



TUTAKA

STANDING IN SOLIDARITY एकता

The Quarterly Newsletter of the Citizens' Constitutional Forum Ltd - CCF

Volume 9, Issue 2, June 2015

End of an Era Reverend Yabaki Steps Down as CEO of CCF

By **Nazeem Kasim**

Citizens' Constitutional Forum's, Board Chair, Tessa Mackenzie, announced the retirement of Chief Executive Officer, Reverend Akuila Yabaki in early March.

While announcing his retirement Ms Mackenzie said CCF is deeply indebted to Reverend Yabaki for his long devoted service to CCF.

"Under his leadership CCF has realised many hopes for constitutionality, for the rule of law, respect for human rights and multiculturalism," said Ms Mackenzie.

"He has given CCF firm grounding and direction for the organisations future despite the unforeseen events that have disrupted Fiji's stability during his years as the CEO." Ms Mackenzie said.

Reverend Yabaki has been at the helm of CCF for the past 16 years, first as Director, and then CEO from 2002. In 1999, he was also named the Pacific Person of the Year by Islands Business

magazine. Under his leadership, CCF has grown from small beginnings to become a leading human rights organisation in Fiji. Reverend Yabaki steered the organisation through the turbulent times of 2000 and the post 2006 years fearlessly advocating for justice. His passion for the rule of law, good governance, and human rights, especially the rights of marginalized people, has led CCF to successfully undertake advocacy and education in many areas and over a multitude of issues.

While announcing his retirement from CCF Reverend Yabaki said "It has been a privilege over these years to be part of the vision in making Fiji a nation where citizens live together in equality, justice, peace and respecting the rule of law under a Constitution that guarantees democracy and human rights."

"It has also been a challenge navigating the different political persuasions over the years particularly in relation to changing governments

and even in my own Methodist Church but I have continued to strongly advocate for ethnic diversity and human rights which ought to be the primary concern of the Christian faith; to love one another as Christ loved us" said Reverend Yabaki.

"It has been a privilege over these years to be part of the vision in making Fiji a nation where citizens live together in equality, justice, peace and respecting the rule of law under a Constitution that guarantees democracy and human rights"

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Fiji's progress into renewed democracy is beginning to take shape with Parliamentary Committees calling for submissions and the public taking advantage of this opportunity to voice opinions to our elected leaders. CCF is taking full advantage to appear before the committees and is providing written submissions, as is reported in this issue of Tutaka. However, we realise that there is a long way to go on this path to democracy when we witness what happened to the submissions on the UNCAT when it was presented to Parliament for ratification.

Meanwhile the CCF Education team is out in the field bringing opportunities for new understanding to rural young people and women, of their potential roles for improving their communities. A milestone for the CCF Education team has been the publication of the Civic Education Manual.

Racial discrimination is less obviously evident in Fiji than in the past but the commemoration of the International Day for the Elimination of Racial Discrimination in March is a timely reminder for us all to continue to build respect for our differences and to celebrate our diversity positively.

The departure of Rev Akuila Yabaki brings an added challenge to CCF and we look forward to a new leader to take the organisation into the exciting future.

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CCF Farewell's Reverend Yabaki

By **Nazeem Kasim**

On 8th May, members of staff and board of the Citizens' Constitutional Forum celebrated its Chief Executive Officer, Reverend Akuila Yabaki's retirement at the Fiji Club in Suva. Representatives from non-government and faith based organisations, CCF donors, partners, and well-wishers gathered to bid farewell to Reverend Yabaki, who led CCF for 16 years.

While addressing guests, Reverend Yabaki said he appreciated working for CCF and thanked everyone who worked with him and CCF as he lead the organisation.

CCF's Chair, Tessa Mackenzie said Mr. Yabaki gave a tremendous amount of his life to CCF, perhaps more than most people realise.

"It's been a wonderful time for CCF to have the privilege to have somebody like Akuila at the helm. We have been a fortunate and blessed organisation to have had him with us and I am thankful on behalf of CCF for all that he has done for the organisation." said Ms. Mackenzie.

CCF's co-founder and director, Professor Vijay

Naidu said Reverend Yabaki always had a strong sense of social justice in Fiji - speaking to power and in the process risking his own positions and friendships.

"In doing that he has earned a lot of respect and admiration from a whole range of people, in Fiji, the region and else where in the world. So he has made a big impact as a person," said Professor Vijay Naidu.

Fiji Women's Crisis Centre Coordinator, Shamima Ali, who worked with Reverend Yabaki for almost two decades, said Reverend Yabaki's contribution is invaluable.

"Now he is almost like an elder statesman in the field of social justice, human rights, constitutional rights and so on and is recognized as such. I don't think we could have done without that contribution," said Ms Ali.

Ali is optimistic that despite retiring from CCF, Reverend Yabaki will continue to mentor and guide civil society because Fiji is a new democracy and his role is still vital.

CCF Supports the Ratification of the Torture Convention

By **Legal Team**

In February this year, the Parliamentary Committee on Foreign Affairs and Defense heard public submissions strongly supporting Fiji's ratification of the United Nation Convention Against Torture (UNCAT).

Citizens' Constitutional Forum's (CCF) Legal team joined in this support by presenting submissions before the Committee alongside the Republic of Fiji Military Forces, Fiji Police Force, Fiji Prisons and Correction Services, the Office of the High Commissioner for Human Rights, Fiji Women's Rights Movement and Fiji Women's Crisis Centre, amongst many others.

UNCAT is a core international human rights instrument of instrumental importance to Fiji. Unfortunately, Fiji has witnessed a number of cases of torture by security force personnel in recent history. The tragic death of Vilikesa Soko while in police custody and the leaked video footage of the brutal torture of Iovane Benedito, are just two examples.

UNCAT ensures that there is domestic redress for acts of torture by public officials. Where the domestic framework does not adequately hold perpetrators responsible, full adoption of UNCAT ensures citizens are protected through the international Committee against Torture. This promotes principles that enshrine a vibrant democracy by guaranteeing accountability and upholding the rule of law. The majority of submissions before the Committee called for the Convention to be ratified without reservations allowing the full protection of the Convention and accepting the jurisdiction of the Committee Against Torture to hear individual complaints. The Parliamentary Committee's report



CEO Reverend Yabaki with lawyers Supreena Naidu and Bhavana Dhanasar presented CCF's UNCAT submission

comprehensively captured public submissions and put forward sound recommendations to parliament to ratify CAT without reservations.

Unfortunately, although parliament did vote unanimously to ratify CAT, broad reservations were proposed by the government and the Standing Committee's report was not endorsed. Of concern is that reservations were proposed to Article 1, the very definition of torture. This is incompatible with the objects and purpose

of the Convention and not permitted under customary international law. Reservations were also proposed to Article 21 and 22, barring individuals from taking complaints of torture to the international Committee Against Torture when the domestic framework fails to provide justice. This raises doubts about the commitment of the government to fulfil its obligations under CAT and threatens the full endorsement and implementation of the Convention on the ground.

CCF Urges Government to Lift Reservations to UNCAT

By **Citizens' Constitutional Forum**

The Citizens' Constitutional Forum (CCF) welcomes the decision by the Parliament to unanimously endorse the ratification of the United Nations Convention against Torture (UNCAT), which is a welcome step in Fiji's path toward democracy. However, "CCF is concerned about the broad reservations proposed by the government, and the non-endorsement of the Parliamentary Standing Committee's comprehensive and progressive recommendations," said Chief Executive Officer, Reverend Akuila Yabaki.

"Reservations with respect to Article 1, the definition of torture, are incompatible with the object and purpose of the Convention and impermissible in accordance with customary international law as codified in the Vienna Convention on the Law of Treaties. Article 1 of the Convention contains a clear and generally

recognised definition of the concept of torture, and other States have raised objections to similar reservations made to Article 1," said Yabaki.

The government has expressed that Article 1 of the Convention will 'only be applicable to the extent as expressed under section 11 of the Constitution'. The justification for this is that the definition of 'torture' in the Constitution is broader than the Convention. However, the government fails to consider Article 1.2 of the Convention, which specifically states that the definition of torture in the Convention is 'without prejudice to any national legislation which contains provisions of wider application'. This means that the Convention does not limit the definition of torture in the Constitution in any way.

The reservations restrict the scope of application of the Convention and raises doubts as

to the commitment of the government to fulfil its obligations under the Convention. The object and purpose of a treaty must be respected and States must be prepared to undertake any legislative changes necessary to comply with obligations under the treaty. The intention of the government to 'reserve the right to formulate any reservations or declarations it may deem necessary in light of domestic laws or national policy' is contrary to the general principle of treaty interpretation in which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty.

"These reservations threaten adequate enforcement and implementation of UNCAT in Fiji's domestic framework. CCF urges the Fiji government to remove all reservations to UNCAT, in particular to Article 1," said Yabaki.

Survey Reveals Fiji Barely Provides Sufficient Key Budget Information to Public

By **Nazeem Kasim**

An international budget survey, which measures national budget transparency, has established that Fiji barely provides sufficient budget information to its citizens.

The Open Budget Survey (OBS) is the only independent, regular and comparative assessment of budget transparency and participation worldwide, and assesses over 100 countries.

OBS includes two components, an Open Budget Index (the Index), and an Open Budget Tracker (the Tracker). The Index scores countries once every two years, and ranks each based on availability of budget documents, as well as whether the data contained in them is timely, comprehensive and useful.

Fiji's scored a very poor 6 out of 100 in the

most recent Index assessment, measuring the 2012- 2013 budget year. This ranking is well below the average score of 43 out of 100 and raises concerns regarding accountability and transparency of government spending.

The OBS Tracker monitors the availability of budget documents on a monthly basis, and provides monthly updates of 30 countries across

Key: ● Publicly available ● Internal use only ● Not produced / Published late

Country	Open Budget Index	Pre-Budget Statement	Executive's Budget Proposal	Enacted Budget	Citizens Budget	In-Year Report	Mid-Year Review	Year-End Report	Audit Report
Armenia		●	●	●	●	●	●	●	●
Bolivia	12	●	●	●	●	●	●	●	●
Côte d'Ivoire		●	●	●	●	●	●	●	●
Dem. Rep. of Congo	18	●	●	●	●	●	●	●	●
Dominican Republic	29	●	●	●	●	●	●	●	●
Ecuador	31	●	●	●	●	●	●	●	●
Egypt	13	●	●	●	●	●	●	●	●
El Salvador	43	●	●	●	●	●	●	●	●
Fiji	6	●	●	●	●	●	●	●	●
Georgia	55	●	●	●	●	●	●	●	●
Ghana	50	●	●	●	●	●	●	●	●
Greece		●	●	●	●	●	●	●	●
Hungary		●	●	●	●	●	●	●	●
Iraq	4	●	●	●	●	●	●	●	●
Kenya	49	●	●	●	●	●	●	●	●
Kyrgyz Republic	20	●	●	●	●	●	●	●	●
Macedonia	35	●	●	●	●	●	●	●	●
Mali	43	●	●	●	●	●	●	●	●
Myanmar	0	●	●	●	●	●	●	●	●
Nicaragua	42	●	●	●	●	●	●	●	●
Niger	4	●	●	●	●	●	●	●	●
Nigeria	16	●	●	●	●	●	●	●	●
Palestine		●	●	●	●	●	●	●	●
Philippines	48	●	●	●	●	●	●	●	●
Senegal	10	●	●	●	●	●	●	●	●
Sierra Leone	39	●	●	●	●	●	●	●	●
Tanzania	47	●	●	●	●	●	●	●	●
Timor-Leste	36	●	●	●	●	●	●	●	●

Source: Open Budget Survey website

different regions. This assesses the timeliness of publishing each of the key budget documents, as per international standards.

The 8 key documents that the Tracker monitors are the Pre-Budget Statement, Executive Budget Proposal, Enacted Budget, Citizens Budget, In-Year Budget, Mid-Year Review, Year-End Report and Audit Report. Citizens' Constitutional Forum's (CCF) Research Team in collaboration with the International Budget Partnership (IBP), who led the survey, commenced monitoring Fiji's key budget documents on a monthly basis since August 2014 to date.

The Tracker has found that the government's Audit Reports from 2006 to 2013 were not available until the later part of 2014. However, the Executive Budget for 2015 (draft budget) was made available to the public in a timely manner, through the parliamentary process and is also available online. The 2015 Pre-Budget Statement is currently used for internal purposes, whereas Pre-Budget Statements between 2012 and 2014 are accessible online.

The Enacted Budget for 2015 was passed

through parliament in December 2014, but presently only the draft budget is publicly accessible. Furthermore, the In-Year Report and Mid-Year Review are produced but are used for internal purposes only. The Year-End Report has not yet been produced while Fiji does not have a Citizens Budget.

The CCF commends the Fijian government for implementing positive steps towards budget transparency in the future and encourages further efforts to make the 2015 Pre-Budget Statement, Enacted Budget and Year-End Reports available to the public.

It is essential that Fijian taxpayers are able to participate in the budget process in addition to being aware of how their taxes are used by government.

CCF continues to contribute to the monthly monitoring of the OBS tracker, and looks forward to an improved rating in the next cycle of the Open Budget Survey ranking, to be released on 9th September 2015. The public can access the report by visiting www.obstracker.org.

Media Ranking

By **Nazeem Kasim**

The 2015 World Press Freedom Index conducted by Reporters Without Borders for Freedom of Information established that Fiji has improved its ranking from 107 in 2014, to 93 this year. A total of 180 countries are assessed and ranked, with China, Korea and Vietnam scoring in the bottom 10, and Eritrea sitting at 180. Meanwhile, Scandinavian countries dominate the top 10, with New Zealand also amongst the best ranked for press freedom, and Finland ranking as number 1.

Fiji's climb of 14 places in the ranking from 2014 is welcome progress and an encouraging development for journalists and civil society. However this progress is only the first step towards free reporting and media integrity in Fiji.

Section 17 of the Constitution guarantees freedom of the press, including print, electronic and other media. The Media Industry Development Decree 2010, however, severely restricts media freedom.

Among the deeply concerning clauses in the law is a requirement that any printed article of a length greater than 50 words include a byline. The decree also mandates maximum penalties for journalists whose work is deemed against the "public interest or order". "A media organisation can be fined up to a maximum of \$100,000 while an editor or publisher \$25,000 and a journalist \$1,000. A general penalty includes a maximum fine of \$10,000, a maximum imprisonment term of 2 years, or both."

It is likely that the repeal or review of the provisions in the Media Industry Development Decree 2010 that control and censor reporting would increase Fiji's chances of even further improving its ranking. In addition, amendments to the Public Order (Amendment) Decree 2012 and the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Decree 2013 to end restrictions and control over the right to freedom of expression and assembly are necessary amendments to bring Fiji's ranking down. This will foster the role of the media in free and balanced reporting, even in relation to government dissent, assist it in complying with international human rights standards.

These recommendations were also put to Fiji by Belgium, Switzerland, USA, Republic of Korea, United Kingdom, Germany, Canada and Ireland at the Universal Periodic Review 2014 in Geneva.

The media plays a vital role in building a vibrant democracy and it is imperative that it is free to carry out its work without censorship or intimidation from executive authorities.

Pending a thorough review and amendment to legislation that governs media freedoms, CCF believes Fiji is far from enjoying a truly free and independent media.

Fiji • Open Budget Index Current Status

Document	Fiscal Year	Current Status	Date of Publication	Next Publishing Period
Pre-Budget Statement	2015	● Internal use only	Unavailable	Before Nov 30, 2015
Executive's Budget Proposal	2015	● Publicly available	Nov 21, 2014	Nov 1, 2015 - Dec 31, 2015
Enacted Budget	2015	● Internal use only	Unavailable	Dec 1, 2015 - Mar 31, 2016
Citizens Budget	2015	● Not produced	Unavailable	Same as either the Executive Budget Proposal or Enacted Budget.
In-Year Report	2014	● Internal use only	Unavailable	Publishing period for each report is one to three months after a particular month/quarter ends.
Mid-Year Review	2014	● Internal use only	Unavailable	Jul 1, 2015 - Sep 30, 2015
Year-End Report	2013	● Not produced	Unavailable	Aug 15, 2015 - Dec 31, 2015
Audit Report	2013	● Publicly available	Oct 27, 2014	Before Jun 30, 2015

Source: Open Budget Survey website

What is the Open Budget Survey?

The IBP's Open Budget Survey (OBS) is the only independent, regular, and comparative assessment of budget transparency and participation worldwide. This rigorous, comprehensive assessment is conducted every two years and measures the amount of budget information a country's central government makes publicly available, whether it engages citizens in budget processes, and the strength of formal oversight institutions. The Open Budget Index uses OBS data to calculate a transparency score (0 to 100) for each country in the OBS based on the amount of budget information that governments make public.

Why do we need to know about government budgets?

Budgets are a government's most powerful tool to meet the needs and priorities of a country and its people. Civil society organizations, legislators, auditors, the media, and the broader public need timely budget information to hold the government accountable for how it uses public resources. Without such scrutiny, the government can make bad choices on unpopular or inappropriate programs, waste money, and open the door to corruption. On the other hand, when ordinary people have information and opportunities to participate in government budget processes, they can promote real improvements in governance and policy.

CCF Commemorates International Day for the Elimination of Racial Discrimination

By **Nazeem Kasim**

On 20th March 2015, the Citizens' Constitutional Forum (CCF) celebrated International Day for the Elimination of Racial Discrimination at the University of the South Pacific (USP), Oceania Centre in Suva.

This year's theme as set by the United Nations was "Learning from historical tragedies to combat racial discrimination today."

The event provided a platform for citizens to express their views on eliminating racial discrimination through a competition including poetry, paintings, drawings, photos and videos. CCF received wide public interest with Fijians of all ages participating in the competition.

CCF advocates for the elimination of racial discrimination as it is one of the core pillars of the organisation - to promote multiculturalism and non-discrimination amongst Fijians.

In addressing guests, CCF's Chief Executive Officer, Reverend Akuila Yabaki, mentioned that people need to understand the damaging effects of racism and work together towards its elimination.

"We have a role to play in breaking down racial prejudice. CCF calls on all Fijians to promote and practice religious acceptance and respect for one another and to appreciate our unique and multicultural diversity," Reverend Yabaki said.



Reverend Yabaki presented certificates to participants of CCF's ICERD competition

In an earlier statement Reverend Yabaki also acknowledged the initiative of the current government for establishing equal citizenry under the Constitution. However he said that much work was still needed to improve human rights.

"Yes we are into democracy but it is important

that the recognition of rights is seen to be successfully implemented," he said.

The ICERD campaign and celebrations was supported by Brot für die Welt (Bread for the World).

CCF's Takes a Stand Against Racial Discrimination

By **Varanisese Nasilasila**

Citizens' Constitutional Forum launched a nation-wide competition encouraging all Fijians to *Take a Stand against Racial Discrimination* in March.

CCF launched the competition in mid February as part of its *Take a Stand against Racial Discrimination* campaign. The competition was intended to allow people to identify how to eliminate racial discrimination in Fiji by answering the question - *How can I promote understanding amongst all races?* CCF received a total of 35 entries in all categories, which included videos, poems, photos and drawings.

Saint Joseph's Secondary School (SJSS) demonstrated their staunch stance against racial discrimination by winning three of the four categories.

Mary Jalal, a year 12 student of SJSS put her talent of writing poems into good use and won the 1st prize in the poem category, while her schoolmates in year 11, Seini Tabualevu and Nicole Powell took out the 1st prize in the photo category.

"This is the first time I have participated in any poem competition during my secondary school level and it feels great to participate in this sort of competition that is very relevant to our community," said Jalal.

Joint photo winners Seini Tabualevu and Nicole Powell said their motivation to participate in CCF's *Take a Stand against Racial Discrimination* was to share the message of equality.

"We thought that we would come up with the idea of accepting different religious beliefs because inside of us there is no difference between the bones we have and neither should our skin colour matter. So we came up with this idea COEXIST to show that despite religion or race we are still one," said Seini.

Year 12 students Talei Simpson and Talei Johns walked away as the video category winners.

Other winners were;

Deepal Kant from Sigatoka Andra Sangam College won the 2nd prize winner in the poem category.

Mahendra Jaimal from Labasa won the 3rd prize in the poem category.

Drawing category was won by 10 year old Jadon Masivesi from Nadi, while the special prize went to Joseva Naisau.



St Joseph Secondary School students with their certificates



From left to right: Sharon Ading, Kaliova Nadumu, Kaushik Ram and Maira Lutu with their ICERD messages

Youths Call on Citizens to Promote a Culture of Acceptance and Tolerance

By **Varanisese Nasilasila**

Youths called on citizens to promote a culture of religious acceptance and tolerance in their communities to help eliminate racial discrimination for the commemoration of the International Day for the Elimination of Racial Discrimination (IDERD) hosted by the Citizens' Constitutional Forum (CCF) on 20th March 2015 at the University of the South Pacific, Oceania Centre.

Racial discrimination is one of the major causes of social and political conflict in Fiji. This year's theme, as set by the United Nations, "Learning from historical tragedies to combat racial discrimination today" carries great significance for Fiji as our past has witnessed social and political tragedies which were derived from racial discrimination.

The good news is that our Bill of Rights enshrines the right to equality and freedom from discrimination. Further, the Public Order (Amendment) Decree 2012 reprimands and criminalises acts that incite racial antagonism, remarks or comments. These initiatives by government condemn such acts against the overall purpose to hone into a bond that unites

us in diversity and progressively overcomes racial barriers.

However, University of the South Pacific (USP) student, Kaushik Ram says that racial discrimination still remains a serious issue in the country and people need to pay attention and work towards eliminating it.

"Racial Discrimination is something that should never exist, but we need to be real because it is happening and it is important for people to fight it because it creates a lot of hate and limits people from communicating with each other," said Ram.

"We should be more responsible in our roles as good citizens of this nation and care for one another and to also be considerate of everyone," Ram added.

Ram says parents play a big role in advocating to eliminate racial discrimination by educating their children to respect other people's beliefs and religion.

USP student, Kaliova Nadumu said there is a need for acceptance in our community.

"In Fiji, it is still visible that there are some places where racial discrimination is still present,

The good news is that our Bill of Rights enshrines the right to equality and freedom from discrimination.

for example in the community I live in, if a Fijian of Indian descent marries an iTaukei person, people view them differently from the others, which is not good because no matter the religion or color we should still treat each other equally," he said.

Maria Lutu, student of USP said "Fiji is known for being a multicultural country and we need to live by this statement and in order to do this we need to accept other people's culture.

"We should learn to be responsible citizens and respect their culture. As the saying goes, do unto others what you want them to do unto you," she said.

The IDERD Celebrations was supported by Brot fur die Welt (Bread for the World).

Empowering Communities to Initiate Development

By **Nazeem Kasim**

In the effort to empower rural communities in Fiji to initiate development through strong leadership skills and strengthening community organisation, the Citizens' Constitutional Forum (CCF) facilitated 8 workshops on good leadership and good governance in the province of Nadrogo & Navosa in the months of February, March and April this year.

The workshops were conducted in the villages of Nakoro, Navitilevu, Vatulevu, Namoli, Keiyasi, Draiba & Sawane, Nasaucoke and Wauwosi and are a major part of CCF's Community Education Program, presenting a human rights based approach to development.

CCF imparts knowledge and skills to leaders to conduct their own participatory needs analysis with their communities to identify development projects.

"We educate and build capacity of the community leaders with information on good governance and leadership so they have a participatory approach to their projects and avoid top-down tactics," said CCF's Education Field Officer, Sereima Lutubula.

"We provide practical project writing skills and information so they learn how to access funds for development projects by identifying and utilizing various strengths in their community," added Ms. Lutubula.

Ms. Lutubula says these workshops empower communities to be a part of their own development

through mobilising the community to take an active role in their development, understanding how they can identify their needs and problems and steps or processes to follow to develop their organisations and communities.

"These workshops also empower young leaders and community leaders to gain equal

understanding of perspectives on issues that affect their communities," said Lutubula.

The United Nations Strengthening Citizens and Engagement in Fiji Initiative (SCEFI) funded these workshops and were attended by a total of 350 people from the eight villages.



New Civic Education Manual Published

By **Marly Batenburg**

In May, the Citizens' Constitutional Forum (CCF) published the CCF Civic Education Manual. The Manual is a facilitator's guide to the knowledge, skills and experience of the community education workshops that CCF has been conducting throughout Fiji.

The Education Team has implemented over 250 civic education workshops throughout Fiji from Nausori Highlands to Lautoka and Lau to Macuata, CCF have been educating citizens on the rights and responsibilities each person is entitled to under their human rights for over 20 years.

The Manual captures the experience of CCF's work and formalises it in a structured modulated format with education resources attached to each section translated in the three languages of Fiji.

The manual is split into seven (7) modules and these include Human Rights, Citizenship, Good Governance & Leadership, Constitution, Human Rights Based Approach to Development, Voter Education and Budget Advocacy.

All CCF Education Workshops are conducted with a Human Rights Based Approach as the



forefront of the content and methodologies and uses a participant centred learning approach to the activities. The learning approach that is used acknowledges that each person that attends a CCF workshop is at a different stage of their life; they have already developed their own individual strengths and have a range of experiences that have brought them to be in the workshop.

The CCF Civic Education Manual takes into account the history and experience of all participants and what they can bring into the learning environment. The manual instructs the facilitator to relate the information to participant's experiences and demonstrate that the content can effect positive change in their life.

The Manual also includes new and innovative participatory methodologies that will improve the effectiveness of the community education programme.

CCF firmly believes that civic education enhances quality of life, and better equips people with the knowledge and skills necessary to make informed decisions to govern their own lives.

Youths Play a Vital Role in Community Development

By **Varanisese Nasilasila**

A Youth Leader in Nakoro Village in the *Tikina* of Noikoro in the Navosa Highlands has realised the important role youths play in the development of his village. He calls on the village elders to give youths an opportunity to thrive and positively contribute to their community.

"Before the CCF team came to our village our knowledge on how and where to ask for help for our projects was limited. Now we can think of other options such as how and where we can get relevant stakeholders' assistance for our future projects that our youths and community can benefit from," Nakoro Youth Leader, Aisea Naiti, told CCF's Communications Team.

Naiti was one of the 15 youth participants who attended CCF's Good Leader, Good Governance Workshop, which trained young people on the principles of good leadership, good governance and the human rights approach to development.

Naiti said the youths in the village have in the past attempted to introduce income generating projects, but unfortunately have been distracted from proceeding with it due to the village elders' interference.

He added that often youths are asked to

prioritise communal work, resulting in a delay of youth projects.

Naiti is currently working on an approach to help elders understand the significance of youths' contribution to the development of their community.

CCF's Community Education and Field Officer, Ms. Sereima Lutubula said that the role of the youth in the community is significant.

"Youths play a vital role in the community. They will be the future leaders in the community, so it is important to support them in village activities that will benefit the village," said Ms. Sereima.

Naiti leads 20 youths in the village who have mostly dropped out of school or university. He hopes with the skills and knowledge acquired through the CCF workshop he will be able to set up a poultry farm soon with the help of his members and the elders in the village.

He says the farm will immensely benefit the youths in the village and also deter them from crime.

"CCF is closely looking at this perspective by conducting capacity building during our workshop so that they are empowered to be active in



Nakoro Youth Leader, Aisea Naiti

community development." said Ms. Sereima.

After CCF's workshop, youths have been able to communicate better with the elders in the village and are also being consulted at important village meetings, which Naiti says is encouraging for the youths in the village because it means their voices are also being heard.

This workshop was supported by United Nation's Strengthening Citizens Engagement Fiji Initiative (SCEFI) in April.

CCF Welcomes MOG Elections Report

By **Citizens' Constitutional Forum**

Citizens' Constitutional Forum (CCF) welcomes the 2014 Fijian Elections Final Report of the Multinational Observer Group (MOG). The comprehensive report highlights some of the vital and challenging experiences during the 2014 national elections and makes practical recommendations to improve future elections in Fiji.

An elections report based on research collected from voters' perspective published by the Concerned Citizens for Credible Elections (CCCE) in January 2015, administratively led by the CCF, drew similar conclusion and made comparable recommendations to improving future elections. CCF strongly supports the recommendations in the MOG Report, that is, the need for the Fijian government to review all existing electoral laws and regulations governing elections prior to the 2018 elections to avoid confusion among stakeholders and increase confidence in the electoral processes.

As recommended in the MOG report, the

CCF supports the revision of section 115 of the Electoral Decree 2014 to encourage civil society engagement in the elections process, including the removal of restrictions on foreign funded organisations allowing the government to further collaborate with the civil society to help support its civic education efforts.

As raised in the MOG report and the CCCE report, CCF shares the views that accredited domestic elections observers are vital in assuring a favourable environment for credible elections and is hopeful that the government will consider its inclusion for the 2018 elections. Domestic observer groups monitor pre-election processes and also field many more observers during the elections period enabling greater chances of detecting anomalies. Domestic observers are also equipped with local knowledge of geographic region, customs and practices, and are capable of observing elections.

As recommended in the MOG report, the CCF supports the revision of section 115 of the Electoral Decree 2014 to encourage civil society engagement in the elections process, including the removal of restrictions on foreign funded organisations allowing the government to further collaborate with the civil society to help support its civic education efforts.

A Challenging Yet Fruitful Journey

“Working for CCF was like sailing on a tumultuous sea; there are many events I shall not forget”

By **Nazeem Kasim & Varanisee Nasilsila**



Citizens' Constitutional Forum Chief Executive Officer, Reverend Akuila Yabaki announced his retirement from CCF in March 2015 after leading the human rights organisation for 16 years. While announcing his retirement he said “It has been a privilege over these years to be part of the vision in making Fiji a nation where citizens live together in equality, justice, peace and respecting the rule of law under a Constitution that guarantees democracy and human rights.”

Under his leadership CCF has grown from small beginnings to becoming a leading human rights organisation in Fiji. Reverend Yabaki steered the organisation through the turbulent times in 2000 and the post 2006 years fearlessly advocating for justice, the rule of law, good governance, democracy and human rights especially the rights of marginalized people in Fiji.

All good things come to an end, and so did Reverend Yabaki's era at CCF. It has been a period of mourning for CCF because Reverend Yabaki was part of CCF from its small beginnings. To lose Reverend as CEO meant not only losing institutional memory, but also losing a dedicated human rights advocate who is passionate about justice, rule of law and sustainable democracy in Fiji.

CCF's Communications Team sat down with Reverend Yabaki during his last days at CCF and spoke to him about his experience and message for his successor.

Q. Reverend, in March this year you announced that you were stepping down as the CEO of CCF. What made you decide to step down after 16 years at the helm of one of the leading and oldest human rights organisations in Fiji?

A. For six years we have searched for a suitable successor to take CCF into the next chapter. Sixteen years of a life time on this is long enough.

Q. Any event in specific that you encountered during your work at CCF that you will never forget?

A. Working in CCF has been like sailing on a tumultuous, restless sea. There are many events I shall not forget. From isolated happenings like office invasion and stolen computers; I suspect who ever did that was more interested in the information therein than in the equipment.

Court cases for and against CCF

CCF took the government to court through various applications on our own and in partnership with the civil society organisations. In April 2001 CCF paid the price of its activism and was deregistered under the Charitable Trusts Act by the Qarase interim administration. This prompted CCF to take a leading role in the Chandrika Prasad case where the Court of Appeal restored the 1997 Constitution, ruling the interim administration as illegal, and reinstating the ousted multiparty government headed by Mahendra Chaudhry.

In 2005, CCF also brought an application to Court for the early release of Ratu Seniloli who was made President during the 2000 civilian coup by the then coup leader George Speight.

Similarly in April 2009 CCF engaged Australian QC, Melissa Perry and took part, as a friend of the court, in the Court of Appeal case that declared the 2006 coup as unlawful and called for an interim administration to lead the country. It was this judgment that led to the dismissal of the greater part of the judiciary.

In 2012, CCF was taken to court by the government following the publication of an article titled “Rule of Law Lost in Fiji” in CCF's Tutaka. The article reported on the visit and investigation of the rule of law in Fiji by the Law Society of England and Wales. The High Court sentenced CCF with a \$20

000 fine, and sentenced the CEO with a 12 month suspended sentence of 3 months imprisonment. The CCF decided not to proceed with an appeal as we were not likely to win the court case..

Q. What inspired you to join CCF 16 years ago?

A. Several things came together in my life. CCF challenged me to be part of the solution to Fiji's ongoing political crisis with its racism-to work for reconciliation. It started back in Fiji's first coup in 1987. I took a public position against this racist coup and I have taken the position against racism in one form or another ever since. In 1999 I completed 9 years working as Asia/Pacific Area Secretary for the Methodist Church in Britain and Ireland based in London. I travelled extensively in Asia and reported on the need for support amongst both ethnic and faith based minorities and mainly Christian minorities living under the shadow of Sharia law in Muslim countries but also under Hindu extremists in India. I got to know of the situation of the Tamils in Sri Lanka and the Christians in Pakistan, the Miao people in the Yunnan Province of China and the ethnic minorities of Northern Myanmar. Returning to Fiji in 1999 and faced with another race-based coup in 2000, history was simply repeating itself.

Q. What were some of the challenges you encountered while working with the organization?

A. I think I helped lead CCF not to go with the cultural drift in society and this was very much coming out of my own personal reflection and faith. CCF became an organization that is seen publicly as swimming against the tide of traditional, ethnic, iTaukei culture and learned not to take things for granted. We worked with international partners who engaged with us and benefited from their financial support in taking Fiji in this direction.

Q. What was the funniest moment you had at CCF?

A. There was funny moments following the 2000 coup. I was invited to attend the Commonwealth's 50th Anniversary Worship and Celebration held at Westminster Abbey, London. After the service I was presented to Her Majesty Queen Elizabeth who said to me "You come from a problem country." As I do have a sense of humour I took the comment with a chuckle which helps.

Q. Do you have any regrets?

A. I regret leaving CCF when Fiji's situation is still not at peace with itself. Reconciliation is needed between opposing political divides and I would have liked to be around to assist in putting in place a dialogue process at the top. We joined the Peoples Charter in 2008 for that purpose and intention but we had not got there with the purported abrogation of the 1997 Constitution in April 2009...and now, here we are.

Q. Where to from here for you?

A. I am still open to further challenges. Where possible I am willing to continue with business as a leader in civil society engagements with the newly elected parliament. I would very much like, for instance, to assist at citizenry level to isolate indigenous rights as universally acceptable and not to be confused with racism. It appears that Indigenous rights are often seen as in conflict with multiculturalism and racial equality and this ought not to be the case. Fiji needs to do a thorough clean up of such things in the next four years before the next elections in 2018. Hope I will still be around by then.

Q. Fiji held democratic elections for the first time in eight years and now has a new Constitution, which guarantees equal

citizenry and voting without racial lines - something that CCF strongly advocated for. Where do you see Fiji going from here?

A. As I have said over the coup years we seem to be going around in circles, taking one step forward and two steps backwards. The present government may not always be the governing body. We want to get a reconciliation process going and the international community could help bring us lessons learnt from other conflict situations.

Q. Reverend, looking back, what do you think are the lessons learnt?

A. Looking back over the years CCF has taken some risks; these are worth taking, especially when you have to take untrodden paths in restoring constitutional democracy. Much criticism for instance was leveled against CCF by fellow NGOs when we chose to join the Peoples Charter for Change Peace and Progress (PCCPP) in 2008. CCF was actually part of the group that initiated that Charter as a solution based approach using dialogue as an attempt to try and end the coup culture. Sometimes you have to talk with the opponent to find solutions. It is about building bridges across the divide.

So a risk was then taken as we have done on several occasions. Regional and international partners are there to assist in funding CCF especially in the building of culture of human rights and Fiji's democracy in the years ahead.

Q. What is your advice to your successor?

A. Message to new CEO is to try and take the organization to a new level; learn from the past; do not avoid risks and have the courage in order to do things better; sustain a consultative approach amongst staff; avoid a top-down style of leadership and get to know staff better. Have a sense of humor as this will take you through the difficult times.

CCF Staff Benefit from OHS Training

By **Varanise Nasilasila**

CCF's Administrative Assistant, Lucrisha Nair, and Research Support Officer, Vilisi Gadolo, gained valuable skills on identifying occupational hazards and reducing related risks from a recent three-day training titled *National Occupational Health and Safety Service Accredited Training Course for Health and Safety Representatives and Committees Modules I and II*. This was organised by the Fiji Women's Crisis Centre (FWCC) and facilitated by the Ministry of Employment, Productivity and Industrial Relations.

The training enabled participants from various non government organisations from FWRM, SEEP, FWCC and CCF to identify safety concerns at their respective workplaces and find solutions to the issue.

"It is important because human beings

are involved in the process. There are regulations to abide by and CCF could face certain penalties if we are in breach of certain OHS regulations. We also get to take the OHS concept with us to our own home environment or everywhere we go," said Lucrisha Nair.

"The training enabled us to really examine the work environment at CCF. We managed to identify and address some workplace hazards. It does not only stop at workplace hazards, OHS covers staff health and self-care is important for CCF," said Vilisi Gadolo.

"Staff should have a positive mental attitude and an enabling environment to work in which makes them feel good, safe, inspired and productive," said Ms Gadolo.

CCF now hopes to get its OHS Representatives

registered and obtain an OHS compliance certification with the Ministry of Employment, Productivity and Industrial Relations. Additionally, CCF is compiling an OHS strategy for the organisation.

"OHS is all about reducing hazards to avoid risks in the workplace. It is about setting a standard in the workplace that is favourable to people that live and work in it. The training has helped us by enhancing our self-awareness so that we are able to identify hazards and reduce risks in the workplace. We hope to get the OHS representatives registered, as this would create an important link to the Ministry of Employment and benchmark CCF against acceptable standards," said Ms Gadolo.

Transition



Project Support Officer, **Talei Tuinamuana**. After a year at CCF Tuinamuana joined DAWN. She said "CCF has taught me to constantly educate myself; everyday is a new learning experience and we should not waste it," She said her time at CCF was both exciting and uplifting.



Marly Batenburg, CCF's Civil Education Advisor departed CCF in early May, after spending two years. Ms. Batenburg says working for CCF was an incredible experience and she learned so much been involved with some excellent projects that have contributed to the vision and mission of the organisation. "Being part of the 2014 Election and working with communities has been a unique and unforgettable experience," she said.



Varanise Nasilasila
Communications Support Officer
Varanise Nasilasila joined CCF in early March from the Fiji Sun Newspaper where she worked as a Journalist for a year. Nasilasila says she is very excited to be working for CCF and hopes to broaden her knowledge on Human Rights issues in the country.

OUTLOOK FOR THE NEXT QUARTER



- Community education on good governance, democracy, human rights and good leadership
- Parliamentary Engagement
- Universal Periodic Review
- Land Research
- ICERD Monitoring
- Constitution Public Lecture
- Open Budget Survey
- Media Advocacy



About CCF

The Citizens' Constitutional Forum (CCF) is a non-government organization based in Suva with more than 20 years' experience in community education and advocacy on Fiji's Constitution, democracy, human rights and multiculturalism.

Our Vision

To build a nation in which people live together in equality, justice and peace, respecting the rule of law under the Constitution that guarantees democracy and human rights.

Our Purpose

To empower the people of Fiji to participate in and demand good governances, democracy human rights and multiculturalism.

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Thank you for reading the Tutaka. We would like to hear from you. Send us your feedback or comments to media1@ccf.org.fj

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