



Fiji Labour Party

Activities Report 2024

In the past 12 months Labour has emerged as the most vocal and outspoken critic of the excesses of Rabuka's Coalition government as it blundered from one scandal to another.

We highlighted several of these at last year's ADC. One was the lack of accountability and other concerns pertaining to the \$200,000 grant to the Global Girit Institute of which the Finance Minister's wife and a close political ally were trustees. This matter remains unresolved today.

Secondly, there were the unconstitutional appointments of Vosarogo as Attorney General and John Rabuku as Acting DPP. After much ado and pressure from critics such as the FLP, the Fiji Law Society and the Opposition, government finally referred the cases of Rabuku and Justice Alipate Qetaki to the Supreme Court for clarification. Vosarogo had voluntarily resigned from the post following widespread criticism. The Supreme Court in June 2024 upheld the appointment of Judge Qetaki but found Rabuku not eligible to the post of Acting DPP.

Even then it took weeks before Rabuku complied with the Court ruling and resigned as Acting DPP only to be brought back as Deputy DPP in early August 2024. So much for ethics and the rule of law in Fiji!

Talking of the rule of law, Labour has been at the forefront of criticism of yet another scandal to hit the Coalition in September this year. This was the unlawful appointment of Barbara Malimali as Commissioner FICAC and the subsequent resignation of Francis Puleiwei, acting deputy Commissioner FICAC.

The entire saga goes back to March/April this year when FICAC received complaints filed by the Supervisor of Elections against key cabinet ministers for breach of the Political Parties Act. We are aware that by the end of May some 7 Cabinet ministers were under investigation by FICAC among them Finance Minister Biman Prasad, Deputy PM Manoa Kamikamica, Minister for Women, Children and Social Welfare Lynda Tabuya, AG Siromi Turaga, Minister for sugar and Multi Ethnic Affairs Charan Jeath Singh and Minister for Fisheries Kalaveti Ravu.

Following what FICAC claimed were comprehensive investigations, by early September FICAC was ready to charge Biman Prasad on multiple counts of breach of the Political Parties Act.

In a FLP Facebook posting on 29 August 2024 Labour Leader Mahendra Chaudhry forewarned of moves to subvert the course of justice by interfering with the FICAC investigation process. He warned that moves were underway to remove Puleiwei and replace her with someone more amenable to those being investigated.

On 5 September 2024, Ms Puleiwai hand delivered letters to both the President's office and that of the Prime Minister informing them that FICAC was going to charge Finance Minister Biman Prasad that day.

Elements in the government immediately went into action. Barbara Malimali, then Chair of the Electoral Commission, was suddenly appointed Commissioner FICAC. This was in complete defiance of the rule of law as Malimali herself was under investigation by FICAC at the time of her appointment. Both the PM, the AG and the President's office were aware of the FICAC investigation against Malimali when she was appointed.

Indeed, Attorney General Graham Leung and the President of the Fiji Law Society Wylie Clarke who was acting for Malimali, descended on the FICAC office on 5 September at the time Malimali was under arrest, to have her freed. This was gross interference with the due process.

Puleiwai has since revealed that pressure was also put on her not to charge Biman Prasad – but she did not disclose names. With Malimali in charge, Biman never got charged.

The nation was shocked by the turn of events – aghast at the interference with the due process both in the case of Malimali and Minister Biman. This was a gross miscarriage of justice and the implication that not everyone was equal under the law. Puleiwai resigned in disgust and, faced with anonymous threats, fled to Australia.

Labour issued strong statements denouncing the entire saga, pointing out that Malimali's appointment was unlawful and was done to prevent Biman Prasad being charged. We called for her removal.

Labour Leader sent a personal note to the Prime Minister in the evening of 4 September urging his intervention to correct matters.

“There is too much dirt here and I urge you Prime Minister to act honourably. Put the truth before all else.

“We call on you to intervene and set matters right by initiating appropriate disciplinary action against the offending officials and ensuring that Ms Malimali is removed from the position of Commissioner FICAC to which she has been unlawfully appointed,” the FLP Leader wrote.

PM Rabuka responded as follows: “I am aware of the power play, and the state of play. And any attempt to divert the course of justice, I will oppose according to Law, and you know how limited the Government is when it comes to FICAC - should there be a change of its leadership unwilling to play (legal) ball!

Keep the spirit up – I read and hear you, Loud and Clear!”

Undeterred, Labour kept up the pressure, through our media releases and Facebook articles, for an investigation into the whole sordid affair tag-named Barbara-gate by Fiji Sun. We carried an enraged nation with us.

Rabuka has conceded and agreed to an independent investigation into Malimali's appointment to determine the facts of the case. Just two weeks ago he named Supreme Court Judge David Ashton-Lewis as the sole commissioner to carry out the probe.

We await the process. And expect to see justice done.

National Truth and Reconciliation Process

The National Truth and Reconciliation process is another area of some concern. Labour has publicly expressed dismay at the slow rate of progress in this area. You will recall that in May last year the Methodist Church in Fiji organised a reconciliation Church service to mark the 144th anniversary of the arrival of Indian indentured labourers to Fiji. Labour Leader was invited as chief guest and in his address he mooted the desirability of setting up a commission such as a Truth and Reconciliation process as a means of bringing the two major races together.

This idea was enthusiastically embraced by Prime Minister Sitiveni Rabuka who was part of the Church's reconciliation service. However, despite several reminders by Labour it was not until September last year that a motion was moved in Parliament for the establishment of a Truth and Reconciliation Commission to address past grievances and foster national healing.

It took another year before the substantive Bill was tabled in Parliament on 3 October 2024 setting up such a commission. While we are still awaiting the appointment of such a commission, it should be noted that the RFMF has already moved ahead to initiate such a process within its own ranks – largely focused on the 2000 coup and the Army mutiny of November that year.

Release of George Speight

It was no doubt as part of the RFMF's reconciliation process that coup frontman George Speight was released on 18 September 2024. Speight was sentenced to life imprisonment for his treasonous acts in February 2002 but was granted a pardon by President Katonivere on the recommendation of the Mercy Commission.

Labour again issued a statement expressing dismay that Speight's release had taken place outside of the national reconciliation process. We also questioned the priority given to Speight's release when nothing has been done to conciliate or provide recompense to victims of the political mayhem he created with the May 2000 takeover of Parliament. Labour recalled the terror and violence visited on hundreds of families in remote rural communities particularly in Muaniweni and Dawasamu as well as Dreketi in the North whose houses were torched, livestock and crops stolen and destroyed forcing them to flee to safety elsewhere.

Unless the Coalition government moves swiftly to set up a Truth and Reconciliation Commission and begins the process of national conciliation in earnest, we would be left wondering whether the entire move was just a stunt to release George Speight. After all, this had been an election promise by the PM himself.

Local Government Elections

Two years since taking office, the Coalition has failed to honour yet another campaign promise to fully restore democracy with the conduct of municipal, Sugar Cane Growers Council and Provincial Council elections at the secondary level.

The same excuse is being used to delay the process as that used by Fiji First – that legislation is being reviewed or amended to enable elections to be held. Once again, Labour has been quite vocal in holding the government accountable on these promises.

Anticipating elections to be held this year, Labour and Unity Fiji entered into negotiations to reach an understanding on contesting the municipal elections.

We have finalised a draft cooperation agreement for joint operations. It is currently under discussion by the respective leaders for endorsement. The Labour negotiating team was led by Vice President Monica Raghwan, assisted by Satish Kumar.

Unfortunately, no dates have been announced for the elections despite repeated calls by FLP and Unity. It now seems that the Coalition does not intend to hold elections for fear of losing.

Meanwhile, the three Coalition partners have appointed their own cronies as Special Administrators in all the municipalities – a thoroughly corrupt move to control the municipal councils.

The Supervisor of Elections has been pressing since last year for elections to be held but is unable to do anything unless authorised by the Minister for Local Government.

Amendments to the Employment Relations Act

Recently the employers, Fiji Hotel and Tourism Association and the Fiji Commerce and Employers Federation raised serious concerns on proposed amendments to the Employment Relations Act.

The amendments proposed fines of up to \$500,000 and/or a maximum prison term of 20 years for breaches of the ERA.

Labour was quick to rise to the defence of the employers describing such fines as unduly harsh and “draconian” particularly for small and medium businesses.

It called on government to take serious heed of the concerns of the employers. “this is not the time to enact draconian laws” Labour said. In these difficult times it was crucial to instil business and investor confidence to get the economy moving and to create jobs.

“Imposing severe laws with harsh penalties was not going to create this confidence,” Labour said.

We pointed out that labour laws already existed to address worker exploitation. The problem lay with Ministry of Employment which was simply not enforcing these laws.

We also criticised the secrecy with which the amendments were drafted and the lack of consultation with employers.

Labour's statement was widely welcomed by the Fiji Hotel and Tourism Association and the Employers and Commerce Federation.

Barely a week later, Labour stood with the unions when members of the USP Staff Association and the USP Staff Union staged a strike demanding the removal of Vice Chancellor Pal Ahluwalia and the reinstatement of AUSPS President Dr Tamara Osborne-Naikatini.

Labour Leader Mahendra Chaudhry visited the strikers to show solidarity with their cause. He was the first politician to do so and suddenly others including Prime Minister Rabuka and Opposition Leader Inia Seruiratu issued statements calling for the strikers' grievances to be addressed.

On 24 October the strike was suspended pending another Council meeting to discuss their grievances.

As you can see, Labour is there for workers and employers alike. We stand for justice, peace and democracy demanding transparency, accountability and good governance at all times.

Submissions to Electoral Commission on review of electoral laws

The newly appointed Electoral Commission had sought submissions from political parties on a review of the electoral laws and those pertaining to political parties.

In January this year, Labour made its submissions to the Electoral Commission on a review of the Electoral Act 2014, the Electoral (Registration of Voters) Act 2012 and the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.

On the review of the Electoral Act, Labour sought the replacement of a single nationwide constituency as under the 2013 Constitution, with a single or multi-member constituencies.

It asked for the 5% threshold to be scrapped and for the time between the filing of nominations and polling day to be extended to 40 days from the current 30 days.

It also suggested the scrapping of Section 56 (2) (g) which disqualified a candidate who had been found guilty of an offence and sentenced to at least a year's jail term, from standing for parliamentary elections for 8 years.

On the Political Parties Act, the clause prohibiting trade union officials from standing for parliamentary elections should be scrapped; and the \$10,000 limit on donations to political parties from individuals to be increased to \$15,000 in view of inflation.

Labour also recommended deleting Section 24 which requires candidates to submit financial disclosures, 30 days before elections, 30 days after elections and 7 days after nomination. The Party believes this is an absurd requirement.

\$325,000 grant to political parties in Parliament

The Party has strongly objected to a secret payment of \$325,000 annually to each of the four political parties in Parliament. The payment is also unlawful as it was not an approved Budgetary measure. Finance Minister responded to Labour's criticism by claiming that it came out of the Parliamentary budget. Labour maintains that it still needed budgetary approval.

Labour wrote to both the Secretary-General to Parliament, and later to the Chair of the Electoral Commission, Barbara Malimali claiming that the grant was unfair, unlawful, unwarranted and discriminatory. Neither of the two have bothered to respond.

It leaves parties outside Parliament such as Labour and Unity Fiji at a distinct disadvantage financially, particularly as they are still subjected to severe restrictions under the Political Parties Act to raising funds for their party.

Administrative Issues

The FLP Management Board met three times during the year at the Party headquarters at 30 Varani Street, Suva, on the following dates:

- 21 February 2024
- 8 August 2024 and
- 14 November 2024

Labour has actively participated in capacity building and training workshops organised by NGOs such as Dialogue Fiji to ensure that our members get the full benefit of such training programmes, particularly in respect of the empowerment of women and youth.

There have also been a number of briefing sessions organised by the Fijian Electoral Office that we have attended to keep the Party informed on FEO developments etc.

Conclusion

I take this opportunity to thank the members of the Management Board, the National Council, Branch Presidents and Secretaries, and all others who have supported the Party throughout the year.

We face a challenging time ahead as we remould the Party to prepare for the 2026 general elections and success. I look forward to your continued support and active assistance. 2026 will be Labour's year.

God Bless you all

Mahendra P. Chaudhry
Leader/ General-Secretary