supported from whatever trauma they face, including those who suffered through sexual offences.

Again, some of them also raised the point of the Commission that it will be apolitical, and they will be guided by the Code of Conduct that is there in the Bill. It will guide how they will conduct themselves as Commissioners so that they are independent and they will be guided by how they should act with all fairness.

Those are some of the things, Mr. Speaker, from what my colleague from the other Bloc – G-16 have shared but, again, this particular Bill, especially in clause 16(3), talks about witness protection. It removes fear, Mr. Speaker, Sir. It allows the perpetrator to come voluntarily, knowing that this particular law, whatever he or she will come and confess, cannot and will quote from clause 16(3):

“No evidence taken under this Act is admissible against any person in any Civil or Criminal proceeding, except in the case for a person charged with intentionally giving false evidence before the Commission or intentionally misinterpreting evidence in a manner intended to mislead the Commission or other participants.”

So, the perpetrator in here, whoever is a witness, is also protected and this protection will allow them to remove that fear and come out freely, give their story freely, whatever part they played, that the victim may want to know, to find out the truth, so that particular wound that is there for long can be healed.

Those are a few things, Mr. Speaker, Sir, that other colleagues of mine have shared and I have given my views on it. Also, on this truth and reconciliation, it proposes accountability can hold institutions and groups and individuals of their actions.

In addition, the Truth and Reconciliation Commission also proposes that healing can help people move on with their lives by providing a space to share their stories and experiences. Many people are awaiting this particular Commission because for years, stories have haunted them and they also want to move away from their past, given what they had faced individually, or as a society, and they want to be released, so that they can release whatever is holding them back.

It provides a platform of story sharing and also it puts our history records straight. Also, in nation building when we move towards a Fiji where we are truly free after reconciliation and we work together towards a constitution that we all agree on, these are some of the values and some of the events that we will look back and say, “Oh, we have come this far and we, as a nation, will be strong because we are not tied to our past, we are now forward looking and we want to be united as one as all Fijians.”

Those are few things, Mr. Speaker, Sir, I have identified and also share here through my contribution to the debate, and I urge all honourable Members of this House, from Government side, from the G-16 side and from our side - the G9 Bloc, for all of us to support this Bill, if we want to

move this country forward. We have gone past Standing Order 51, we are in the substantive matter and we cannot go back.

Although the honourable Leader of the Opposition took a jab at me when he stated that when I was an Opposition Member, I used to argue that in the Standing Order 51, the consultation by the Executive is totally different from the legislative consultation. But, again, I said on the other day that given the urgency of the Bill, given the inadequate policy that was there in the Aquaculture Bill, that needs that urgency that is why Standing Order 51 was relevant at that particular time.

However, for this one, I can say that Standing Orders 51 is quite relevant too because it is long overdue for us. I am a political victim, not only as a politician but as a politician who was also going through being victimised not only in here, but also during the time I was in prison. But to come back and have survived, we know that we have that faith that one day when I will walk out of that prison cell. That was what Mr. Nelson Mandela said - when I walk out of the door that lead to my freedom, I knew I had to leave all my bitterness behind. If I still have that bitterness, I would be still locked behind bars of prejudice.

Mr. Speaker, Sir, both the oppressor and the oppressed need to be liberated and that is what I hope for, that one day Fiji will be liberated. I see this as a tool not only now but it is also prophetic, and many evangelists prophesied that there will be a Truth and Reconciliation document for Fiji, and I think this is a godly time.

HON. V. LAL.- Mr. Speaker, Sir, I rise to contribute to the Fiji Truth and Reconciliation Commission Bill 2024. While I understand, Sir, the intentions behind this Bill, I believe it will only serve to reopen old scars and many of our people have worked hard to heal.

Under the leadership of the former Prime Minister, we achieved something truly remarkable. We were finally welcomed and called Fijians, where anyone born in Fiji is a Fijian. This identity made us all feel at home, fostering a sense of unity and belonging that transcended ethnic and cultural divides.

It is a significant step towards building a cohesive and harmonious society. Over more than a century, the descendants of the Girmityas have an integral part of Fijian society. We have built our lives here, contributed to the nation's development and forged strong bonds with our fellow Fijians.

Mr. Speaker, since the real question is, who also want reconciliation but do not like is the TRC really for? Mr. Speaker, Sir, as my colleagues have already said, we also want reconciliation but we just do not want reconciliation for the sake of reconciliation. We want a genuine reconciled, sincere, and our humble request to the honourable Prime Minister is that the Commission not to be a toothless tiger.

Sir, generational acceptance is not something that can be legislated or imposed, it is earned through shared experiences, mutual respect and understanding. The Fiji Truth and Reconciliation Commission Bill, while being intentional, risks undermining this hard-earned acceptance by dragging painful memories and divisions that many have already come to terms with. I stand before you as a fourth generation Girmitya but the truth is, I am a proud Kai Ra from the province of Ra. The people of Ra are proud and happy people, yet I ask what is this Bill really for? Who is this Bill really for? These questions resonate deeply with me and many others who share similar sentiments.

Mr. Speaker, Sir, this Bill by the honourable Prime Minister and the honourable Deputy Prime Minister aims to address past political upheavals and human rights violations. Whilst some see it as a way to heal and prevent future conflict, others worry that it might reopen old scars.



The honourable Prime Minister himself has already asked for forgiveness, not once, but many times and we have all forgiven him. Yet, we seem to be going down the same path, again, where all those special ceremonies are forgotten.

We have made significant progress in fostering unity and reconciliation in Fiji. The inclusive identity of being Fijian has brought us closer together, allowing us to move forward as one nation. Re-opening old wounds through this Bill could potentially undo this process, reigniting old grievances and divisions that we have worked so hard to overcome.

Mr. Speaker, Sir, I urge my fellow Members of Parliament to consider the potential consequences of this Bill. Let us not jeopardize the unity and harmony we have achieved. Instead, let us continue to build on the foundation of acceptance and inclusivity that has brought us this far. Let us honour the spirit of unity and acceptance in our beloved nation. We need to stop using the pains of the past as means to be honest.

Mr. Speaker, Sir, I do not understand what they are trying to prove from this Bill. Yes, I am sure the Deputy Prime Minister will try to belittle me saying I did not read the Bill or something, to divert from the fact that this Bill is really just his political football.

Mr. Speaker, Sir, we are a united nation of amazing people who want to live a happy and prosperous life, but this Bill seems to be trying to take the attention away from the true problems the people of Fiji are facing everyday.

Mr. Speaker, Sir, I oppose the Truth and Reconciliation Bill 2024 and urge my colleagues to do the same.

HON. P. TIKODUADUA.- Mr. Speaker, the honourable Prime Minister, the honourable Deputy Prime Ministers, the honourable Leader of the Opposition, honourable Ministers, honourable Members of this august House; today, we stand on the precipice of history, at crossroads between the burdens of our past to the promise of a brighter future. This motion – the establishment of the Truth and Reconciliation Commission, is not simply an administrative measure but an act of nation building. It is a call to confront our past with courage, humility and unyielding commitment to justice.

Mr. Speaker, no nation is without its shadows and Fiji is no exception. From the arrival of the Girmityas in 1879 to the political upheavals of 1987, 2000 and 2006, we have been shaped by moments of profound struggle and division. These events etched into the memory of our people have tested the very fabric of our society. They have exposed our vulnerabilities, but they have also strengthened our resilience.

Yet, Mr. Speaker, resilience alone is not enough. True healing requires that we confront the uncomfortable truth of our history. It requires that we say, without hesitation or equivocation, what happened during those dark chapters was wrong – 1987 was wrong. Our honourable Prime Minister had confessed to them – 2000 was wrong, 2006 was wrong and if you are to charter a new course, we must begin with three recognition.

Honourable Members, the Truth and Reconciliation Commission represents a momentous opportunity, a chance to live the value of our history and give voice to those who have long been silenced. It will provide a sacred space for truth-telling, a forum where the stories of victims, survivors and perpetrators can be told, recorded and honoured. Through this process, we do not aim to open old wounds, but to cleanse them, to allow them to heal in the light of truth. We, Fijians must come together in a spiritual conversation, to speak and hear the truth, heal our differences and

reconcile as a nation and as a people. The recently concluded National Security and Defence Review has laid bare a stark reality. There is a profound trust deficit within our nation, Fijians distrust their governments, the governments of the past, their institutions and too often even their neighbours. This lack of trust is a threat, not just to our stability, but to the very ideals upon which this nation was founded.

Mr. Speaker, in this context, it is heartening to acknowledge the proactive steps taken by the Republic of Fiji Military Forces towards reconciliation under the leadership of Major-General Ro Jone Kalouniwai. The RFMF has embarked on an internal process of reflection, reconciliation and restoration. Recognising its role in the past political upheavals and striving to rebuild trust with the Fijian populace. This initiative serves as a testament to RFMF's dedication to transformation and offers a beacon of hope for national unity.

Mr. Speaker, if the Truth and Reconciliation Commission is to succeed, it must serve as more than a historical exercise. It must become a bridge, a means of restoring trust and building faith in the idea that Fiji can and will rise above its divisions. This is not just about uncovering the past. It is about shaping the future

Mr. Speaker, history is watching us today. History will judge this House today. The eyes of the Fijian people are upon us, and so too are the eyes of our future generation. They will look back at this moment and ask us whether we had the courage to face the truth, whether we had the vision to seek reconciliation and restoration and whether we had the wisdom to build a nation rooted in justice, equality and in unity. Let us give them something to be proud of, let us ensure that they inherit a nation where diversity is celebrated, where the bounds of trust are unbreakable and where the ideals of democracy and humanity shine brighter than before.

Mr. Speaker, this Commission will not solve all of Fiji's history but it is a beginning. It is a chance to turn the page not by forgetting the past but by learning from it. It is an opportunity to declare with conviction that Fiji's best days lies ahead, not in spite of our history, but because we have chosen to confront it and grow for it. I urge every Member of this House to rise to this occasion. Let us seize this moment with gravity and hope, the hope that it demands. Let us establish this Commission as a beacon of our commitment to truth, reconciliation and a united Fiji. Mr. Speaker, I support this motion that is before the House.

MR. SPEAKER.- We now have two more speakers.

HON. J. USAMATE.- Mr. Speaker, Sir, thank you for giving me the opportunity to address this important this notion, motion, Bill that is before the House . I think that is one of the most important things that we have ever discussed in this Chambers as the honourable Faiyaz Koya has said.

As I have sat here today, Mr. Speaker, Sir, and listened to the various viewpoints that have been expressed, one thing that gives me a bit of comfort, despite the differences in what we are saying, as I sit and listen to the different views, I sense a shared desire amongst all of us that are sitting in Parliament today discussing this. I sense that shared desire.

We have the same vision of what we want; a better Fiji and we all know the things that have impacted on our country that is holding us back from achieving what we aspire to, which is that better Fiji. These are the sentiments that have come to me as have I sat here, gone in, come back inside, gone out, come back and the thing that comes to my mind is this novel that we read about when we were in secondary school, the novel of *Cry, the Beloved Country*. As I sat, I sense of crying for the

country that we want in this country and we know that truth and reconciliation are part of the processes to get there.

If we look at the purpose of the Bill that we have, clause 3 is very clear. It talks about the importance of promoting social cohesion through healing and reconciliation. Social cohesion is fundamentally important for a country like Fiji, we have people of different beliefs, of different ethnicities come together to be a country. We need that social cohesion, that cement that binds us together so that we can fully become what we can be as a country, and that maybe one day we can aspire to be the way the world should be as it was said years ago. Later on, events have happened in our past that showed that maybe we were not the way the world should be. There were things that covered over. But then I think to my mind is something that is important for us.

Now, there have been various ways that we have tried to build this social cohesion. We have talked about the issue of the common name; common name so that everyone in this country have a sense of common identity in the country. I am glad now that the terminology of Fijian is something that has bind us together. These are the kinds of things that have a social cohesion; when we can identify together with a place, the common name that has come through gives us a common sense of identity and a focus away from ethnicity, which has been our big stumbling block over the years, to take us away from that view on just ethnicity. Look at other things related with class, the rich and those are not so well off, as more of a stronger focussed on the things that have held us back in the past.

Over and above this, we have talked about in the Constitution, the development of socio-economic rights, free education to lift people up. These are the things that bind us together. Social cohesion has come through this way, upward mobility, shelter, housing, good quality of life and for us, we talked about equal lease distribution, making all *iTaukei* feel equally important, equally valid so that what we stood for, when the lease money comes you are equally valid, that gives you that sense of togetherness or social cohesion. When you talk about social cohesion, one of the things that is important to get self-cohesion is action; things that you do so that you make the elements of society cohere together, they become one. That is something that we have been doing over the past few years, not perfectly, but it is something that was moving there.

What I am trying to say here, Mr. Speaker, that healing also comes through action. Healing through action, healing and reconciliation come from shared values and, I believe also by class equality; equality of all people within the country is something that we need to do. Of course, the words that come to mind and all of us believe in this; all of us on this side, all of us on that side, we believe in this. Love your fellow man as you love yourself. There is no one that can say that they do not believe in that and that is what I have sensed.

One thing, Mr. Speaker, Sir, is also truth, truth precedes reconciliation. When you have truth preceding a reconciliation, the output is trust. When people understand the situation as it should be. The question for us is, can that truth be done by invitation only or sometimes do you have to compel the truth in order to get the reconciliation? Maybe in some cases, and we believe, this is what we are talking about, sometimes that truth, you need a sense of compulsion to make it happen. There are a lot of things happened in this country where people have not spoken the truth. There are things in this country, we know some things happened, but the things that happened behind that, we do not know - 1987, 2000, 1977, all of these other things, we do not what happened behind it. The figures that we can see, but we do not see the shadowy figures in the back, the ones who are pulling the strings. That is part of the truth, Mr. Speaker, Sir. You see the pons, but you do not see those who are pulling the strings, and that is a fundamental important part of getting to the truth. So, without truth, how can we reconcile?

This question needs to be asked and known, who were the instigators? Why do they go scot-free? Some people end up in prison but the real instigators, they go scot-free and we say for the rest of us, let us reconcile, even though these people are scot-free. This is a very important part of talking about the truth. Truth telling is critical and this is our point that truth-telling may require compulsion. We do not believe, the Bill as it is now has that element of compulsion that is strong. To make that compulsion enviable, you cannot violate that sense of compulsion that makes sure that people will tell the truth where it needs to be told.

That is a major concern that we have from this side. When you have that compulsion to tell the truth, then the trust will grow. Trust is knowing who did what and why? Who was behind it? Who are the shadowy figures that we have not seen? A lot of time we limit our discussion to the pons, to the people whom we see, but not the shadowy figures in the background on what they did. Who were the movers and shakers? If you want to reconcile, those movers and shakers must come clean because they hide behind veneers, curtains and rooms, and they hide in the darkened alleys, in the little cupboards, you need a light to be shone so we can see. That is all part of the truth that needs to come out.

When this truth is apparent, the trust is built up, then the reconciliation can move forward. That is an important aspect. People want truth. This needs to be done in an environment where we deal with it transparently. Those who started these things, they must come clean. There must be systems and mechanisms and powers in this Bill that make sure that they are coming clean actually happens. That is fundamental, and that is, I think, where the difference is. We all want the same thing but we believe on this side that is lacking. People want truth on things that have hurt them badly.

Listening to the debate that we have here, we have seen the amount of hurt that has happened over the years in various areas, in 1987, all of these other things; Navosa history, *colo* wars, indigenous slavery. A lot of *iTaukei* do not know about indigenous slavery. They did not know what *buli* used to do, take this person, give him to the estates. All those kinds of things you do not know about, enforced labour in colonial times by the *buli*, *girmitiya*, *Navosavakadua*, whole villagers being taken from Ra, based in Kadavu, et cetera. These were all part of our history. A lot of people do not know about these things. However, when that truth comes out, then we understand things, why they happened and that helps us to reconcile with what has happened to us.

Melanesian history, all of this in the sense of victimhood, in all of this, truth helps to get people through. What truth? This truth, the forces that drove what happened, whether it was colonial interest, power struggles, ethnonationalism, local elites who used the message of ethnonationalism to serve their own interests. They talk ethno-nationalistic issues to serve their own purposes. That is part of the truth. All these needs to come out. All these needs to be illuminated. People use that to serve their own message to get power, look after their own interests. Religious fundamentalism was very powerful in the past.

These are some of the things that need to be addressed, very touchy things, but we need to shine light on it, illuminate it and talk about it. So, who were the instigators? The spiders, that is part of the truth. I know that it is a very touchy subject, but we need to cauterize it and that truth will free us.

Mr. Speaker, Sir, reconciliation unlike repentance is a symmetrical relationship. Repentance is different, I did something, I repent. Reconciliation means that both parties are in a symmetrical relationship, they need to be able to share truth. So that both parties can see each other's side and then they can reconcile. If the truth is not given on both sides then how can they reconcile? It is symmetrical relationship.

Catharsis happens when both parties come together and that is what we want. We want that better country, Mr. Speaker, Sir. I have been reading over these past two days about Truth and Reconciliation Commission. One thing I have realised, one of the quotes that I have, “these mechanisms, they are not created to take mankind to heaven but to save humanity from hell.” I have read that somewhere and I just wrote it down. I cannot remember where I saw it, but in one of the readings that I had. That is what it is. It cannot elevate you to that particular level but save you from going down to the depths of where you do not want to go.

Another thing that is very important in all of these is impartiality and the perception that a person is impartial, that a system is impartial and those that are working the system are impartial. These are the things that build trust. If people feel that things are partial in the system or the players are partial, that is the thing that takes away trust. So, all Commissioners, Mr. Speaker, Sir, I was thinking about this, are appointed by the President. There is no control over by us on who those people are and there is no oversight, but the President is voted in by the Government of the day. So there could be in some minds see that as an undue influence of the Government on who the President appoints. It is very important that when we put the Commissioners together, everyone sees them as entirely impartial. This is one of the issues we think needs to be dealt with by us and looking at this.

Representation of major parties has been suggested, it could build trust. Honourable Bilitavu has suggested maybe we should not put the politics into it but that is something that we need to weigh out. How do we make sure that the key players are not only impartial but seen as impartial? They are perceived as impartial by all parties. That is fundamentally important.

Mr. Speaker, Sir, looking at the Bill, the functions of the Bill focussed largely on the victims. That is okay, that is a good thing, but there is very little on the perpetrators. Hardly anything on the perpetrators except maybe clause 6(d) which talks about creating a platform for social accountability which is good through constructive interchange between survivors. But that is just creating the platform, and clause 6(i), which talks about creating a platform that promotes a culture of truth, reconciliation and healing. But in both of these parts of clause 6, you do not find anything that holds perpetrators to account. That, I think is an important element that is missing.

I noticed that in the Bill it says, the powers of the Commission can examine under oath but this issue that we are talking about, about the powers to summon. The honourable Sashi Kiran has said that the power to summon is now in clause 9 but in clause 9 it states in a procedure. If it is up to the Commission, a procedure is up to Commission whether they have this procedure or that procedure. If it is critical, the Commission must have the power to summons, this must be a policy, that must be inviolable, that you cannot violate. The only way that you can do that is by writing it in to the mother legislation itself, rather than leaving it to regulations or schedules which a Minister can change at his whim.

The things that are fundamentally important, they should be inviolable, they must be written into the law itself, not placed in a procedure, not in a schedule, not a regulation, they must be embedded in the law itself. If it is critical, it should be protected so that it cannot be removed, it should be inviolable, and that is one of the concerns that we have as you have heard from the various expressions that were made from this side of the House, Mr. Speaker, Sir. We do not want our Truth and Reconciliation Commission to be like a “cleanex” Commission, just a lot of emotional release but is easy going on perpetrators. That must not happen! We do not want this to be just an exercise for Government to legitimise itself by what it does, by putting everybody through the process of the Truth and Reconciliation Commission.

Without completing the process of truth telling, you can just kick the can down the road, but eventually you would have to deal with it. Mr. Speaker, Sir, when there is an ugly, unresolved

injustice and that is what have Mr. Speaker, Sir, and as you have listened to the comments, and there are many unresolved issues in this country. We know! There are many of them before we became a country, before we became a colony.

There is a lot of things that are embedded in our psyche, in the history of our parents, our tribes and our families, that are embedded there that are unresolved. And these are the kinds of things that pull at the fabric of society. And there is an opportunity to hold it out well and layout in the sun and deal with it in public through a trust commission.

Mr. Speaker, Sir, few other things that I want talk about, while the key purpose of the Bill is to facilitate open and free engagements, the Bill itself has failed to define what truth telling is. This as I have said before, is fundamentally important to this whole exercise. Part One, Section 32 appears to confine the purpose and work of the Commission to the *coup* periods. This seems to eliminate those in in other things beyond the coup periods and some of those things have already been expressed in this Parliament.

If I go with it at the end of the day, Mr. Speaker Sir, this is my concern, and I think we all agree. We all agree to the need for truth and reconciliation. Everybody in this country knows that we need truth in order to get to reconciliation. We agree that truth is necessary for reconciliation. We can all also agree that the right process brings the right output and the right outcome. And my contention, Mr. Speaker, Sir, the Bill, as it is right now, is not strong enough in ensuring that the truth will come out. When the truth comes out entirely, those shadowy places that are in the dark shadows, when they come out and we can see that people can feel that the truth is known and that will help reconciliation. As I said, it has to be a symmetrical relationship between the parties.

Everyone has got a lot of hurt in them, that needs to be addressed, Mr. Speaker, Sir. So, the way forward that I see that this Bill needs to be improved. What we have here needs to be improved. The truth and reconciliation are needed. We need to be able to work on this together.

You have taken this to consultation as part of the executive. We need the legislature, the people's Parliament, which includes us on this side, to be part of that process. We have not been part of that process. We have not been part of that process of scrutiny. You have done as the Executive, Assistant Ministers have done that, but we need the legislature to do this and one of the most critical things in our history, so we need to be on this together. We need to join it together, all of us! We need to allow the full scrutiny of the people represented by the Members of Parliament on this Bill, not just the executive! Allow the in-depth scrutiny by the rest of the people, not just the executive. That is a fundamental of law

And I appeal to the honourable Prime Minister, please Sir, do not ride on the tyranny of the majority. Allow us all to participate, to review this Bill again, to improve it because we do not want to get this truth and reconciliation wrong. We have to make sure that it serves a purpose. We do not want to pass a Bill today and later on find that we had flaws on it, that we could have corrected if we had worked on improving this in partnership together in this Parliament. Thank you very much, Mr. Speaker, Sir.

HON. PROF. B.C. PRASAD.- Mr. Speaker, Sir, let me begin by saying, that no one, in his or her right frame of mind will ever oppose or refuse to cooperate in a process that in my view and in the views of so many people in this country, is going to be a watershed moment in our independent history. Before I go on, Mr. Speaker, Sir, let me thank all the honourable Members who have spoken, and with their wisdom and experience including honourable Minister for Education, as the leader of the SODELPA Party have supported this Truth and Reconciliation Bill.

And I want to thank honourable Bulitavu, for unravelling the legal buffoonery that came from the other side, Mr. Speaker Sir, about elements of the various clauses in the Truth and Reconciliation Bill. Unfortunately, the honourable Leader of the Opposition got caught into that buffoonery.

Mr. Speaker, Sir, I have to say this to the honourable Leader of the Opposition, that as honourable Members of Parliament, it is all our duty to lead by example and desist playing what I call “gutter politics” by opposing this Bill, which in fact lays out the basis for putting a permanent closure to the darkest chapter of history of our independent nation.

I heard from the other side, Mr. Speaker, Sir, all of them who oppose the Bill said they know what is best for the nation. They said they support truth and reconciliation. No legislation ever passed in Parliament is going to be perfect, is going to have every nitty-gritty detail, every opinion covered in that law. That is why laws change, as time evolves, and as the need arises.

But in this case, Mr. Speaker, Sir, the important thing is this, that our honourable Prime Minister had the guts, had the courage in 1996 to work across the aisle, when he was in power. He had the Government on his side, but he worked on the other side and offered reconciliation, offered his hands of friendship and worked with the then Leader of the Opposition, Justice Jai Ram Reddy and delivered one of the world acclaimed 1997 Constitution. That was an act of reconciliation! That was an act of genuineness! And here again today, this honourable Prime Minister is again offering us and has set out to do what he tried to do and what he achieved in 1997 as part of this Truth and Reconciliation Commission.

I know in 2017, Mr. Speaker, Sir, when we moved a motion for truth and reconciliation, same language was used that I heard from honourable Members today, that it will incite ill-will, hostility. This is what we heard, but nothing of value in life is ever easy. And if it is, indeed, invaluable to the social, political and economic advancement of our nation, the task becomes even harder.

Then, we discovered on 13<sup>th</sup> September, 2023 when a motion for Parliament to approve the establishment of a Truth and Reconciliation Commission moved and enable articulated by the honourable Assistant Minister for Women, Children and Poverty Alleviation, a role that was given to her by the honourable Prime Minister, was approved despite the strong resistance from the Opposition.

Mr. Speaker, Sir, the future back beacons. I know just a month ago the honourable Leader of the Opposition was reported in the media to be fully supportive of the Truth and Reconciliation Bill and the processes outlined in the then proposed legislation. As the honourable Minister for Defence said, “we thank the Commander of the RFMF for leading the way for reconciliation within the Military” and honourable Naivalurua talked about it.

Mr. Speaker, Sir, truth and reconciliation or reconciliation and truth telling is not for the faint hearted, but it is the best way forward for a genuinely united and harmonious nation. It is a vital cog in the ongoing task of the Coalition Government to reset the moral compass of our nation. The Commission is a prerequisite to genuine healing, which is so crucial to our effort to make Fiji what we all want, the land of hope and opportunity. And again, I want to emphasise, Mr. Speaker, Sir, that this process is not going to incite ill-will or hostility, nor impinge on rights and freedoms of our people.

I cannot imagine and I cannot understand, when honourable Members from the other side are talking about ill-will and hostility being created as part of a truth and reconciliation process. You look at all the functions of the Commission, the process, cooperation, procedure everything that is in

this Bill, Mr. Speaker, Sir, lays down the process, which is going to bring people together, which is not going to create ill-will and hostility.

Our people, Mr. Speaker, Sir, you know they talk about politics, yet they were all politicising and politicking when opposing the Bill. Prejudging the work of the Commission. Honourable Usamate, if I heard him correctly, he said “Oh, His Excellency the President is appointed by the Parliament and by the Government” and by extension, he was implying that His Excellency the President is going to be impartial in appointment of the Truth and Reconciliation Commission. What an insult, Mr. Speaker. Sir!

In fact, he might have breached the Standing Order, Mr. Speaker, Sir, by saying something like that and the Bill is very clear that this is going to be an Independent Commission, independent of the state, independent of political parties. How can that be politicised? The Government is bringing this Bill to Parliament, and as I said, we are not saying that every law that comes in this Parliament is going to be perfect!

But this Government, this Prime Minister has had the courage and the vision to bring it in this Parliament, and they are saying “oh we want to support this, but no, we do not like some of the provisions” that is a political throw away on all of those on the other side who are opposing this Bill hide behind, because they know that the people of this country want reconciliation, Mr. Speaker, Sir, they want it! They there already reconciling and yet they are the representatives of the people. This is an opportunity for them in this Parliament, if they do not like a certain elements of the law, I would have thought that they would support this Bill, that this is a step in the right direction.

We are not going to solve every little problem that, Honourable, Usamate, was talking whether it is education, health, infrastructure, social cohesion, merging interests, you know, he was almost like reading a first-year sociology assignment. We all know that! But the important thing, Mr. Speaker, Sir, in this reconciliation process, is leadership. We can disagree with little provisions here or there, but what is required in this, is leadership.

Leadership is about averting disaster not creating conditions in which it thrives. This is a quote from late Justice Jai Ram Reddy’s speech 28 years ago and he further said, “creating an environment conducive to unity can be a slow process.” There is no overnight solution. With genuine goodwill, united as a mighty collective force and a willingness to sacrifice personal gains in the national interest, we can succeed. And this is precisely what the Honourable Prime Minister and this Government is trying to do, Mr. Speaker, Sir, with this Truth and Reconciliation Bill.

Mr. Speaker, Sir, before I say a little bit more on one of the provisions, let me just respond. I think it is important to respond to some of the comments that were made by honourable Members from the other side, because people are listening to this.

Mr. Speaker, Sir, it really pains me to hear Honourable Maharaj putting out the lies and the venom, and playing the same gutter politics that I think was being played by his former leaders, and in particular his former General-Secretary of now a dead party, I guess. But what is the need for those kind of lies and venom when we are talking about reconciliation? What is the need, Mr. Speaker, Sir?

Honourable Sachida Nand was talking about the fact that the report will only go to the President. I mean, that shows a total lack of understanding. The Bill says that the recommendations of the Commission will go to the State. They have not actually read the Bill, and they are trying put that out as a shortcoming of the Bill and opposing it. And that is why I said, Mr. Speaker, Sir, they



are using this legal buffoonery, you know this misinterpretation and telling the people out there that this Bill is going to create ill-will hostility, bring pain and open up new wounds.

I cannot understand, Mr. Speaker, Sir, how this effort, through the Truth and Reconciliation Bill, will do that! I am surprised that honourable Praveen Bala and honourable Alvick Maharaj, not just today, Mr. Speaker, Sir, we have a leader, the honourable Assistant Minister for Women, Children and Poverty Alleviation, a woman leader of national stature, someone who has done so much work in the NGO sector. This constant barrage of attacks on her, just because she is gaining the popularity of the people out there and they are worried about politics!

They are saying do not play politics, but they were playing politics, because they want to pull her down. Yet, she has done so much work in the last so many years, and particularly in the last two years in Parliament, and I take my hat off for her.

Mr. Speaker, Sir, I think from all the provisions in the Bill, and particularly section 6, 7, 8 and 9, and particularly when you look at section 6, the functions of the Commission. It lays down very clearly what the Commission sets out to do. It just needs leadership and this Parliament and us as Members of Parliament, have a real one lifetime opportunity in this country, in this Parliament, to bury the dark days of the past. We have this opportunity. I urge the honourable Leader of the Opposition, to change his mind now! Because today in his speech, he has failed as a national leader! He had the opportunity to bring his group, but I know he has his own challenges in those group.

But again, Mr. Speaker, Sir, the honourable Leader of the Opposition, you will go down in history, and all those who will not support this Bill today will go down in history as betraying the people of this country and missing the one-time opportunity in this Parliament. One time opportunity in this Parliament to create history.

And honourable Leader of the Opposition, you have the opportunity now! This is your moment! Support this Bill, or else you will go down in history as a weak leader, weak in...

HON. I.B. SERUIRATU.- ...standing on the truth.

HON. PROF. B.C. PRASAD.- ...weak in standing on the truth, weak in getting your group in a direction, and you will go down in history as living with the legacy of the past leaders that you were part of. I urge you, honourable Members on the other side, please support this Bill! This Bill is the right Bill, it is timely, it is appropriate, and this is going to create history! If you want to be part of history, support the Bill, otherwise you are not part of this history that we are going to create, and this honourable Prime Minister is going to create for this country. I support this Bill very strongly, Mr. Speaker, Sir, and I support the motion.

MR. SPEAKER.- Before I call upon the honourable Prime Minister to speak in reply, if I may offer some clarification. In my trade, it is called non-binding unsolicited views on certain issues that were raised by the Members. It may help one fully to understand the Bill before you. On the interpretation to be accorded to Section 9, and the powers of the Commission through the subpoena witnesses, I am very much drawn to the views of honourable Bulitavu in how Section 9 should be understood and interpreted.

On the issue of consultations and the Committee's not visiting certain areas and hear victims, the Committee's consultations in my understanding was not for hearing of victims, although they did hear some of them in the process. Consultations was for the purpose of building the legal frame for the complaints and even confessions to be heard. And that is where we are now, under Clause 15, that provides a mechanism for hearing from those victims.

As I have said these are purely for clarifications over doubts that may exist, again, its non-binding and unsolicited. I now invite the honourable Prime Minister to speak in light of the Bill.

HON. S.L. RABUKA.- Thank you Mr. Speaker, Sir, I thank the honourable Members for their contributions. It has been very enlightening, and I mentioned the other day, that I had tried to move this motion in the Business Committee when I was Leader of the Opposition, but the very same reasons coming up today, that it would open up old wounds, also came up at the Business Committee at that time.

The honourable Leader of Opposition and the honourable Usamate were both at that Business Committee Meeting, as well as the honourable Deputy Prime Minister. What happened then, was I had tried to introduce this as an opposition motion, to avoid the pit falls of 1987, 2000 and 2006. So that we move forward with our eyes open knowing why Rabuka did what he did, why George Speight did what he did, and so on.

But that was not accepted, and two weeks later, you know, when I came back and said well those are the eyes of March. On 15<sup>th</sup> March, this year was the sad shooting in Christchurch. They had not gotten to the bottom of the differences that existed in their country.

Mr. Speaker, Sir, I thank all those that have contributed, and I thank you for your clarification, and I would just like to say that my contributions, I shared at the Committee under the honourable Assistant Minister for Women, Children and Poverty Alleviation had many consultations. I did not say, that they went all over the country, everywhere and consulted with everyone.

They said they had many consultations with victims and perpetrators of different political events. Consultations were held with civil societies, faith-based groups, human rights activists, media organisations, political parties, communities in the North, West and Central divisions. They did not say that they went everywhere, honourable Member.

The functioning of the Commission is very clear in the Bill, Mr. Speaker, Sir. From day one, I had stayed clear of the preparatory work for the Bill, because so many people are always pointing at me. They probably thought that I would hijack the Committee, but I congratulate them for finishing their work and coming to the Parliament with the draft Bill. The Commission will operate independently and will be reporting to His Excellency, the President by nature and virtue of their appointment as well.

The Bill itself says it applies to the State, the State is obliged to act. I have highlighted the part here on that section which says that the report is submitted and the State has to act. So, it is not a toothless Commission, the State must state the recommendations for the State implementation Section 17. The State must take reasonable measures within its available resources to implement recommendations provided in the final report.

It is not a toothless Commission, Mr. Speaker, Sir, and I once again thank everyone who has contributed. Government will continue to do all within its power to act with the existing law to allow people to come and present themselves before the Commission without in any way being subjected to fear, intimidation or violence.

Life will go on normally, and people will be able to present their views freely. We have to expect the media as well as those who act as keyboard warriors through the social media to act responsibly as well. Mr. Speaker, Sir, with the assurances of our most highest consideration, I recommend this Bill to the House and respectfully request that the question be now put.

MR. SPEAKER.- Parliament will now vote.

Question put.

Votes cast:

Ayes - 33

Nays - 15

Motion agreed to.

[A Bill for an Act to establish the Fiji Truth and Reconciliation Commission moved under Standing Order 51 passed and enacted by the Parliament of the Republic of Fiji. (Act No.... of 2024)]

MR. SPEAKER.- Honourable Members, that brings us to the end of today's sitting. It has been a long evening, well into the night. I thank you all for your contributions, you all have a good night, rest well and Parliament stands adjourned until tomorrow at 9.30 a.m.

The Parliament adjourned at 10.14 p.m.