



FWRM Consolidated Submission on the Electoral (Amendment) Bill, Electoral (Registration of Voters) (Amendment) Bill and Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill of 2020.

Introduction

The Fiji Women's Rights Movement (FWRM), established in 1986, is a multi-ethnic and multicultural non-governmental organisation committed to removing all forms of discrimination against women through institutional reform and attitudinal change, through targeted research and advocacy¹. Being a feminist organisation, FWRM uses feminist analysis as a basis for this submission with particular focus on women of all diversities.

The global suffrage movement was initiated by women², and it is only right, that women continue to be heard on ongoing issues relating to elections. Because there were global efforts to enhance women's participation in politics, firstly by being allowed to vote, and then progressing to actively mandating women's presence in elected governments, women bring a unique perspective on how electoral processes can be strengthened to benefit everyone. The efforts increase every year.

FWRM, as a feminist research and advocacy organisation, has carried out various elections related work, specifically voter education in Fiji with the development of resource material addressing voting rights, and working with women candidates standing for elections, as a means of promoting democracy, rule of law, human rights and women in leadership³.

Therefore FWRM takes this opportunity to herein submit our submissions on the Electoral (Amendment) Bill 2020 (Bill No. 50 of 2020), Electoral (Registration of Voters) (Amendment) Bill 2020 (Bill No. 51 of 2020) and Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2020 (Bill No. 52 of 2020).

Issues of Concern

1. Lack of engagement with CSO's and women on upcoming changes to law

FWRM expresses disappointment in the fact that nationwide consultations to discuss the proposed changes to law did not take into account the lived realities of women in Fiji. Women's unpaid care work, such as doing household chores after a day's hard work, would seemingly take priority over attending any public consultations on

¹ <http://fwrn.org.fj/>

² <https://www.wilsoncenter.org/article/worldwide-womens-suffrage-timeline>

³ <http://www.fwrn.org.fj/publications/research-analysis>

weeknights. There is disparity in accessing events such as public consultations on weeknights as unpaid care responsibilities weigh heavily on most women in Fiji.

Moreover, holding single consultations on weeknights, with minimal prior visibility in mainstream media informing of the consultations leave women with no choice but to miss out on consultations itself.

Additionally, collaboration with various CSOs, including those that belong to the feminist movement, should be encouraged, and promoted, as the frontline CSOs are the ones who are most aware of what the situation is like on the ground. CSOs which work in the area of research and policy lobbying, such as FWRM, carry vast experience (as seen with the formulation of the Family Law Act) in providing gender lensing to laws and policies intending to be passed. Engaging with us increases public confidence in the process of law making, and displays co-operation and constructive dialogue relating to issues dealing with women and girls.

2. Curtailing of Civil and Political Rights

FWRM reminds the State of its international obligations under the International Convention on Civil and Political Rights, specifically Article 19 which states:

Article 19

- 1. Everyone shall have the right to hold opinions without interference.*
- 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.*

FWRM calls for specific attention to proposed section **144A of the Electoral (Amendment) Act 2020** which places **limitations on publications, including those that have occurred outside of Fiji, but accessible in Fiji**, which may be false, relating to elections.

Whilst we understand recent global events which have caused alarm in terms of misinformation circulated online regarding elections, FWRM is of the view that the misinformation perceived to come into existence leading to upcoming elections is premature, and bears the potential to act as voter suppression and limitation of freedom of expression, thought and speech. Additionally the second part of this section is essentially restricting criticism of the Supervisor of Elections and the Electoral Commission, both which are public offices, and should face public scrutiny.

Therefore FWRM calls for the removal of this section, to ensure free participation in electoral processes leading up to the next elections.

RECOMMENDATIONS

1. FWRM strongly recommends that the State engage with CSOs working at grassroots levels in order for comprehensive widespread public consultation process before passing any laws, or introducing amendments, taking into account lived realities and constraints faced by women in accessing these consultation processes;

2. FWRM further recommends that the State form Working Groups with CSOs like FWRM, who have worked in the area of legislative lobbying, to increase contributions from civil society to arrive at laws which are inclusive, and represent interests of all Fijians, including women and girls;
3. FWRM recommends that the State streamlines access to law making processes such as publications on the Parliament website, to make it more user friendly, and ensure that all population (including rural and vulnerable communities) is able to readily access these processes;
4. Lastly, FWRM strongly recommends that the State honour its commitments to international obligations on protecting civil liberties such as freedom of opinion and expression, and remove section 144A from the proposed Electoral (Amendment) Act 2020.