

## **MONDAY, 16<sup>TH</sup> MARCH, 2015**

The Parliament resumed at 9.45 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

Honourable Members, please remain standing and let us observe a minute of silence to remember the *Buli Logana*, the late honourable Ratu Viliame Manakiwai Tagivetaua, who has left us.

Ratu Viliame Manakiwai Tagivetaua served with honesty, integrity and without fear or favour.

*(Members observed a minute of silence)*

Thank you honourable Members, you may now be seated.

### **POINT OF ORDER**

HON. RATU I.D. TIKOCA.- A Point of Order, Madam Speaker.

MADAM SPEAKER.- Point of Order.

HON. RATU I.D. TIKOCA.- Madam Speaker, I stand on a Point of Order 124, with respect to the Order Papers for today and Tuesday, and in particular the non-compliance by the other side and the Secretary-General of the Standing Orders to produce it.

Madam Speaker, no Member of the Opposition was present at the Business Committee meeting last Friday, March 13<sup>th</sup>. Our apologies were tendered because as everyone in this House knows, the majority of us were still making our way back from Bua. In addition, the prior agreement of the Business Committee to circulate the agenda 24 hours prior to a meeting was not followed. When our apologies were delivered at 2.40 p.m., on March 13<sup>th</sup>, the agenda paper had still not been delivered to us.

Madam Speaker, on previous occasions, the Business Committee has held its meeting on the morning of a sitting day and the Members of the House often do not get their Order Paper until five minutes before the start of Parliament. So, what was so important that the meeting could not be deferred to Saturday, or Sunday, or even this morning to accommodate our situation and ensure full compliance with the Standing Orders.

Madam Speaker, our Principal Administrative Officer sent an email to the Deputy Secretary-General on Saturday, March 14<sup>th</sup> at 12.13 p.m., and asked for a written explanation about the decision to proceed with the Business Committee without the Opposition Members being present.

The Secretary-General, on Sunday, 15<sup>th</sup> March at 9.03 a.m., replied to me, and stated the following, I quote:

“At 3pm meeting only five Members, including the Chair were present. The meeting proceeded and the apologies received were duly noted in the Minutes. The Standing Order is silent on the issue of a quorum for Select Committees, of which the Business Committee is one. In the absence of this provision, the general rule of having a majority was applied and it was used, and it was on this basis that the meeting proceeded.”

She went further to say, and I quote:

“For the future, I draw your attention to Standing Order 124(3), which states that if the Prime Minister, Leader of the Opposition, or the leader of any other party is unable to attend a meeting of the Committee, another member may be designated as their delegate. On this occasion, neither the Leader of the Opposition nor the Leader of the National Federation Party took up the provisions offered by the Standing Order.”

Madam Speaker, what is extraordinary about the Secretary-General’s response is the selective approach to compliance with Standing Orders, for example on the question of a quorum. There is a reason that Standing Order 124 is silent on quorum. Any first year law student will tell you that quorum is specifically mentioned in Standing Order 118 for Standing Committees. Standing Order 123 deals with the Select Committees and it states in sub-section 4 that Standing Order 124 is applicable to the Business Committee.

Madam Speaker, Standing Order 124 (1) (e) very clearly says, and I quote:

“Up to five other members jointly appointed by the Prime Minister and the Leader of the Opposition, provided that the total membership of the committee, excluding the chairperson (that is you, Madam Speaker) is at all times an equal number of government members and opposition members.”

Let me define what “equal” means, Madam Speaker. It means “the same in quantity, size, degree or value.” How then, Madam Speaker, is it possible to have concluded that without any Opposition Members present, there were an equal number of Government and Opposition Members?

Madam Speaker, I now refer you to Standing Order 125 (1), which says and I quote:

“The Business Committee must make decisions on the basis of unanimity, or if not possible, near unanimity, being agreement reached by those members who represent the overwhelming majority of members of Parliament.”

So let us define “unanimity”. It means “a court, concurrence, consensus or agreement”. The overwhelming majority, Madam Speaker, includes the Opposition and the unanimity or near unanimity of the Committee can only come when an equal number of Government and Opposition Members are present.

The unanimity or near unanimity approving this Order Paper came from just one of the three parties represented in this Parliament. Therefore, it does not reflect the overwhelming majority as the Standing Order stipulates. It has been conceded, Madam Speaker, that you will ultimately be the one to make a decision in accordance with Standing Order 125(2). However, and with the greatest respect, that the same subsection regulates the parameters within which you are required to make your decision.

Standing Order 125(2) says, and I quote:

“The Speaker is the judge of whether unanimity is not possible and, if this is the case, whether a sufficient degree of near-unanimity has been reached for there to be an effective determination by the committee. However, before doing so, the Speaker must be satisfied that, having regard to the party membership in Parliament, the proposed determination is fair to all parties and does not discriminate against or oppress a minority party or minority parties.”

It is difficult to see how proceeding with the Business Committee meeting without any representation from the Opposition or the minority parties was fair and not oppressive. The whole point of this section is for all parties to be heard, that our parliamentary business is to be cordial, moderate and fair, to avoid ill feeling, conflict and bias, or favour of the majority at the expense of the minority parties.

Now ask yourself, Madam Speaker, do the Order Papers, approved by only one of the three parties represented in this House, in consultation with themselves, reflect the words and spirit of Sections 124 and 125? We think not, Madam Speaker, and I move that in order to avoid breaching the provisions of Section 77(6) of the Constitution, and to maintain the dignity, honour and decorum of Parliament and the rights and privileges of all Members, that you adjourn proceedings forthwith and call a meeting of the full Business Committee today so that we do comply with Standing Orders, and the House resumes tomorrow morning with an Order Paper that has been achieved in accordance with our Standing Orders.

Madam Speaker, this side of the House is willing to work beyond normal business hours tomorrow, to allow us to complete today's and tomorrow's programme and not disrupt the rest of the week.

I request a written ruling on the Point of Order, Madam Speaker. Thank you, Madam.

MADAM SPEAKER.- I thank you, Opposition Whip. All the issues that you have stated are noted, but as you will have realised that the meeting scheduled for 3pm on Friday was confirmed and confirmation was received that Members of the Opposition will be able to attend at 3pm.

I must also mention that although the meeting was scheduled for 12 noon because the Members of the Opposition were not there, the information received was that they were on their way, that they were flying over and that they would be in time for the 3.00 p.m., meeting. So this is why the 3.00 p.m., meeting was scheduled and at that time, we had five Members of the Business Committee present, including myself which confirmed that we did have a quorum to have the meeting.

Also, based on the decision of the Business Committee previously, the Business Committee must sit on Friday before the Monday sitting, to avoid any lateness in the start of the meeting on a Monday.

I must also remind honourable Members that according to our procedures, the Minutes of the last Business Committee meeting should be circulated well before the meeting, however the Order Paper is circulated at the meeting.

On that note, the Business Committee sat at 3.00 p.m., on Friday and we had confirmed the agenda for today. For this time, we will provide you, as you had requested with a written detailed explanation on all the issues that you have raised this morning. Therefore, my ruling is that we will have the meeting this morning and that any other issues that have been missed from today's and tomorrow's sitting, we will discuss tomorrow at lunch hour when the Business Committee will sit again for Wednesday.

As for today, we will have to follow the Order Paper and sit this morning but thank you for your point of order. All your points are taken and noted.

HON. ROKO T.T.S. DRAUNIDALO.- A point of order under Standing Order 124. Madam Speaker, those points, we note that you have said that they have been duly noted, but as usual, the issues that we raised we ask, that you do not deal with it offhand in that manner. The honourable Member, the honourable Whip has asked for a written ruling for a very good reason, Madam Speaker. Your rulings will stand the test of time. What you are deciding today, every other Parliament after this has to follow,

Madam Speaker, and things could get very unruly in this House if there is no agreement in the Business Committee between all the Parties. That is why we have a Business Committee, Madam Speaker, otherwise there are other sections of the Standing Orders that will be used and things which could have been resolved in the Business Committee will be brought here in the full glare of everybody.

Madam Speaker, the only person that it is going to embarrass, if it embarrasses anyone, is the chair of that Committee and the Speaker of this Parliament. We therefore ask, Madam Speaker, that you take those points of order, the point of order made by the honourable Whip a little bit more seriously because if you allow this Order Paper to proceed today, this will mean that one side of the House can sit and set the Order Paper for the entire House and bind other Parties who are not present. That is not fair, Madam Speaker. It leads to conflict and ill will which the Government has been saying that it wants to work with the other side. If they are serious, that is why we have these rules. That is all we are saying.

MADAM SPEAKER.- Thank you very much. I note the comments made, because it is of a serious nature, I will ask that we spend this time at the moment and I would like to invite the Government Whip, the Opposition Whip and the Leader of Government in Parliament to meet with me in my chambers, to discuss issues that have been raised.

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- A point of order. Madam Speaker, you have already ruled on this particular matter before the honourable Tupou Draunidalo made this other observation and in that light, I think this position has been put to rest. If there were to be a meeting as called then perhaps, this should be called during the break, as opposed to changing the Order Paper of today.

MADAM SPEAKER.- I really need to clarify myself on this point and I would still prefer that we clarify the issue on the point of order that you have mentioned. If we can just discuss it further in my Office so that when we come back, I need a very clear direction to move this forward. Please just give us 10 minutes as of now and I ask both Whips, the Leader of Government in Parliament and the Secretary-General to meet me in my chambers.

The House adjourned at 10 a.m.

The House resumed at 10.25 a.m.

MADAM SPEAKER.- You may be seated, honourable Members. I thank you for your patience and I also thank the Members representing the House, that met just a few minutes ago in my Office. We have come to an agreement that the Order Paper set on Friday will proceed today and as for the Business Committee meeting on Friday, we ask that it is not taken as an interpretation of Standing Order 124 until the matter is brought again to the Standing Orders Committee. The details will be discussed then. Thank you for your patience.

We will move on to Agenda item No. 2 and I call on the Secretary-General.

SECRETARY-GENERAL.- Confirmation of Minutes.

MADAM SPEAKER.- Leader of the Government in Parliament.

## MINUTES

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

That the Minutes of the sitting of Parliament held on Friday, 13<sup>th</sup> February, 2015, as previously circulated, be taken as read and be confirmed.

MADAM SPEAKER.- Is there a seconder?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Does any Member oppose the motion? There being no opposition, the motion is agreed to unanimously. Secretary-General?

SECRETARY-GENERAL.- Communications from the Chair.

## COMMUNICATION FROM THE CHAIR

MADAM SPEAKER.- Members, before we proceed, can we observe a Minute of Silence for those affected in Vanuatu, Tuvalu and Kiribati by the recent Tropical Cyclone Pam. May I ask Members to please stand.

*(The House observed a Minute of Silence)*

Thank you, honourable Members, you may be seated.

I welcome all of you to today's sitting and I also extend a welcome to all of you joining us in the public gallery and those watching proceedings on television, internet and listening in on the radio. We are grateful for your interest in today's proceedings.

On another note, I am pleased to inform the honourable Members that I have been selected as the United Nations Population Fund (UNFPA) Pacific High Level Champion, an honour bestowed on me with kind facilitation of Dr. Laurent Zessler, the UNFPA Representative for the Pacific Sub-regional Office. In this regard, there will be population and development messages addressed through my communication. You will be hearing sensitive issues that are being recognised particularly the

importance of sexual and reproductive rights as an integral part of national development. This is also in line with Fiji's international, regional and national commitments, amongst other things UNFPA is committed to ensuring that reproductive, health and women's empowerment are central to development plans, health sector reforms and programming efforts to reduce inequities and to achieve universal access to quality reproductive health services, commodities and information.

Again I will bring to the honourable Members' attention that as agreed to in the Business Committee for 20 minutes speeches, the warning bell will ring at 15 minutes and then at the 20th minute for the end of the speech. In the case of 5-minute speeches which is the reply to the Ministerial Statement, the warning bell will ring at 4 minutes and then on the 5th minute for the end of the speech.

I draw honourable Members' attention to the provisions laid down in Standing Order 32(2) which provides that before the publishing of the Hansard report, honourable Members must be given the uncorrected version for their correction of any grammatical or other minor technical error. If a corrected copy is not received from an honourable Member within 7 days of being dispatched to the honourable Member, the speech may be published without any corrections from the honourable Member.

I also wish to inform honourable Members that the report on the study visit to the United Kingdom Parliament is available in the library and on the website for your information.

Finally, the Fiji Electoral Commission has advised us that Mr. Mikaele Leawere has been awarded the vacant seat and he will be sworn in as soon as practicable this week.

## **PRESENTATION OF REPORT**

### United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (UNCAT) Report

HON. LT. COL. N. RIKA.- Madam Speaker, I now table the Report of the Standing Committee of Foreign Affairs and Defence and I move that the content of the United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (UNCAT) be debated later today.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Honourable Members, since this report has been with you and you may not have had time to look through it, we will now break for morning tea but when we return, we will have debate on the contents of the United Nations Convention Against Torture and other cruel inhumane or degrading treatment or punishment UNCAT report. I urge honourable Members to read through the report during the extended tea break so that we can debate it when we return.

We will now break for tea and resume at 11.35 a.m.

The Parliament adjourned at 10.35 a.m.

The Parliament resumed at 11.55 a.m.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Point of Order, Madam Speaker. May I move that Standing Order 23(1)(b) be suspended so as to allow the House to complete Item 4 in today's Order Paper.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Thank you.

We will now continue as per the Agenda. May I remind the honourable Members that we will now have a debate on the contents of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) report.

For clarity purposes, this is how the House will proceed. The chairperson will make his speech for up to 20 minutes, all other honourable Members may speak on the contents of the report for up to 20 minutes each. The chairperson will have the right of reply. After the right of reply, we will vote and the vote is on taking note of the Standing Committee's Report on the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

I now call on the chairperson of the Standing Committee on Foreign Affairs and Defence.

### **PRESENTATION OF REPORT**

#### United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (UNCAT) Report

HON. LT. COL. N. RIKA.- Madam Speaker, before the House is the Foreign Affairs and Defence Standing Committee Report on the UNCAT.

I submit this document for debate. Thank you.

MADAM SPEAKER.- Thank you, I will now open the floor for debate.

HON. RATU N.T. LALABALAVU.- Madam Speaker, I notice the honourable Leader of Government in the House, I am not sure what he is doing; is he nudging for me to stand up and speak or does he want to speak.

HON. LT. COL. P. TIKODUADUA.- The mike is on in your favour, honourable Member.

HON. RATU N.T. LALABALAVU.- Madam Speaker, I rise to make a very brief contribution on this very important paper that is before this august House. I say that, Madam Speaker, having full concurrence of the honourable Leader of the Opposition and members of the SODELPA Caucus, to make this speech on our behalf.

First of all, I must thank the Committee for the great work it has undertaken; thanking the Chair and Members of the Standing Committee for working so hard in making this paper come true because there are some aspects of this paper, Madam Speaker, that we need to highlight as well. I would just like

to implore upon the honourable Prime Minister, “Honourable Prime Minister, you are seeing for yourself here how we, on this side of the House ...

**MADAM SPEAKER.**- Order, please! Address the Chair.

**HON. RATU N.T. LALABALAVU.**- ... are able to make our constructive contributions to whatever that is before us for the sake of the people that we serve”. There are 50 of us in this House, and we have to serve them with great wisdom, etc., by roping together all the resources that we have by working hand in hand.

We have been able to have this Report through its bipartisan approach. Even though the Government chairs this Committee, we on this side will never rest, to also play our role effectively and this has come about in the production of this paper which is so important to us and is a true indication of what we can achieve, or what the Government can achieve to portray to the nation that if we are clear in the way we set things out and how we work and our plans, this is the result of that; this paper, Madam Speaker.

If we look at Recommendation 1 which we totally support, this paper has been presented to us without any exception or reservation whatsoever, bearing in mind, what is in the contents. That, to us, is enough. That to us is great because we have come to achieve something after thrashing things out properly in the democratic manner through the parliamentary system, listening to each other, and especially to about 12 organisations and advocacy groups that were able to present their views on the paper that is before us.

We also understand on this side of the House, Madam Speaker, that Section 11 of the Constitution talks about the protection of human rights from torture, etc. We also understand that Section 45 of the Constitution is still yet to be established under the Constitutional Commission, and that, in itself, will work on the broader aspects of human rights. But for this paper that is before us, Madam Speaker, we are all and we fully support the recommendations that are here before us, for the ratification of this Convention.

Even the honourable Prime Minister has mentioned that in one of his recent trips to Geneva and what we want to say, Madam Speaker, is that, if this is the way that we should approach our duties and what is required of us in this honourable House, then the Opposition stands ready to play its part. We have other important petitions and papers that are before this honourable House, the Flag. The Fiji First would like to display all these in the TV and all that, even though we have a parliamentary Select Committee. We can reach the same results, we can reach the same conclusion, if we fully adopt what is here before the House and the mechanism that is available, Madam Speaker. So, without further ado, Madam Speaker, all we would like to say is that, we fully support this paper that is before us for its ratification.

**HON. OPPOSITION MEMBERS.**- Hear! Hear!

**MADAM SPEAKER.**- Thank you. I give the floor to the honourable Prem Singh.

**HON. P. SINGH.**- Madam Speaker ....

**MADAM SPEAKER.**- Sorry!

HON. LT. COL. P. TIKODUADUA.- I had already indicated my intention to speak and the honourable Member stood up, so I sat down.

MADAM SPEAKER.- Thank you. I now give the floor to the honourable Minister.

HON. LT. COL. P. TIKODUADUA.- I thank you, Madam Speaker.

Madam Speaker, I was sitting here and I have the benefit of sitting opposite the honourable Member as he was delivering his statement with regards to this Report that is before the House. I sort of regretted maybe sitting down, because I thought maybe I should have just spoken first and then not allow him to say everything that he said.

Madam Speaker, it is the responsibility of every good government to play its role within the international community, particularly in ratifying conventions such as this whereby this Report is making a recommendation to the House. As such, I think it is important also to note that this is, but a recommendation of a Committee of the House, where Members of the House have gotten together and come up with a Report, obviously noting the deliberations of the Committee in the areas that have affected the Committee, by people that have made submissions.

The Government's position, Madam Speaker, is that Government will not endorse this Report as

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HON. OPPOSITION MEMBERS.- Aw! Aw!

HON. LT. COL. P. TIKODUADUA.- ...noted. Listen!

At the latter part of the motion that is going to be put before the House for the ratification of this treaty, the Government will then be proposing its position with regards to what levels or what conditions of the Convention that it is going to be adopting and moving before the House. Therefore, without having to 'steal the thunder' out of that debate, I would like to note before the House, Madam Speaker, that Government does not endorse the whole of the recommendations as noted in this Report, and we will reserve its deliberations when the UNCAT is put before the House in a motion later on in the day.

Thank you.

MADAM SPEAKER.- Thank you.

HON. N. NAWAIKULA.- I would like to make a contribution, Madam Speaker.

MADAM SPEAKER.- Honourable Niko Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, before I make my contribution, may I thank you on my behalf and on behalf of the honourable Salote Radrodro, for our trip to Australia. A very good working experience, as well as the companionship of those who accompanied us - honourable Lorna Eden; my *Dreū* there, honourable Iliesa Delana, and honourable Samu Vunivalu.

Madam Speaker, in relation to the motion that is before the House, I note with disappointment that the motion was, "that this House takes note of the Report". We, on this side of the House, had expected that the motion would go along with the recommendation of the Committee which is to ratify, to ratify, to ratify, ratify, and that has been our undertaking. We made that undertaking to the Human Rights

Commission in November, as well as lately, when the Prime Minister addressed them. We will undertake to ratify this, and that opportunity has been knocking at our door since 1984 when this important document was opened for ratification by the international community. So, the international community, Madam Speaker, today, will be very, very concerned to hear that the position of this Government is that it has reservations on this very, very important document.

HON. RATU N.T. LALABALAVU.- Where is the Prime Minister!

HON. N. NAWAIKULA.- Reservations because the context or the gist of the UNCAT is that the Government, like every other government, acknowledges that the practice of torture and degrading and inhuman treatment should go into the moral sense of that country. We have agreed that that this is so. We have incorporated it into the sections of our Constitution. We have incorporated it in our Criminal Code. It is under section 87, so why not? What is the reservation for?

HON. RATU N.T. LALABALAVU.- Tell them!

HON. N. NAWAIKULA.- The purpose of any Convention is that it allows that government to be part of the moral sense of the international community.

HON. RATU N.T. LALABALAVU.- Tell them! Tell them!

HON. N. NAWAIKULA.- It is also to allow the individual and the nation State to account for its actions under that.

MADAM SPEAKER.- Honourable Member, may I remind you that the ratification process is another process. Right now, we are debating on the content of the Report.

HON. N. NAWAIKULA.- Exactly! And I am surprised to note that the Government is already telling this House, and telling the nation, and telling the international community that we do have reservations into the context of this. That is my point and my contribution.

MADAM SPEAKER.- Thank you. There being no other...

HON. P. SINGH.- Thank you, Madam Speaker.

MADAM SPEAKER.- You have the floor!

HON. P. SINGH.- I respectfully rise to commend this Report to this august House for its approval, and may I say that without reservations because, Madam Speaker, it is wonderful to see that the people of this country will be amply protected by the recommendations in this Report. The Standing Committee on Defence and Foreign Affairs needs to be congratulated for putting up six recommendations. These recommendations, Madam Speaker, go a long way in establishing a framework with the principles of human dignity, and democracy alone cannot provide for the people, in isolation. These recommendations make provisions for individuals, and I stand here in this Parliament for all those people who have been tortured in the past, for those whose reservations did not fall in the side of the rule of law, and above all, Madam Speaker, this will assure that they have valid protection against accesses of the State. The governments of now, 10 years later or may be 100 years down the lane, we are setting some principles for our own people. It would be a wonderful day if the Government joins the Opposition and accepts their recommendations in whole so that in time to come, we will all feel safe, and we will be

proud of a country which is making headway, as the Prime Minister had recently mentioned in Geneva. I am sure that with this kind of framework, we will be talking well above our weights.

So, Madam Speaker, the NFP team from the Opposition supports these recommendations in its entirety, and without reservations. Thank you.

MADAM SPEAKER.- Thank you. The Hon. Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I read the contents of this Report, Madam Speaker, and almost everyone who submitted to this Committee unanimously agreed for this Government to endorse or ratify the Convention, except one, Madam Speaker. The reservation made by the submittee was that sections 21 and 22 should not or is not required to be included or to be accepted. The Government can accept the whole Treaty except 21 and 22. I think this is why the Government is not prepared, Madam Speaker to fully embrace this Report. We can accept, Madam Speaker, that the framework of any law, when a particular network of law is made and presented, it means the whole fabric of the law is to be taken, endorsed and accepted.

HON. RATU N.T. LALABALAVU.- Hear! Hear!

HON. S.D. KARAVAKI.- We cannot be selective, Madam Speaker; to select some and you got some.

HON. RATU N.T. LALABALAVU.- What was said in Geneva?

HON. S.D. KARAVAKI.- Because, Madam Speaker, if we decide or the Government decides or this Parliament decides with the majority of Government to go that way, to leave out 21 and 22, that must be why they say we do not want to endorse or ratify the whole Convention, rather than to be selective, Madam Speaker. Because, when you leave out one, you are disagreeing with the whole framework of the Convention.

HON. RATU N.T. LALABALAVU.- Tell them! Tell them!

HON. S.D. KARAVAKI- That is what it is all about. Madam Speaker, when the international body puts out this law, it puts it out in its entirety and that is the way it should be endorsed. We cannot be selective. We choose that we want to be a member of the global community, but we leave out what we do not like. You know, that is how people are. We choose what we like, and we leave out what we do not like, and that should not be an example here. You know a classic case, Madam Speaker, is the sitting President of Kenya. He authorised the killing about 1,000 people in a rally, and nothing could be done in the domestic law to bring him into account, to be responsible for his actions. And it is the public prosecutor in the ICC that initiated his prosecution. We cannot sit here, Madam Speaker, in this House and allow this kind of approach when the international community gives us a treaty and we want to ratify it, we must ratify it as a whole, and not be selective.

HON. RATU N.T. LALABALAVU.- 50/50!

HON. S.D. KARAVAKI.- Madam Speaker, we are responsible for our own people. Even what is in our Constitution, although it is there, then what are we scared of? What are we scared of, Madam Speaker? The Government should be responsible to stand up and say, "Yes, we are a responsible Government. The Committee has done its work, and we thank them for that."

HON. RATU N.T. LALABALAVU.- They chaired it!

HON. S.D. KARAVAKI.- You know, both parties looked at this and said, "This is the way to go. This is the way we are responsible for our people." And now, we come here and see that the Government says, "No, we cannot accept that. We have reservations", and I think, Madam Speaker, this is what this Parliament is about. We are responsible to our people, and we must show that in the actions we take, not by profession. We professing some things, and we do something else.

HON. RATU N.T. LALABALAVU.- Walk the talk!

HON. S.D. KARAVAKI.- Madam Speaker, I hope that the Government will take this on board, and I hope that we can stand up as responsible members in this House, for the wellbeing and the protection and the preservation of our people in our beloved country, Fiji. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Thank you for the debate. I will now ask the Chairperson to speak in reply.

HON. RATU N.T. LALABALAVU.- Address the Speaker!

HON. N. NAWAIKULA.- Right of Reply.

MADAM SPEAKER.- I think I have given enough opportunity to hear this debate out from the Opposition and we would like to bring this particular agenda to conclusion.

Thank you, Mr. Chairman?

HON. N. RIKA.- Madam Speaker, in my right of reply, I concur with the Government stance.

HON OPPOSITION MEMBERS.- (Chorus of interjections)

MADAM SPEAKER.- Thank you for the debate. The Parliament will now vote.

HON. N. NAWAIKULA.- Vote for what?

MADAM SPEAKER.- On the acceptance of the content of the Report. Please do not question the Chair. We will now vote on the content of the Report.

HON ROKO T.T.S. DRAUNIDALO.- Point of order. Madam Chair, the Members are confused about what is going on here because the Chair of the Committee, which is a bipartisan Committee, and the majority members of the Committee are members of the Fiji First Government. So, could you Madam Speaker, direct us as to what exactly we are voting on? Are we voting on whether we should accept the Report, of which the Chair is from the Fiji First Government and majority members, or not?

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Accept the Report or not.

MADAM SPEAKER.- Thank you. We have just had debate on the content of the Report. It really does not have implications on whether we will ratify or not. That is another process that we will follow. So we are now voting on the acceptance or non-acceptance of the content of the Report.

HON. RATU I.D. TIKOCA.- Catching the wrong end of the stick.

MADAM SPEAKER.- The Parliament will now vote. Open the vote.

(*Pause*)

Close the vote.

We will now have the results, Secretary General.

SECRETARY GENERAL.- The results of the votes are as follows:

Ayes	-	16
Noes	-	28
Not Voted	-	6

MADAM SPEAKER.- Thank you, the motion that the content of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) Report be accepted, is lost.

Thank you, since it is now 12.24 p.m. and we are moving on to lunch time which is at 12.30, I will now suspend this seating so that we will break for lunch and we will return at 2.30 p.m. to continue with the order of the day.

The Parliament adjourned at 12.24 p.m.

The Parliament resumed at 2.40 p.m.

MADAM SPEAKER.- Thank you, you may be seated. Welcome again to this afternoon session. We will now move on to Agenda Item 5 – Secretary General.

SECRETARY GENERAL.- Motion in the name of the Minister for Foreign Affairs.

MADAM SPEAKER.- Minister for Foreign Affairs to move this motion.

**UNITED NATIONS CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT (UNCAT)**

HON. REAR ADMIRAL (Ret'd) J.V. BAINIMARAMA.- Madam Speaker, pursuant to Standing Order 134, I move that the United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (UNCAT) be approved by Parliament.

MADAM SPEAKER.- Thank you Acting Minister for Foreign Affairs. Is there a seconder?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Thank you, may I again remind honourable Members we will now have a debate on the motion that the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) be approved by Parliament.

Again for clarity purposes, this is how the House will proceed. The Acting Minister for Foreign Affairs will make his speech for up to 20 minutes. All other Members may speak on the Convention for up to 20 minutes each. The Minister for Foreign Affairs will have the right of reply. After the right of reply we will vote and the vote is on the motion that the United National Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) be approved by Parliament.

I now call on the Acting Minister for Foreign Affairs.

HON. RATU N.T. LALABALAVU.- Point of order. I seek clarification Madam Speaker, on this motion that has been moved by the honourable Prime Minister on behalf of the Minister for Foreign Affairs. Just a few hours ago we had touched on the same motion to do with UNCAT and I seek clarification as now we have two same motions from the same Minister being presented at the same time. I need some guidance on that, Madam Speaker.

MADAM SPEAKER.- The Acting Minister for Foreign Affairs is presenting this motion to approve UNCAT. Previously it was the Chairman of the Standing Committee. The Acting Minister for Foreign Affairs will move the motion, he will also have the right of reply after the debate.

HON. RATU N.T. LALABALAVU.- Madam Speaker, if I may respond to the answers that you have made. The first motion was the review of UNCAT made in this honourable House by the Minister for Foreign Affairs on the 20<sup>th</sup> of February and the second one was on the Convention for Unification of Certain Rules for International Carriage by Air. That was being presented to this House by the Honourable Minister for Foreign Affairs, the review of UNCAT. The Report came from the Standing Committee and that has been voted out in total and now they are coming in with another motion, which is the same motion.

MADAM SPEAKER.- Thank you. This is the process on the motion. The first motion was to debate the content of the motion, only the content.

HON. RATU N.T. LALABALAVU.- Madam Speaker, the Hansard Report here shows that the motion was on the review of two treaties, UNCAT and the second one was to do with the International Carriage by Air. Review – it is not on the content it is the review of UNCAT. So this one is another one on the same thing?

MADAM SPEAKER.- This one is the approval of UNCAT.

HON. REAR ADMIRAL (Ret'd) J.V. BAINIMARAMA.- Madam Speaker, this is where the Opposition got it wrong as they have done continuously in the past. The first one was for the acceptance of the Report and this is the motion for UNCAT which I am going to lay on the table.

MADAM SPEAKER.- I wonder if that is clear, there are two processes.

HON. RATU N.T. LALABALABU.- Yes, Madam Speaker, at the end of that presentation there will be another vote. A vote on what? We voted on the review and it was thrown out, this one here. There is no report to support that motion that they are now bringing in and they will want to work on the report that has been thrown out, that was done by the honourable Rika and his team. Here, they are trying to come up with another motion - working on the report that has been thrown out, again to back up their motion. They have to come up with a new thing altogether.

MADAM SPEAKER.- Leader of Government in Parliament.

HON. LT. COL. P. TIKODUADUA.- Yes, Madam Speaker, perhaps, I could just shed some light on this. I think there is a confusion on the part of the Opposition with regards ....

HON. RATU N.T. LALABALAVU.- No, no.

HON. LT. COL. P. TIKODUADUA.- I think that is quite clear.

HON. N. NAWAIKULA.- Check the Hansard.

HON. LT. COL. P. TIKODUADUA.- Listen, listen. Let me finish.

The report that was tabled this morning, was tabled by the Chairperson of the Standing Committee on Foreign Affairs and Defence. It is a report on the deliberations of the Committee on the report that was tabled earlier by the Minister for Foreign Affairs for the ratification of UNCAT.

Now, that report was put to the House by the Committee, and it was up to the House to note it or not. So the position was, because we voted not to note that report (and that was about the report) that was done under Section 121 of the Standing Orders. What the Minister is going to move now is under Section 130 of the Standing Orders, which is the approval of the international treaties and conventions, and under that provision, the honourable Acting Minister for Foreign Affairs is going to table the motion to adopt UNCAT. That is the issue and I hear what the honourable Ratu Naiqama is saying, but I do not think that is a true reflection of what is before the House today. This is a matter where the Treaty of UNCAT is now going to be submitted as a motion for the House to adopt. Thank you, Madam Speaker.

MADAM SPEAKER.- I note there is a fine line difference between noting the report and this motion to approve the report, and this is probably causing the confusion. We are now going to move a motion to approve the report, and I will now give the floor to the Acting Minister for Foreign Affairs.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Thank you, Madam Speaker. Madam Speaker, this is about the ratification of the UN Convention Against Torture. I just want to highlight that bit so that the Opposition understands what we are trying to do this afternoon.

Madam Speaker, I rise this afternoon to speak to the House, in support of Fiji's decision to ratify the United Nations Convention Against Torture (UNCAT), but before I do, I wish to say something about the terrible events that have befallen the people of Vanuatu in the wake of *Cyclone Pam*.

Yesterday, I sent a message of sympathy and support to the Prime Minister of Vanuatu, the honourable Joe Natuman, telling him that the thoughts and prayers of every Fijian are with the people of Vanuatu at this time of great crisis. I assured him of Fiji's full support as his government deals with the aftermath of *Cyclone Pam*, and the challenge of dealing Vanuatu. I am sure that every member of this House joins me in saying to the people of Vanuatu that Fiji will standby you in this most critical of times.

Our friendship as Melanesian brothers and sisters have never been stronger, and the people of Vanuatu can be rest assured that the Government and the people of Fiji stand with them in solidarity in their hour of need, and we will do everything in our power to assist them in the recovery effort. On how we can best assist, and we will obviously be making further announcements on this assistance as time goes by. I am confident that I have the support of every person in this Parliament, in offering the people of Vanuatu whatever we can to alleviate their suffering, because every Fijian knows that it was only a stroke of fate that prevented us from also being directly in the cyclone's path.

I also want to thank the nation, especially our emergency services: the Police, DISMAC, the Military, the Tourism Response Team, and our Meteorologist, for their wonderful response to the threat to Fiji posed by *Cyclone Pam*. We are determined never to be complacent in the face of the terrible danger posed by these forces of nature of which we have no control. We learnt from Cyclone Evans that making the maximum preparation is the only way to spare our nation from the worst effects of these events, and I am extremely proud that once again Fiji and his people responded so well.

We have set the benchmark for an appropriate response to every national emergency and every Fijian can be assured that their personal safety is Government's prime objective at all times. We need to be vigilant, as the tragic event in the seas of Vatuwaqa in the weekend shows. The confirmed death of one teenager and the fact that three others are missing believed to be drowned is a terrible blow for this young people's families and the entire nation.

I am especially upset, Madam Speaker, by this event because it was only on Friday that I highlighted the threat of drowning, when I launched the Water Safety Council's Report for 2014. We must do everything possible as a community to try and avert these tragedies by giving our young people swimming skills they need, and the appropriate information about dangerous currents to reduce the risk of drowning. In the meantime, I send the condolences of all Members of this House to the families of those who have been lost, our thoughts and prayers are with them, just as they are with the people of Vanuatu.

Madam Speaker, I now want to outline why Fiji's intent on ratifying the United Nations Convention Against Torture. Fiji, as you all know, has been before the relevant Parliamentary Committee for scrutiny. I was very gratified that in the hearings before this Committee, the Fiji Military

Forces and the Fiji Police Force, both publicly committed themselves to the implementation of UNCAT. They have displayed a positive attitude and is been noticeably absent on the part of the Opposition, which continues to want to play politics with matters of national importance instead of acting in a constructive and cooperative manner.

Some of the things that have been said in the House this morning demonstrates yet again the carping negativity of the Opposition. While we lead from the front across the board spectrum of national life, all they can do is snipe from the sidelines. We govern, they mourn. We serve the nation, they serve themselves and their narrow agendas. We look to a brighter future for every Fijian, they are always looking backwards, seemingly still unable to come to terms with the fact that the Fijian people rejected them last September.

HON. RATU I.D. TIKOCA.- Rigging.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Madam Speaker, the Fijian Constitution already says that every person has the right to freedom from torture of any kind – whether physical, mental or emotional and from cruel, inhumane, degrading or disproportionately severe treatment or punishment. This provision in our supreme law provides Fijians with a level of protection from torture and abuse that is unprecedented in Fiji's history and is superior to that afforded by great many countries, but we are determined as a Government to not only adhere to the highest standards of justice, fairness, transparency and accountability in our own laws, but also subscribe to the highest international codes of behaviour embodied in the United Nations Convention.

Our decision to formally ratify the United Nations Convention Against Torture sends an important message to the international community. It tells the world that we are willing to stand shoulder to shoulder with those nations who oppose any use of torture or cruelty as instruments of State policy. It tells the world that for Fijians, torture is unacceptable under any circumstances and we are siding with those nations who are intent on upholding the human rights of their own citizens and the citizens of every country.

Fiji is determined to fight torture and cruelty in all its forms, and to affirm human dignity, fairness and the rules of law as our core values as a nation. As I said earlier, Section 11 of the Bill of Rights in our Constitution already protects all persons in Fiji from torture, cruel and inhumane treatment and punishment and disproportionately severe punishment. It protects every Fijian from all forms of physical, mental and emotional harm. This definition of harm, goes even further than the UNCAT definition of torture. Section 11 of our Constitution arguably provides one of the strongest domestic protection against torture in the world. It extends through specific protection at home, at school and at work.

Madam Speaker, Fijians already have the strongest constitutional protection against torture but by ratifying UNCAT, Fiji goes a step further by strengthening its opposition to torture in the global community generally. It strengthens its position in all human rights agencies of the United Nation and it sends a message to all countries, most of it are already parties to the UNCAT that Fiji is serious about protecting individual rights and freedoms. It defines us as one of the nation's upholding the highest standard of behaviour towards the citizens. It places us in the front line of opposition to torture and it tells the world that we are serious about protecting the human rights of every Fijians, which is why I commend the ratification Bill to this House and urge you all to support it as well as the statement of global citizenship.

The ratification of UNCAT also opens up the possibility of a lot more international assistance to Fiji, to maintain the highest standard of behaviour in the treatment of those who come before the law, and especially those who are detained as criminal suspects. We intend to train our Police officers, Prison officers and members of the Judiciary on international best practices for the interrogation of suspects and incarceration of prisoners. There are a number of countries that are already willing to engage with us on training and assist us on the implementation of the Convention and we look forward to receiving their help as we strive for world best practice in this area. Once UNCAT is ratified, we will update the Training Manuals of the Police and Prisons Service to incorporate best practice into the day to day protocols in which our law enforcement agencies operate.

Madam Speaker, our commitment to ratify UNCAT is an important step for Fiji, as I have outlined. It underlines an unprecedented protections that already exists in our Constitution. It places us in the ranks of those countries at the forefront of those that fight for the human rights and against those who practice cruel and inhumane measures against their citizens and it is a corner stone of Fiji's determination across a broad front to reform and modernize its laws and ratify relevant international Conventions on our continuing march to becoming a modern nation State. As has been highlighted in the motion before the House, there are some exceptions that are necessary in the ratification of UNCAT, given the competency that exists in Fiji and the fact that there will be further specialization is very important area of human rights.

Madam Speaker, I commend this initiative to the House, as a measure of great importance to reinforce the existing protections of every Fijians now and the years to come. *Vinaka Vakalevu* and I thank you.

**MADAM SPEAKER.-** Thank you. I will now invite Members to speak on the approved Report.

**HON. N. NAWAIKULA.-** Madam Speaker, May I stand to make a contribution. First, I seek, Madam Speaker, that you amend the motion which should read "ratify". That is the hearing that we all heard from the Government side. So the motion is not to approve but the motion is to ratify.

The other point I wish to make is that, I was somewhat perplexed by the proceedings this morning when if go back to the motion that was resolved here on 20<sup>th</sup> February, we resolved to set up a Committee to review the UNCAT and to come back with recommendations. This morning, against that, there was a motion to take note of that. The motion put forward by the government was to take note but it was defeated. That motion was defeated and essentially, the motion contained a very important thing. The very thing that the honourable Prime Minister is putting again. The first recommendation is that, the Fiji Government ratifies but that was defeated in the morning. Now, we have another motion coming back for us going totally against that. Having said that, let me just say that I felt sincerely sorry for the Chairman of the Committee that was made for this review when the totality of that report was defeated. It means that there was nothing at all to support him.

The other point that I wish to make, Madam Speaker, is that, true, the Government said that it will ratify this. But then it said, there will be exceptions. What are these exceptions? We must know now what the acceptance are. We must tell the public, we must tell the international community what the exceptions are because the international community wants to know. One important aspect in relation to this Convention which is Article 21 and Article 22 allows the individuals to make a complaint. Not only that, it allows the individuals to make a complaint after exhausting all agencies of the Government and that is entirely important for Fiji because we know that the main perpetrator of torture and degrading aspects is the Government and Government agencies.

We still have outstanding cases of murders, of tortures which were taken up to the government agencies but nothing was done in relation to that. So, it would be totally without meaning, if we have reservations and that is the position. We must say and say it out loud that we are accepting this without reservation as the submission that was made by the Army, that they must accept that without reservation. Same as the submission that was made by the Police that we accept this without reservation. Same as the submission that was made by the Correctional services and same as the announcement that was made publicly here. I have a copy from the Chairman of the Committee and it says “there will be no reservations to the ratification of the United Nations Convention against torture and the Standing Committee on Foreign Affairs and Defence make it submission to Parliament”.

This was confirmed by the Committee Chairman, Netani Rika two days after the Prime Minister, Rear Admiral Voreqe Bainimarama indicated the country’s support for UNCAT. So that is an undertaking. If we are to hear the voice from the public then you must accept all the submissions that were made by the public and they were very informative. They were very genuine because they were sincerely sorry, they do not want that to happen again. The torture and the degrading acts against the public by the government. That is the only issue in Fiji because there is no third party that conducts it. It is only the government that has been conducting torturing and degrading acts. There is a need therefore that we must have within that Articles 21 and 22 to allow a person to make a direct complain. That is not unusual, it is there in all Conventions. A Convention will all becoming meaningless and they all say first, you exhaust your local remedies and the honourable Prime Minister has rightfully said this has been in our Constitution. This has been in our Criminal Act but no one, we know of instances in the Bilitaki case, in the Rabaka case and all these cases, there has been no charges. Never mind it has been sitting there, so there is a need, there is a need, there is a need for an individual to go directly and make the complaint otherwise it becomes meaningless. We need that in Fiji, we need it now, we need it before, and we need it all the time.

Thirdly, Madam Speaker, I wish to say that there is a lot of ambiguity in relation to our undertaking. The international community wants us to be clear. What is our position? The message we are telling them today is that we will approve but we will not do anything. The recommendations that are given by the Committee, we are not making any commitments. What are the recommendations? The setting up of an independent committee. What is another recommendation? The setting up of reviews yearly locally. We are telling the international community, we will not do that. We will accept that in broad terms, but we will not do that and we will not allow the individuals who had suffered the most at the hands of the military and the police to seek recourse to justice.

HON. RATU N.T. LALABALAVU.- You are reading?

HON. F.S. KOYA.- Do you see me reading? They are my notes.

Madam Speaker, I rise in support of the motion being tabled by the Acting Minister for Foreign Affairs. I thank the Standing Committee on Foreign Affairs and Defence for their report on the United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. The Convention, Madam Speaker, was adopted by the United Nations General Assembly in 1984 and is an international human rights treaty to prevent torture and cruel inhuman degrading treatment or punishment. To-date, 81 States are signatories to this particular Convention with about 157 States having ratified the Convention. Fiji is one of 32 countries around the world that has not signed or ratified the Convention. Other countries within the Asia Pacific region such as India, Malaysia, Samoa and Bhutan have not taken up this step.

Madam Speaker, it is prudent to note that our domestic legislations are already in line with most, if not all of the provisions of the Convention.

HON. N. NAWAIKULA.- But it is not working. You have not charged anyone.

HON. F.S. KOYA.- Madam Speaker, the Constitution of the Republic of Fiji by virtue of which we all sit here, Section 11 (1) of the Bills of Rights of the Constitution unequivocally states that every person has the right to freedom from torture of any kind whether physical, mental or emotional and from cruel and inhuman degrading or disproportionately severe treatment or punishment.

I will go further, Madam Speaker.

Section 11(2) further states that every person has the right to security of the person, which includes the right to be free from any form of violence, from any source at home, school, work or in any other place. This even goes beyond but we need to do by virtue of the Conventions.

Madam Speaker, Section 11 of the Constitution arguably provides one of the strongest domestic protections against torture in the world. We have a progressive Constitution, one of the best in the world.

HON. OPPOSITION MEMBER.- Rubbish!

HON. F.S. KOYA.- With such a strong Constitutional provision, it would seem that there can be no real impediments to Fiji ratifying UNCAT.

Madam Speaker, we also have the Crimes Decree of 2009 where torture is first mentioned under Section 78 under the heading “Genocide by causing serious bodily or mental harm”. I quote:

- “(1) A person (the perpetrator) commits an indictable offence if –
  - (a) the perpetrator causes serious bodily or mental harm to one or more persons; and
  - (b) the person or persons belong to a particular national, ethnical, racial or religious group; and
  - (c) the perpetrator intends to destroy (in whole or in part) that national, ethnical, racial or religious group, as such. Penalty – imprisonment for life.
  
- (2) In sub-section (1) – ‘causes serious bodily or mental harm’ includes, but is not limited to, the committing of acts of torture, rape, sexual violence or inhuman or degrading treatment.”

Moreover, Section 87 of the Crimes Decree in relation to torture states and I quote:

- “A person commits an indictable offence if –
  - (a) the perpetrator inflicts severe physical or mental pain or suffering upon one or more persons who are in the custody or under the control of the perpetrator; and
  - (b) the pain or suffering does not arise only from, and is not inherent in or incidental to, lawful sanctions; and
  - (c) the perpetrator’s conduct is committed intentionally or knowingly as part of a widespread or systematic attack directed against a civilian population.”

Madam Speaker, the penalty for that is 25 years imprisonment.

In addition to the Crimes Decree, the Fijian Extradition Act 2003 provides adequate compliance with other articles of the Convention which deal with extradition matters.

With respect to remedies and reliefs, Section 44 of the Constitution provides that any person can seek relief from the High Court for any breach of their Bill of Rights, including freedom from torture as prescribed in Section 11.

It must be noted that our Constitution provides for a far wider definition of torture than Article 1 of the Convention itself, and I reiterate that with such a strong Constitutional provision, there can be no impediment to Fiji in ratifying the Convention. It should also be noted in any event, that all our domestic laws and official conduct whether at police stations or prisons, will be measured against this strong Constitutional protection, again by virtue of the very Constitution we all sit here.

Madam Speaker, with anything there are reservations and whilst it is important for Fiji to ratify the Convention, we cannot do so blindly. We must make the relevant reservations, just like other countries such as the United States of America, New Zealand, Israel, China, United Kingdom and many other countries have made. Fiji must make reservations pertaining to a couple of things:

Firstly, it must make reservations with respect to Article 1 which is the definition of torture in the Convention is only applicable to the extent as expressed under Section 11 of the Constitution. This reservation benefits Fiji in that the definition of "torture" pursuant to the Constitution is actually broader than what it is in Article 1 of the Convention.

Madam Speaker, reservation number two is Article 14 which relates to compensation of victims and family members. This provides for compensation awarded to victims of an act of torture and in the event of the death of the victim, to his or her dependants that would be entitled to compensation. Fiji must reserve the right to award compensations to victims of an act of torture subject to the determination of the Court.

Under Section 44 of the Constitution, if any person considers any of the provisions in the Bill of Rights has been or is likely to be contravened, in relation to him or her or in the case of a person whose being detained, if another person considers that there has been or is likely to be a contravention in relation to that detained person, then they may apply to the High Court for redress.

Therefore, with regards to the compensation for torture of any kind, whether physical, mental or emotional and from cruel and inhumane, degrading or disproportionately severe treatment or punishment, the Constitution already provides a mechanism for redress. As such, it is for the Court to decide the appropriate compensation that is to be awarded to the victims or dependants.

Madam Speaker, it must be noted that at the time of ratification, New Zealand made the very reservation that we are talking about. The compensation issue that under the Convention would only be awarded under the discretion of the Attorney-General. In Fiji's case, compensation for breaches of Bill of Rights will be awarded by an independent judiciary, Madam Speaker. Fiji must, therefore, reserve the right to pay compensation subject to the orders made by the Court in the interests of equity and transparency.

Furthermore, Madam Speaker, Article 20 (this is the Committee Against Torture) provides for the Committee against Torture, as the competent authority to investigate allegations of torture practiced in the territory of a State Party. Fiji, Madam Speaker, must reserve that right not to recognise the

Committee as the competent authority to investigate allegations of torture, given that Fiji has a very competent criminal justice system, Madam Speaker.

HON. OPPOSITION MEMBERS.- Aw! Aw!

HON. F.S. KOYA.- All complaints, Madam Speaker, pertaining to torture can be channelled through the Human Rights and Anti-Discrimination Commission, given that freedom from torture of any kind is part of the Bill of Rights under the Constitution, Madam Speaker. The Commission, as the agency responsible for the enforcement of the Bill of Rights, may initiate the relevant legal proceedings, once complaints pertaining to torture are filed with the Commission, Madam Speaker.

Madam Speaker, Fiji is not the only country in the world to make this very reservation. Countries such as Israel and China also do not recognise the competence of this Committee, amongst others. It is important to note that the Convention itself, Madam Speaker, in Article 28, allows for State Parties at the time of signature or ratification, to declare that it does not recognise the competence of the Committee provided for in Article 20. With this reservation, Madam Speaker, Articles 21 and 22 will not be applicable to Fiji and will not be accepted by Fiji, given that we have a competent and independent criminal justice system...

HON. OPPOSITION MEMBERS.- Aw! Aw!

HON. F.S. KOYA.- ...that can adequately deal with all allegations of torture.

HON. RATU I.D. TIKOCA.- Dictator! Dictator!

HON. F.S. KOYA.- Any such allegations can be independently investigated, Madam Speaker, and prosecuted by the Fiji Police Force and the Director of Public Prosecutions, which has guaranteed constitutional independence, Madam Speaker.

HON. RATU I.D. TIKOCA.- No democracy!

HON. F.S. KOYA.- ...Any such prosecution will be adjudicated by an independent judiciary, Madam Speaker.

Article 30 is another reservation, Madam Speaker. Paragraph 1 of this Article provides for the submission to arbitration of dispute between State Parties concerning the interpretation or application of the Convention. This matter can go for arbitration at the request of one State Party, if the matter is not resolved within six months, Madam Speaker, the matter can be referred to the International Court of Justice.

Given that Fiji has a competent redress mechanism under our Constitution and a competent criminal justice system, any complaint against the State or any individual must go through the proper redress mechanisms as provided for under our laws, Madam Speaker. Madam Speaker, once again, Fiji is not the only country to make this reservation. Many countries have made similar reservations, again Israel, China, France and South Africa, have similar reservations.

General Reservation: Madam Speaker, finally, the Fijian Government must be allowed to reserve the right to formulate upon acceding to the Convention, any reservations or declarations it may deem necessary in light of its domestic laws or national policies. Once again, this is not peculiar to Fiji, Madam

Speaker. The United Kingdom at the time of ratification of the Convention, also reserved this right, Madam Speaker.

In conclusion, I urge this House to ratify the Convention with the reservations outlined in the motion by the honourable Acting Minister for Foreign Affairs.

I thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Faiyaz Koya.

The honourable Karavaki, you have the floor.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker.

First of all, Madam Speaker, just a point that I would like to raise because of the motion that was tabled, the words was put according to the UNCAT to be approved and not to be ratified.

Standing Order 47(4) states, and I quote:

“When a motion has been moved and, if necessary, seconded, the Speaker proposes a question on the motion to Parliament in the same terms as the motion and a debate then takes place.”

That, Madam Speaker, I would like to just put it before the House, is very important so that we are not distorting the process, so that we actually arrive at the objective that we are trying to achieve. I think the law is for the purpose of consistency, Madam Speaker.

On the UNCAT, Madam Speaker, this Constitution was approved and comes into effect on 7<sup>th</sup> September, 2013. It has been explained in this House, Madam Speaker, that this Constitution and other domestic laws had taken appropriate safeguards against torture and violation of human dignity.

In October 2014, Bilitaki was removed from his house by the security forces. That clearly indicates, Madam Speaker, that it is something to profess and it is something else to actually do it.

HON. OPPOSITION MEMBERS.- Hear! Hear!

HON. A. VADEI.- Amen! Amen!

HON. S.D. KARAVAKI.- Now, we can tell the world, Madam Speaker, that we have the best Constitution and I think we probably will hang our hats in saying that, Madam Speaker, because we know this is not true to the tenor of the law.

We understand, Madam Speaker, that the process of investigating Bilitaki’s case is a human rights violation, the decision finally arrived that there was no violation of human rights.

HON. OPPOSITION MEMBER.- Biased!

HON. S.D. KARAVAKI.- Where else can he go to, when the perpetrator is the State?

HON. OPPOSITION MEMBERS.- Hear! Hear!

HON. S.D. KARAVAKI.- This is what the Government, Madam Speaker, must take into account and seriously look at Articles 21 and 22 without reservation, and that must be taken on board.

It has been expressed in this august House, Madam Speaker, that under UNCAT, Fiji has the liberty to exclude whatever provision is there, according to its choice. Madam Speaker, are we going to follow this track to be selective, to take what we want, and throw out what we do not want?

I do not think, Madam Speaker, speaking of this, this is what the people of Fiji want. They do not want a selective approach to accepting UNCAT. We must embrace it fully because if we are to be responsible, Madam Speaker, if we look at our position in the global family, it has been expressed in this House, Madam Speaker, that we have a very good position in the global community. That is why we are talking about this UNCAT, to be a part of, to actually accept UNCAT as the law of this country.

Madam Speaker, the international community is far bigger than Fiji. Even if we try to avoid what is embraced in UNCAT, we will run, Madam Speaker, but we cannot hide because we are part of the global community. For example, the President of Chile was trying to avoid being made responsible for the acts that he had committed against his own people, but the international community says that no one can avoid being taken into account on the issue of torture. This is why, Madam Speaker, I would plead to the Government to see that UNCAT is accepted wholly and not taken with reservation. It must be accepted wholly because if we do that, then we will take truly our position in the international community. We cannot say that we are taking our position in the international community, then we are leaving out some and taking some in! It is an embarrassment. It is an embarrassment, not only on the Government, even this is a Government in waiting.

HON. OPPOSITION MEMBERS.- Hear! Hear!

HON. RATU N.T. LALABALAVU.- Tell them! Tell them!

HON. S.D. KARAVAKI.- We cannot be seen together with that kind of approach, Madam Speaker.

Madam Speaker, I fully submit before this House that the Government takes this very seriously, and in doing so, we will truly take our position within the global family of international community. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Karavaki. The honourable Tikoduadua.

HON. LT. COL. P. TIKODUADUA.- Thank you, Madam Speaker.

Madam Speaker, I rise to make my contribution on the motion that is before the House, in respect to the ratification of UNCAT. I stand in support of the statements that have been made previously by the honourable Prime Minister as Acting Minister for Foreign Affairs, and also the honourable Minister for Trade, Mr. Faiyaz Koya. In both the statements of the honourable Members before me, they had reservations about certain aspects of UNCAT, whereby we should not at this stage ratify it.

We also heard, Madam Speaker, particularly from the statement that was made by the honourable Koya about precedents that have been set throughout the world - of nations, of true democracy and who aspire for the principles against torture that have not fully ratified UNCAT.

Now, I think the point, in my view, that is perhaps, most critical out of here is that each nation State makes a determination of what it believes is best for it at a particular stage. Our children, somewhere down the line may not think exactly the way that we do, but situations as such today, and that is the beauty of human nature because it gives us the opportunity to make a choice. We make a selection, a choice of something that we take or do not take, and we leave.

HON. RATU I.D. TIKOCA.- Your choice!

HON. LT COL. P. TIKODUADUA.- And that is the reality of it, Madam Speaker. The truth about that is that not everyone's choice gets to be accepted, but not everyone's view gets to be taken, and that is the whole issue why there are reservations, and those reservations that I now support had been articulated before this House.

In that light, Madam Speaker, as I speak in support of this motion on the ratification of UNCAT with the certain reservations that had been noted before the House, I would also further like to add that no citizen of our beloved country, no citizen of the world should be subjected to torture or inhumane treatment. No one should be.

HON. OPPOSITON MEMBER.- Then ratify it!

HON. LT. COL. P. TIKODUADUA.- No one should be. We are ratifying the Convention, Madam Speaker.

HON. OPPOSITION MEMBERS.- (Inaudible!)

HON. LT. COL. P. TIKODUADUA.- You will get your turn. Wait for your turn and you can talk later! Wait for your turn, I am taking mine now.

No one should be subjected to torture, Madam Speaker. We firmly believe that, and that is the commitment in which we have moved these provisions before the House to ratify this Convention. And as I said earlier, we are not alone in the world. There are States within our own region that do not, that do not ratify this, and the biggest democracies of the world, the UK, which they so passionately aspire to, does not ratify the whole Convention. I mean, someone brought up the debate about the flag, the UK does it.

HON. N. NAWAIKULA.- We cannot compare!

HON. RATU I.D. TIKOCA.- They don't torture their citizens!

HON. LT. COL. P. TIKODUADUA.- Anyway, I must also add here, Madam Speaker, I note with concern that the honourable Niko Nawaikula seems to be implying in his statement that torture is only done by state actors, and that is not true, Madam Speaker. Absolutely, not true!

HON. N. NAWAIKULA.- I am talking about Fiji.

HON. LT. COL. P. TIKODUADUA.- Here in Fiji, of course. Absolutely untrue. It is very misleading to say that the state actors only do it, because the majority of the actors in the world who live by "no rule" are non-state actors. Let us not forget easily our previous history, one decade down the line there were many non-state actors that did it, many non-state actors.

HON. N. NAWAIKULA.- The State that cannot go to Court!

HON. LT. COL. P. TIKODUADUA.- Many non-state actors did it. So, no one, be it the State or private citizens should not invoke any torture or any act of violence on anybody. That should be our bottom line.

HON. RATU I.D. TIKOCA.- 21, 22 is in the bottom line!

HON. LT. COL. P. TIKODUADUA.- Wait for your turn!

HON. RATU I.D. TIKOCA.- You're afraid!

HON. LT. COL. P. TIKODUADUA.- Also, before I sit down, Madam Speaker, given that there have been so many references made to the Committee that brought up the Report, the recommendation to the House, may I state that this is a Standing Committee of the House, not a Committee that has been set up solely for this function, as it is implied. This same Committee is going to be looking at other functions, other issues, papers put before it. So, let us not make something out of something that is not what it is.

HON. RATU I.D. TIKOCA.- What do you mean?

HON. LT. COL. P. TIKODUADUA.- What I am saying, this is the Committee of Foreign Affairs. This is part of the consideration that it does, to look at UNCAT, and it is going to look at those other functions as well.

Anyway, in any event, Madam Speaker, may I conclude and I reiterate again my support for the ratification of UNCAT under the motion that is put before the House, with the exceptions that have been noted to the House today. Thank you.

MADAM SPEAKER.- I thank you, honourable Tikoduadua. The honourable Draunidalo, you have the floor.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. I wish to declare at the outset that I was a member of the Committee, before I proceed, in case people are wondering when I delve into certain matters.

Madam Speaker, I thank the honourable Prime Minister and Acting Minister for Foreign Affairs and his Government for bringing this Treaty to be ratified by Fiji. I also wish to thank honourable Rika, Chairman of our Committee, and the honourable members of the Committee, bipartisan on both sides of the House who, together prepared this Report.

The Chairman and Members showed great leadership and wisdom, and I can say that it showed through the procedure of the Committee, Madam Speaker. The Chairman made sure to tell the enthusiastic ones like me to settle down and we cannot have everything that we want, and that we cannot have anything that we want in the Report, Madam, Speaker, because the Report was to wholly reflect the submissions made to the Committee, so that none of our opinions mattered, but the opinions of all the submissions that were made. And, all the submissions that were made, Madam Speaker, I note what the honourable Tikoduadua has said, about where different stages of development, and it is what we choose for this time.

Well, we are supposed to be a democracy, Madam Speaker, and the people who came and made submissions, all of them but one, all of them - those who have been tortured and those who were alleged to have done the torture, they all made submissions to this Committee, and all wanted ratification without reservation, Madam Speaker. The only one that submitted for reservation was the Solicitor-General.

HON. OPPOSITION MEMBERS.- Aw!

HON. ROKO T.T.S. DRAUNIDALO.- And, Madam Speaker, the honourable Member ( I think it was honourable Nawaikula) who had said why the reservation was made, and that was because our local laws and the honourable Koya had also referred to it, that local laws were sufficient, Madam Speaker; the Constitution and the laws that we have here. I can say for my part that I have represented a civil litigant in the High Court, alleging torture against the Police, so that law is there. But there have been other instances, Madam Speaker, to which the honourable Karavaki has referred to, where in those instances, complaints do not even get off in the first base as it were, and those are the ones we have to be concerned about.

As for Articles 21 and 22, Madam Speaker, all they are is, they allow another State to report on alleged allegation of torture in this country. And they allow individuals from this State to bring their grievances up and another State can take it on their behalf and yes, the Fiji Government has the option to opt out of it, if it does not want to.

But having heard the other side say that local laws are sufficient, that we have got the best Constitution, we have got this Bill of Right that does not allow for torture, we have to ask ourselves “why do we want to ratify this then? Why, when we have the best laws in the world. And the honourable Prime Minister has explained why. It is the first reason which, to me, would have been the most important reason because it was said first, was “we want to be good statesmen and women on the international stage.” We want to tell the world “we can stand side by side with you against torture”, but when we make these reservations on 21 and 22, we are really saying “we will stand side by side with you against torture, but we do not trust you to report on torture in Fiji.”

Now, Madam Speaker, again I go back to the leadership and the wisdom shown in the Committee, the Chair and the Members, nothing stays the same Madam Speaker, everything changes. I urge the Members of this honourable House on both sides to think about this issue. How would they feel, if in 10 years' time we have another system of government, or some upheaval or the other, and their relatives, children or grandchildren are dragged to be tortured by State forces? How would they feel that they sat in this House and they passed or they tried to ratify Fiji with these exceptions that would not help future generations?

Madam Speaker, leadership has been alluded to by the honourable Prime Minister. It is not about what is good for us today, it is what is good for us in 10 years' time, and in a hundred years' time, as the honourable Singh made earlier, and some other comments this morning. So we must not think of our situation today but what could come in the future. I am not one to know the Bible in great detail, which is a great disadvantage according to relatives, but even the Bible talks about it, “do unto others what you want done unto you.”

So, Madam Speaker, let us think, not of ourselves but of our future generations. What if it happens under different circumstances, and I say this because in 2001 after the General Elections, I took part for the Fijian Association Party, Madam Speaker, and the SODELPA the SDL Party was elected. Never in our wildest dreams did we ever think that the events of December 2006 would happen. But that is just an example of how political changes happen - very quickly, without warning, things change. And so we

always have to keep an eye and I urge the members of the Government, especially the Prime Minister to think about that point.

MADAM SPEAKER.- Please refrain from referring directly to a Member.

HON ROKO T.T.S. DRAUNIDALO.- Yes, Madam Speaker, through you that we pass laws and ratify treaties and keep that in the back of our minds that “we do unto others what we want done onto ourselves.” The shoe might be on the other foot one day, and so Madam Speaker, according to the honourable Mr. Karavaki, we are the government in waiting.

And it is no secret, Madam Speaker, that I hope my year sentence will end after four years and I go back into the private sector but while I am here, I urge honourable Members on both sides to think about that issue, and again I thank the honourable Rika and each and every member of the Committee for the very fine work that they have done. Thank you.

HON. V.R. GAVOKA.- Can I also contribute to the debate Madam Speaker?

MADAM SPEAKER.- You have the floor.

HON. V.R. GAVOKA.- Madam Speaker, let me just say at the outset that coming here this morning when I saw the Report and I read about and keeping track of the work of the Committee, I was elated that this Report is coming into the House that it will be passed in totality. I must admit the disappointments after that when it was made known that it will be made in reservations, was quite a disappointment, Madam Speaker.

Madam Speaker, if this Constitution is the best there is let us hold it against the UN Convention. Let us not be afraid to hold it against global practices, against the international community on what is best. Given Fiji's history over the last eight years, we need to subject ourselves to scrutiny of the highest order. I salute the officers of the Military, the Police and the Correction Services that they who are always at the forefront, always the ones who get blamed, but stood up and said “Let's do this without reservation.” I salute them, and I think this House must do that also, it should be passed without reservation.

Madam Speaker, I have always wanted us, as a small nation in the Pacific, global players with our peace keeping, rugby, missionary work and our tourism. I want us to sit with the best there is anywhere in the world. Our military officers to sit with their counterparts in the British Army, and any army in the world because they observe the fundamentals that are observed by other professional soldiers. Likewise, we as a citizen wherever we go, Madam Speaker, I was a tourism person who travelled the world. I was always proud being from Fiji to sit with anyone, the doors were opened to me, and the tables were laid out in front of me because I came from a country that observed the fundamentals in good governance.

Madam Speaker, I would urge this Government not to be paranoid. I believe paranoia is a major issue here. In four years' time, there could be a change of government. What we are doing today is for our children and our grandchildren, and beyond this government. Let us get away from thinking short-term, which I think is the case here and let us do it in its whole totality Madam Speaker, let us embrace this and let us pass this Madam Speaker, without reservations.

Thank you Madam Speaker.

MADAM SPEAKER.- Thank you. I will now invite the Acting Minister for Foreign Affairs for his right of reply.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Thank you Madam Speaker, there has been a lot of contradiction said from the other side of the House by former speakers. One talked about, as the Leader of Government mentioned talked about government being responsible for most of the tortures, having forgotten the events of 2000 and 1987. Madam Speaker.

HON. RATU I.D. TIKOCA.- Yours was the worst one.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- There you go. And I was going through the list of all those people that came in and made submissions, I have not seen any of those who were tortured in Muainaweni during the events of 2000. I do not know why none of them appeared, maybe they are frightened of the people in the Committee.

Anyway Madam Speaker, another speaker talked about the international community is bigger than Fiji, having said that, not listening to what honourable Koya had mentioned that a lot of member States in the international community had reservations about UNCAT.

HON. RATU I.D. TIKOCA.- Who is the torture?

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Really, Madam Speaker, our reservation stem from the fact that we want to be responsible for the people of Fiji.

HON. N. NAWAIKULA.- Responsible for what?

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Madam Speaker, we hear all those uncouth words, but “responsibility” means, if you a member of a Committee, you stay there throughout the Committee duration. You do not walk about, bring about controversial subjects when you return and then walk out again, and still collect your sitting allowance, as the Member of a Committee has been regularly seen ....

On the responsibility, Madam Speaker, I have just found out that there was an email to the Secretary-General, made on the insistence of a Member of the Committee that they travel to Geneva, and he was very serious about that.

HON. GOVT MEMBERS.- Oh!

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Why they would like to go to Geneva, heaven knows!

HON. GOVT MEMBERS.- Holiday.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Maybe holiday ...

HON. N. NAWAIKULA.- But you went there?

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- ... but we are talking about responsibility here. There is really no free ride here.

(Chorus of Interjections)

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Madam Speaker, the United Nations Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, which was adopted by the United Nations General Assembly in 1984, is an International Human Rights Treaty that aims to prevent torture, cruel, inhuman, degrading treatment or punishment around the world.

Under the Convention, State parties are required to take effective legal and other measures to prevent torture, and declare that no state of emergency, either external threats, or orders from a superior officer, or authority may be invoked to justify torture.

Under the Convention, State parties are required to make torture illegal and provide appropriate punishment for those who commit torture. A set jurisdiction, when torture is committed within the jurisdiction, investigate and prosecute accordingly are upon request, extradite suspect to face trial before another competent court.

It also requires State parties to cooperate with any civil proceedings against accused torturers, provide training to law enforcements and military on torture prevention, keep interrogation methods under review and investigate any allegations that his officials have committed torture in the course of their official duties, ensure that individuals who alleged that someone has committed torture against them are permitted to make official complaints and have it investigated. And if the complaint is proven, to receive compensation, including full medical treatment and payments to survivors, if the victim dies as a result of torture and not to admit into evidence during a trial any confession or statement made as a result of torture. It also forbids activities which do not rise to the level of torture, but which constitutes cruel or degrading treatment.

The impact of UNCAT on Fiji, Madam Speaker, is the Constitution of the Republic of Fiji and the Crimes Decree which make the act of torture an offence. Given these provisions in our domestic legislation, accession to UNCAT will complement the already robust provisions in our domestic law with reference to torture. And furthermore, the Fijian Government, during its reversal period of review in October 2014, made a commitment to ratify and accede to core human rights instrument by 2020. Accession to UNCAT will therefore, be consistent with our international commitment, and that is why we are doing this.

Finally, accession to UNCAT will also be a critical step in our campaign to have Fiji elected to the Human Rights Council in 2016. With more than 150 States having become a party to the Convention, the accession will raise Fiji's international standing in the Human Rights Council community, and will promote cooperation and strengthen international relations with other State parties who have acceded to or ratified the Convention.

We have talked about reservations, Madam Speaker, a large number of countries, as had been mentioned, have made appropriate reservations to the Convention, similarly the Fijian Government will make reservations pertaining to the following Articles:

- a. Article 1 as we have heard, on the definition of torture. The reservation is that the definition of torture in the Convention is only applicable to the extent expressed under Section 11 of the Constitution.

- b. Article 14, on compensation. The reservation is that Fiji reserves the right to award compensation to a victim of an act of torture, subject to the determination of the Court.
- c. Article 20, Committee against Torture. The reservation is that the Committee will not be recognised by Fiji as the competent authority to investigate allegations of torture. Therefore, Articles 21 and 22 will not be applicable to Fiji.
- d. Article 30 - Arbitration of Disputes. The reservation is that, Fiji is not bound by the provisions in paragraph 1 of this Article.
- e. General Reservations: Madam Speaker, the Fijian Government reserves the right to formulate upon ratifying the Convention, any reservations or declarations it may deem necessary in light of its domestic law or national policy, and here we are talking about the sovereignty of the nation of Fiji.

Given the above, I move that the motion tabled by me, under Standing Order 130 (paragraph 4) be passed by Parliament, and the Convention, together with the reservations, as set out in the motion be approved by Parliament through a vote.

Thank you Madam Speaker.

MADAM SPEAKER.- Thank you very much, the Parliament will now vote. Does any Member oppose that the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) be approved by Parliament.

Since no one opposes the motion, the motion is therefore agreed to unanimously.

The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) is approved by Parliament. Pursuant to Standing Order 130(5), written notice will be given to the President to that effect.

I thank you all very much for that.

We will now break for refreshment and when we return, we will proceed with the Order for the Day.

The Parliament is now suspended.

The Parliament adjourned at 3.53 p.m.

The House resumed at 4.20 p.m.

MADAM SPEAKER.- We will now move on to item 6 on the Agenda. Secretary-General!

SECRETARY-GENERAL.- Oral Questions.

HON. LT. COL. P. TIKODUADUA.- A point of order, Madam Speaker.

MADAM SPEAKER.- Point of order.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, before I speak on this point of order, may I apologise to the Chair, I think there is a total misunderstanding, I actually sat down without realising that you had not exited the Chambers, so I got caught up with that and I do not mean any disrespect.

MADAM SPEAKER.- Thank you.

HON. LT. COL. P. TIKODUADUA.- Moving back to the point of order, Madam Speaker, I beg to move:

That Standing Order 23(1) be suspended to allow the House to complete its business, as set out in today's Order Paper. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you very much. First oral question for today, Hon. Semi Koroilavesau.

## **QUESTIONS AND REPLIES**

### Oral Questions

#### Transformation of Government Shipping Services Fleet (Question No. 38/2015)

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I rise to raise the question in Schedule 1, No. 38 of 2015 that is designated for me. My question is to the honourable Minister for Infrastructure and Transport and the question is, can the Minister briefly explain to the Members of this House, the transformation of the Government Shipping Services fleet and its contributions to economic development and capacity building in maritime safety.

MADAM SPEAKER.- Thank you, Minister for Infrastructure and Transport.

HON. COL. P. TIKODUADUA (Minister for Infrastructure and Transport).- Thank you, Madam Speaker. I thank the honourable Whip for his question and the question requires me to explain the transformation of the Government Shipping Services Fleet and as such, its contribution to economic development and capacity building in the maritime zone, particularly in the area of maritime safety.

Madam Speaker, in 2010, Cabinet took the decision to replace what was an aging fleet of the Government Shipping Services. At the time, the fleet included vessels like the *Dausoko*, *Tabu Soro*, *Tovuto*, *Natokalau*, the tug *Tini* and the *Golea*. These are some of the ships that were in the Shipping Services of Government and were in no capacity or did not have sea worthy certification to go out because they were quite aged.

Through that decision, Madam Speaker, additional ships were added to the fleet and to mention a few, the *Rogovoka* in 2011, which was bought as a second-hand ship, the tug *Dre Donu* and more lately, the ships *Sigavou* which is a barge, also *Vunilagi*. In addition, as I had alluded to earlier in one of my statements to this honourable House, there is a ship that is currently under construction in Malaysia which has a capacity and enough to carry 90 passengers and it weighs 120 tonne. Also of cargo carrying capacity.

The two new ships that were bought recently are now currently the ‘work horses’, so to speak of the Government Shipping Services and they have been very, very useful to us in meeting the needs of the maritime zone, particularly in water and emergency relief. We have also come to the aid of the franchise ships that have been destined to sail to uneconomical routes but these are primarily the functions of the boats that are under that franchise. But in the event that there is a need for these government ships to do an emergency run to the islands, in response to a particular need, they will also lend assistance to the franchise it is already operating at the moment.

At the moment, we have seven ships in the Government Shipping Services Fleet and we try as much to keep these ships in a capacity that is ready to be able to respond to the need of the community out there in the outer islands, particularly in the provision of emergency supply, emergency water, which has been the ‘Plan B’ service and functions of these boats we have at the moment. Also for economic activities when the need arises and if they need to take stuff from the islands to come back to Suva. Therefore, the Government Shipping Services in the fleet that it has makes up a very, very critical capability for our people, particularly those who live on the island.

In addition to that, I know that it is not only the ships that make the service, because the capacity here in Suva, particularly at the government shipping wharf needs also to be developed to make sure that our outgoing passengers, not only using government shipping but also with the franchise, are given adequate protection, not only for themselves but also for their goods whilst they are waiting for the boat. In addition to that, the aid to navigation that we are putting up in the waters within our territorial waters here in Fiji have passed to navigate safely within these boats and also the capacity out there on the island.

Before we broke off for Christmas, Madam Speaker, there was this very big debate about the jetty in Vanua Balavu. Now that is operational in the state that it is in and we are working closely, but that is to say the commitment to be able to allow the GSS to provide the services for our people, and we know that they are important and they are very, very critical for the people who live in the Lau Group, the Yasawas and the top end of Vanua Levu and also in the Lomaiviti Group and Kadavu. So in that light, I would like to reiterate that they are a very critical component of our work and we make sure that they remain in that role for as long as that can be. Thank you, Madam Speaker.

HON. RO T.V. KEPA.- Supplementary question, Madam Speaker. I thank the Minister for his explanation on the transformation of the Government Shipping Services. I would like to thank the Government for providing employment for the crews of these ships and the skills training that they receive including on the job training. Just my question to the honourable Minister, Madam Speaker, with the Government Shipping Services, one of the boats that used to serve the maritime provinces very well was the *Kaunitoni* because it was purpose-built for providing services for the maritime provinces. In that, it was built to provide passenger provisions for their comfort and safety and also adequate loading and capacity for cargo. There was also proper refrigeration provisions for the marine resources that were bought from the islands. I am wondering honourable Speaker, if the Minister is also thinking and planning for a ship such as that, to be provided because it is purpose-built for these islands.

The other point that I would bring to the honourable Minister is for the rural roads on these islands in order to properly provide for the people that use these ships. The rural roads, Madam Speaker, that I was asked to bring to his attention was the roads on Lakeba, Moala, Cicia and Vanua Balavu so that there is proper transportation of the fish and other marine resources and commodities that would be brought to Suva on these boats in terms of the economic development for the people in the islands. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Minister.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I thank the honourable Leader of the Opposition for her supplementary question where she made reference to the *MV Kaunitoni*. The *MV Kaunitoni* was de-commissioned sometime back and I think the point is, she is commenting on the capability of the ship. My information is that the *MV Iloilovatu* and *Rogovoka* provide that capacity at present, and I am also happy to note that this new ship that we are acquiring, which should be with us around July/August this year, will definitely have the capacity to be able to offer those services in terms of comfort and refrigeration for the goods that people from the islands want to bring to Suva.

With regards to the rural roads that has been raised also, Madam Speaker, I note those areas and I think my statement later on today will cover some of those aspects. I will be happy to make some responses with regards to the islands where the concerns were raised.

HON. N. NAWAIKULA.- Supplementary question. Madam Speaker, I am concerned about an answer by the honourable Minister that in reference to some of the older ships, he said that some of those did not have sea worthy certification. Could he name which particular ships those were and why were they being kept, maintained and used when there were no sea worthy certificates?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I remember making the statement that the ships were not sea worthy and not properly certified, but I do not think in any event that I said that the ships were sailing when they were not properly certified. When I made those statements, I mentioned the ships such as *Dausoko*, *Tabusoro*, *Tovuto*, *Natokalau*, *Tug Tini* and *Golea*; all these ships are no longer sailing. I also noted that for their age, because it is an aging fleet, we no longer sail them. At the moment we only have 7 ships that are operating and they are *Iloilovatu*, *Rogovoka*, *Nasigavou*, *Vunilagi*, *Vatulawa*, *Dredonu* (which is a tug) and *Dautukituki* (which is a beacon piling barge). I just want to reassure this honourable House and the honourable Member, we do not sail ships that are not sea worthy, and the reason why we took them off the list was because they were aged, not properly certified and they have just been quite really old boats.

HON. V.R. GAVOKA.- Madam Speaker, in terms of economic development and capacity building, within the inter-islands, there is a lot of travel between villages from the main wharf or jetty like Vunisea and Waya connecting to Viwa. They use a lot of the small fibre boats that are powered by the outboard motors. The cost, Madam Speaker, is very high to acquire a boat and an outboard motor given the small economies of those villages. Would it be in the scheme of things for Government to help reduce the cost of the outboard motors and the fibre boats that are so critical in linking up the villages from the main services?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I am surprised no one is objecting to that question along the line of relevance in terms of the primary question. But nevertheless, I will attempt to answer that anyway. Suppose I can say, that that is something that I would raise as part of the request, but this is a matter for the companies that deal with these ....

HON. V.R. GAVOKA.- Duty concessions.

HON. LT. COL. P. TIKODUADUA.- No, not really.

That is something that definitely can be raised in the future, Madam Speaker.

MADAM SPEAKER.- Thank you.

HON. S.V. RADRODRO.- Madam Speaker, I would like to take the opportunity to acknowledge the quick action by Government through the honourable Minister for attending to the Lomaloma Jetty.

However, Madam Speaker, given that most smaller islands are without jetties, can the honourable Minister explain what measures are in place to ensure operational safety for both the franchise operators and the passengers?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, the Maritime Safety Authority of Fiji is the relevant authority that regulates maritime safety and as such, there are procedures that are in place to make sure that the ships are compliant when it comes to the safety of the travelling public that use the boats to travel. The Fiji Roads Authority is the appropriate authority that deals with the safety of the jetties that are out there on the outer islands. I know for sure that the Maritime Safety Authority works very hard to make sure that these ships are compliant to make sure that people travel safely, given we are all very well concerned about the safety of our people when they are at sea, particularly the recent inclement weather.

With regards to the jetties and the other areas, we have a schedule of work that goes out to the outer islands. We have started with some, we are progressively reaching out to other islands to make sure that their jetties are at least safe for boats to berth and then subsequently be able in the future to make it better so that it is safe for the ships to berth and for people to get on and off safely for that matter. So it is something that we have got on our charts and we hope we can get there sooner rather than later but sometimes constraints of resources dictates that we have to set our priorities in these areas.

Fiji Electricity Authority – 33,000 voltage  
(Question No. 39/2015)

HON. A. SUDHAKAR.- Thank you, Madam Speaker. I rise this afternoon to ask Question No. 39/2015 on today's Order Paper, and my question is to the honourable for Infrastructure and Transport.

Would the honourable Minister inform this House on what the Fiji Electricity Authority is doing to replace the ageing 33,000 voltage underground cable that recently failed and led to power outages in parts of Suva City and nearly suburbs?

MADAM SPEAKER.- The honourable Minister for Infrastructure and Transport.

HON. LT. COL. P. TIKODUADUA (Minister for Infrastructure and Transport).- Thank you, Madam Speaker, and I thank the honourable Member for his question. Madam Speaker, in just the immediate past we have encountered some disruptions to the power supply, particularly in the whole of the Southern Division and in particular, around the areas of Suva and the greater Suva area. Most of these have been caused by some very old cables that have been put there by what was the authority then and now, the Fiji Electricity Authority, to convey power from the Cunningham Road after the conveyance of the power from Monasavu, to the Power Station in Kinoya and then subsequently, getting

the electricity load into the Suva City area. And we are dealing mainly here with these 33,000 voltage cables that are within Suva and these comes from Vatuwaqa through Kinoya and also right up to Cunningham. Also at this stage, these cables come all the way right over to Knolly Street, Madam Speaker, my apology.

So, the FEA has already spent, at this stage, \$16 million in replacement of these cables. They are more durable. The old cables have been there, as I have said, for more than 35 years and now, we are replacing them. This has been possible because we had reviewed the tariffs some years back to allow for FEA to be able to put back into the system, those monies that have been raised through tariffs. We believe this is going to be adequate, perhaps capability to be able to make sure that there is a consistent supply throughout, particularly Suva. But as we know, we are always subjected to so many variations that are beyond us from the naturals that sometimes, some of these things do fail, but once we have all these cables laid out, we should be able to alleviate these concerns that we have at the moment.

Thank you.

MADAM SPEAKER.- Thank you.

We will now give the floor to honourable Brij Lal to ask his question.

**Ministry of Fisheries & Forests – Public Sector Investment Programme  
(Question No. 40/2015)**

HON. DR. B. LAL.- Madam Speaker, I rise to ask Question No. 40 put under my name, and it is addressed to the honourable Minister for Fisheries and Forests.

Would the Minister inform this House on his Ministry's 2015 Public Sector Investment Programme, their progress and targeted beneficiaries?

Thank you.

HON. RATU I.D. TIKOCA.- We were not given a chance for the supplementary questions to be raised on the last question, Madam Speaker?

MADAM SPEAKER.- Sorry, if you had noted, I had looked around to see if someone was standing up for supplementary question but in the absence of that, I called the next question.

Thank you. Honourable Minister for Fisheries and Forests.

HON. O. NAIQAMU (Minister for Fisheries and Forests).- Madam Speaker, I rise to respond to the question raised by honourable Dr. Brij Lal. Thank you, honourable Member for the question.

My Ministry's 2015 Public Sector Investment Programme comprises of 22 capital projects, totalling \$7.35 million. This is an increase of \$896,000 on its capital project budget allocation. The distribution of these 22 capital projects, include 13 capital projects totalling \$5.5 million being implemented by the Department of Fisheries and nine capital projects totalling \$2.3 million being implemented by the Department of Forests.

Out of the 13 capital projects being implemented by the Department of Fisheries in 2015, six capital projects directly focuses on Commodity Development which includes:

- 1) the revival of dormant ponds;
- 2) expanding farm development; and
- 3) raising commodity farm production to meet domestic and international demand.

The projects include:

- 1) seaweed;
- 2) brackish water;
- 3) freshwater aquaculture;
- 4) pearl oyster;
- 5) inshore and coastal fisheries development; and
- 6) the Food Security Aquaculture Subsidy Project.

Three capital projects include:

- 1) the Marine Resource Inventory Survey;
- 2) Biodiversity Enhancement; and
- 3) Makogai Mariculture Centre which focuses on inshore and coastal marine resource research which includes:
  - (a) profiling and assessment of our 410 *qoliqolis*;
  - (b) inshore and coastal fisheries culturing; and
  - (c) re-seeding or restocking of identified marine areas for expanding National Marine Conservation.

Four of the 13 capital projects focuses on the expanding and enhancing of the Fisheries Department Advisory and Technical Services delivery to the rural and maritime communities, as well as the Department's Specialised Institutional Production Capacity Infrastructure. They include:

- 1) the construction and establishment of the Rotuma Ice Plant;
- 2) establishment of the Multi-Species Hatchery in Coboni in Ra;
- 3) construction and establishment of the Gau Ice Plant and Fisheries Station at Navukailagi; and
- 4) upgrading of the Department of Fisheries Infrastructure.

Madam Speaker, for the Department of Forests, of the nine capital projects being implemented in 2015, two focuses on the Upgrading of Institutional Infrastructure, namely:

- 1) the upgrading of the Colo-i-Suva Forest Park; and
- 2) upgrading of the Forestry Officers and Staff Quarters.

Three of the nine capital projects focuses on Community Development and Value Adding. This includes:

- 1) the Sandalwood Development Project;
- 2) Pine Wood Log Package; and
- 3) Utilisation of Wood Project.

Two of the nine capital projects focuses on research, including:

- 1) the establishment of Permanent Sample Plots to ascertain the Annual Allowable Cut in natural forest; and
- 2) research and development of wood and non-wood species.

The balance of the two capital projects focuses on afforestation and reafforestation efforts, which include:

- 1) the reafforestation of degraded forest; and
- 2) Reducing Emission from Deforestation and Forest Degradation, otherwise known as REDD.

Madam Speaker, in 2010, my Ministry established the Monitoring and Evaluation Section within our Economic Planning Division for the purpose of monitoring and assessing the Ministry's progress on the implementation of plans, policies, programmes, capital/donor-funded projects on a quarterly and annual basis. To-date, through my Ministry's Monitoring and Evaluation activities, we endeavour to evaluate effectiveness and impact of our plans, policies, programmes and projects on our various stakeholders such as the targeted beneficiaries, including:

- 1) our rural communities, industry and other stakeholders;
- 2) ascertain the real value and position of the sustainable development of Fiji's forests and fisheries resources; and
- 3) gradually refine the composition and effectiveness of our Ministry's plans, policies, programmes and projects and the corresponding input on resources allocation.

A model adopted by my Ministry is the result-based framework which utilises a combination of different indicators to assess progress. This includes, promoting efficiency in the use of allocated resources such as staffing, funding and much emphasis on timelines.

To achieve identified capital projects output, the benchmark indicators for all our capital projects in 2015 is 100%. Staffing strength rate from January to December, 8.3-10% fund utilisation per month; and an 80-100% achievement rate for the major outputs for each capital project.

Promoting effectiveness through specific indicators that harness the economic, social, ecological and environmental value of each capital projects work activities, noting the different nature of each capital project, the effectiveness indicators vary across each capital project. The format of my Ministry's Monitoring and Evaluation is the conduct of monthly assessments, physical monitoring to verify implementation and the presentation of Monitoring and Evaluation Results to both Senior and Project Managers, as well as graphical displays of capital project performance for the awareness of our offices and stakeholders.

Madam Speaker, for the benefit of all honourable Members, the table which articulates the key priorities progress and the targeted beneficiaries of my Ministry's 2015 Capital Projects will be given to the Secretary-General's Office for reference. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Minister for Fisheries and Forests.

HON. V.R. GAVOKA.- Madam Speaker, can I ask a supplementary question?

MADAM SPEAKER.- I will give the first question to honourable Kiliraki, and you can have the second one. Thank you.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker, a supplementary question. It is commendable that in regards to fisheries, that you have about 13 capital projects in place for 2015. My question to the honourable Minister is, what is the current status in regards to all the projects you have mentioned, like seaweeds, aquaculture, and all other relevant projects that were in place before 2015? If we could be enlightened with the current status in regards to the fisheries status on all the projects that are proposed to be for 2015?

Secondly, was there any feasibility study conducted, to be able to arrive at the projects that are in place? Thank you, Madam Speaker.

MADAM SPEAKER.- I thank you, honourable Kiliraki. I give the floor to the honourable Minister for Fisheries and Forests.

HON. O. NAIQAMU.- Madam Speaker, as I have already mentioned, the updates and the statistics will be available to the Secretary-General's Office, where it will detail the progress and outcomes of all the Programmes I have already highlighted. Thank you.

MADAM SPEAKER.- Thank you. I give the floor to the Hon. Gavoka.

HON. V.R. GAVOKA.- Madam Speaker, can I just ask the Minister, any plans by Government, given that tourism is a critical to this country, and the cost of food in this country is way too high. Is there any plans to bring the Industry together, with the Fisheries Department and major players to help bring the cost of sea food to a level that can make Fiji more attractive in terms of seafood? It is a major concern. And sitting right there is the Minister for Tourism, I am sure he understands where I am coming from, but it is very important that we see something happening, to bring down the cost of seafood in the hotels. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Honourable Minister for Fisheries and Forests?

HON. O. NAIQAMU.- Madam Speaker, we have already put in place a strategy with the Ministry of Tourism and Agriculture to arrive at what the honourable Member has highlighted to this House this evening. Thank you.

MADAM SPEAKER.- Thank you.

HON. RATU I.D. TIKOCA.- Supplementary question.

MADAM SPEAKER.- Supplementary question, honourable Tikoca.

HON. RATU I.D. TIKOCA.- Can the honourable Minister inform the House on how much funds were collected for Reafforestation Programme, and how much were used for actual reafforestation of local hardwood species in the last eight years of governance? Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Minister?

HON. M. VUNIWAQA.- A point of order, Madam Speaker.

MADAM SPEAKER.- A point of order!

HON. M. VUNIWAQA.- The question relates to reafforestation programmes in the past eight years, that is going outside of the subject matter, of the original question.

HON. RATU I.D. TIKOCA.- Madam Speaker, he was also talking about reafforestation. Hardwood species comes under his responsibility, so reafforestation should be a concern for all as depleting resources will actually affect carbon and all the associated thing. Being the Minister for Forests, please, can you just enlighten the House on the question that I raised?

HON. M. VUNIWAQA.- Madam Speaker, the question on reafforestation in relation to 2015 Capital Projects. The supplementary question is in relation to the past eight years. That is not within the original question.

MADAM SPEAKER.- Thank you. I tend to agree with that. Therefore, I will give the opportunity for the last supplementary question to honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, the indigenous community depend a lot on forestry and fisheries. In fact, it is one of their primary sources of income, but there are 22 projects. Could the honourable Minister explain whether the indigenous population in the country side come under one of your targeted programmes, and if so, what are the specific programmes that is addressed to improve their lots, and to assist them exploit those resources?

MADAM SPEAKER.- Thank you. Honourable Minister for Forests and Fisheries?

HON. O. NAIQAMU.- Madam Speaker, our programmes are for all Fijians, and my Ministry is upholding that principle to look after the interests of all Fijians, and we have put in place a plan, and we have been moving around our various divisions, organising meetings with all Fijians, including the indigenous Fijians for reafforestation and also for the fisheries issues. Thank you.

MADAM SPEAKER.- Thank you. I will now give the floor to the honourable Anare Vadei to ask his question.

Postgraduate Medical officers in In-Service Training  
(Question No. 41/2015)

HON. A. VADEI.- Thank you, Madam Speaker. I rise to raise Question No. 41 of 2015 vested under my name, asking the Minister for Health and Medical Services. Can the honourable Minister briefly explain how Postgraduate Medical Officers in In-Service Training in Fiji are progressing in the various areas of specialisation during the first quarter of 2015? Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. I give the floor to the Minister for Health and Medical Services.

HON. J. USAMATE.- Thank you, Madam Speaker. I would like to thank the honourable Vadei for his question.

The training of the people in the Ministry of Health is one of the most important roles that we have. There is a great need for specialisation to ensure that our clinical people have the skills that allow them to deal with the people that we have in this country.

One of the problems that we always have in the Ministry of Health is the range of the people that we need to train and the amount of money that is available. One of the issues that we have had in the recent past, is the money that has been made available for training and education has had to be used also to cover for bills of previous years. But, nevertheless, there is a focus in this year to try to come up with the training of our doctors and nurses in the various clinical areas. One of the things that we do emphasise greatly is the need to train our officers who are already in the Sector. There is a need to be able to provide them the training.

At the moment, already in the programme for continuing education in the Postgraduate programmes for doctors and for oral health, public health, we have a total of 60 people that we are planning to put through the programme. The new intake is talking about the figure of 80 people, including doctors in clinical areas, oral health, public health and even nurses in the various specialities. But, with the constraints of funding, the exercise that we are in now is prioritising these different areas, because there is always the difficulty in getting the adequate number of funds that we need. So, the total required for postgraduates for both continuing and new intake is about 140 officers, of that amount, we are not in a position to provide the full training at the moment. So, we will need to be able to specialise this, and our priority areas for postgraduate training will include areas like, maternal health, child health, anaesthesia, public health, pathology, emergency medicines, surgery, mental health, midwifery. This is for nurses.

In addition to the postgraduate training programmes, we also look to be able to send our people offshore. Whenever training opportunities come up, where we receive offers from places like Israel, and hopefully after my recent trip to India, there will be other offers for providing training. So there is an urgent need for us to be able to do this and we will look to be able to provide it to the best of our ability with the resource that we have.

Thank you Madam Speaker.

MADAM SPEAKER.- Thank you honourable Minister for Health. Honourable Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. A supplementary question. I thank the Minister for Health for highlighting that the problem with his ministry is money. This issue, Madam Speaker, was highlighted in the dailies two weeks ago by one of the consultants in the CWM Hospital. Who said that training has been carried out by the Ministry of Health but the problem is, there are no post or a position for them to occupy because after training they had become specialised in those areas. Areas they have been trained in and they no longer find it attractive to remain in the hospital services so they are moving elsewhere.

If the Minister could probably explain whether that is so because it was highlighted by one of the consultants and also Madam Speaker, I have been reliably informed that most of these consultants who had been trained and are qualified to occupy consultancy positions are now wanting to move to FNU Medical School to take up position over there. Also for a measure to attract them to stay and remain, probably the Minister could explain the state of the accommodation at Extension Street.

Madam Speaker, if we talk about people living in the squatters, our medical officers are actually living in the squatters at Extension Street and they are there to be on call 24 hours and also they go to work eight hours a day. Maybe, the honourable Minister can highlight in this honourable House on that. When consultants come from overseas, they are given accommodations that are suitable for doctors to live in but those in Extension Street, Madam Speaker, those are just fit for squatters to live in. Thank you, Madam Speaker.

HON. J. USAMATE (Minister for Health and Medical Services).- Madam Speaker, I could not understand Extension Street, I suppose that is the residence for doctors. I have the opportunity to review the applications of people who are applying for the different positions within the Ministry. And we are finding that in a lot of cases the higher level positions which require some minimum qualifications requirements, a lot of these positions we are not able to fill because people do not have the qualifications. So that is an exercise that has to be ongoing.

In terms of the accommodation that doctors reside in, whether they are living in conditions that has been mentioned here, not fit for people to live in that is something that I need to go back and check out because I do not have the exact details in here.

Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, I am surprised to hear the honourable Minister saying that there are financial constraints. True, training is important but you should be able to budget and plan well ahead. So, the question that I would like to put is that, what are these constraints and we hear also some who are entitled to scholarships are now being told to go to TELS. What are these financial constraints and why were these not addressed in last year's Budget?

MADAM SPEAKER.- Thank you. Honourable Minister.

HON. J. USAMATE.- Thank you, Madam Speaker. I think we are all very familiar with the budget process. When we come to make our budget process we always have a long list of things that we want. At the end of the day, it is always a balancing act between different priorities that is a normal budget process so like any other ministry, the Ministry of Health came with a long request of things. At the end of the day, there have to be give and take between what is required in one sector viz a viz another sector. That is how budgets are done. Budgets are not done in Eutopia where everything you want is requested. So we realise those difficulties and that is something that we have been able to do and we will continue to try to work towards our vision, as much as possible using available resources that we have to try to provide the best possible quality of health and medical services we can provide.

HON. GOVERNMENT MEMBERS.- *Vinaka, vinaka!*

MADAM SPEAKER.- Thank you and I will ask the honourable Aseri Radrodro to have the floor for your last supplementary question.

HON. A.M. RADRODRO.- Madam Speaker, I hear the Minister on the number of post medical graduate that they are doing a prioritising exercise. Can the Minister inform this House how are they managing the prioritising exercise and who is funding the cost of this post graduate in-service training?

MADAM SPEAKER.- Thank you, honourable Minister!

HON. J. USAMATE.- Thank you, Madam Speaker, for that question. The funding for the post graduate training within the Ministry of Health is traditionally being funded by the Ministry itself. That has been the way it has been carried out. With the limitations that we have now, we are looking at ways in which we can use the resources that we have to have the best number of people we can get trained in the priority areas that we have. We had sought to look at the TELS programme but TELS is only for

undergraduates. So currently, if we are looking to provide priority training for people in their specialisation, it will need to come from within the Ministry.

MADAM SPEAKER.- Thank you very much. I will now give the floor to the honourable Ruveni Nadalo to ask his question to the Minister for Fisheries and Forest.

Subsidy Programmes offered by the Ministry of Fisheries and Forests  
(Question No. 42/2015)

HON. R.N. NADALO.- Thank you Madam Speaker, I rise to ask Question 42 of 2015 under my name which is directed to the Minister for Fisheries and Forests.

Can the Minister please enlighten the House on the subsidy programme offered by his Ministry in 2015, their objectives, progress of implementation and targeted benefits?

MADAM SPEAKER.- Thank you, Minister for Fisheries and Forests, you can have the floor.

HON. O. NAIQAMU (Minister for Fisheries and Forests).- Madam Speaker, I rise to respond to the question raised by the honourable Nadalo. Thank you honourable Member for the question.

In 2015, my Ministry has two subsidy programmes one each for the two departments. The forest subsidy program is primarily aimed at empowering forest owning communities through the provision of financial subsidies, to enable them to actively participate in forestry economic activities that are happening right on their piece of land. The provision of assistance for the establishment of pine resin extraction activity within the pine scheme areas in 2015 is a key example. The resin from the pine timber has to be removed prior to timber treatment, but by tapping the trees prior to harvest generates a second source of revenue from the pine trees in addition to the pine logs. The tapping of pine trees generates much needed employment in rural areas which will translate into the improvement in the standard of living.

The Lakeba Pine Scheme is the largest and contain some of the most mature trees in Fiji. It was recommended that a Private Public Partnership arrangement be made for the project on pine resin tapping in 2015 for Lakeba. The parties to this project would include Callison Pacific, Fiji Pine Trust and the Government through the Department of Forests. Rendered assistance will be as follows:

- i) Callison Pacific will provide all relevant equipment and materials as well as technical advice.
- ii) Fiji Pine Trust will provide technical training and awareness at the operation level.
- iii) Department of Forests will provide consultation, freight for the supply of equipment and raw materials as well as collection of production.

The Department will also conduct periodic awareness and training at the *vanua* level, management and policy as and when necessary

The nature of pine resin tapping activity is very much labour intensive, hence the economic impact of the project at the grassroots level in alleviating poverty and improving livelihood is very substantial. Given that pine resin is a commodity with very high demand and is in short supply at the international market. The total land area for Lakeba is:

- i) 1,700 hectares, having an estimate of 1.8 million trees, with an estimated production volume of 780 tonnes annually.
- ii) Buying price for resin is \$1110 per tonne.
- iii) Projected total income generated is \$865,800 annually.
- iv) The return to investment will include the initial investment of \$390,000 and projected returns of \$865,800, with return on investment of 1:2.

Based on the above justifications, it can be argued that a dollar invested into the project has the potential to generate a little over double the principal amount. Additionally, amount injected is able to pay-off itself within half the period of investment, that is, the project will be able to recover the amount invested in six months.

The total Forestry Subsidy allocation for 2015 is \$500,000, a significant component of the budget will go towards the freight of pine resin collected from Lakeba. Government will be working in collaboration with Callison Pacific, to harvest the expected quantity from the island. Other project components had included the initial consultation made with the *vanua* for their approval and continuous monitoring and evaluation, upgrading road network, and at least certain percentage to account for unforeseen circumstances.

Madam Speaker, under the Food Security Aquaculture Project, the Department of Fisheries project is aimed to assist resource owners getting enough dietary and nutritional requirements of foods through production of cultured commodities (fish and crustaceans) grown in water for food security. Assistance is provided with technical advisory services and monitoring.

The Aquaculture Food Security Programme is administered by the Department of Fisheries and the focus of the programme is providing assistance to aquaculture farmers (existing and new) to strengthen food security and improve livelihoods, through aquaculture development. The assistance is specifically for provision of the following:

For new farmers

Construction of 2 ponds (50m x 20m) including liming and fertilizer  
Piping of 2 ponds  
Feed for one cycle only  
Supply of post larvae  
Provision of technical and scientific advice

For existing farmers

Pond cleaning  
Dyke repairs  
Drain repairs  
Piping  
Feed for one cycle only

In 2015, with a budget of \$300,000, with the scope of assistance mentioned earlier, the project is to assist 15 existing farmers at a rate of \$10,000 per farmer, and five new farmers, doubling the rate of \$20,000 per farmer. The projected benefit outlay will be given to the Office of the Secretary-General for reference for all honourable Members.

MADAM SPEAKER.- Supplementary question.

HON. M.D. BULITAVU.- A supplementary question, Madam Speaker, specifically on the subsidy on value adding machines, related to pine resin projects; the Chairman of the Fiji Pine Board, Mr. Faiz Khan is quoted as saying that the projections for the country's pine products, such as resin is likely to fetch our national coffers in excess of US \$2 million from 2015. Can the Minister explain what percentage is given to the landowners? How is this percentage determined, and by whom?

MADAM SPEAKER.-Minister for Fisheries and Forests.

HON. O. NAIQAMU.- Madam Speaker, I request that the details be presented to this House next month.

MADAM SPEAKER.- Honourable Nawaikula.

HON. N. NAWAIKULA.- On the subsidy programmes in relation to pine, the honourable Minister has made reference to, we also had in the past years promises that the same will be done to mahogany owners, in relation to the down streaming process so that they can get the full benefit of their trees. Do you have, in your subsidy programmes also, one that is directed at the mahogany landowners, and if so, what are the measures to be implemented?

MADAM SPEAKER.- Minister for Fisheries and Forests.

HON. O. NAIQAMU.- Madam Speaker, for the information of the honourable Member, the mahogany industry does not fall under my ministry.

MADAM SPEAKER.- Honourable Karavaki.

HON. S.D. KARAVAKI.- A supplementary question, Madam Speaker. I thank the honourable Minister for Fisheries and Forests for his explanation, especially on the issue of pine in Lakeba. If the honourable Minister can just enlighten the House (he had already explained the expected amount of money that could be realised from the sale of pine in Lakeba) whether the pine owners are given the liberty to explore and examine other potential buyers, apart from the scheme that is in place now with the Government? I thank you, Madam Speaker.

MADAM SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, for the information of the honourable Member, I think the pine scheme in Lakeba is owned by the people of Lakeba, and they determine the usage of their plantation.

MADAM SPEAKER.- I will now give the floor to the honourable Samuela Vunivalu.

HON. S. VUNIVALU.- Thank you, Madam Speaker.

Declaration of Navua a Township  
(Question No. 43/2015)

HONS. VUNIVALU.- I rise this afternoon to ask Question 43 of 2015 to the Minister for Local Government, Housing and Environment – can the Minister concerned inform the House when will the

Government declare Navua a township?

MADAM SPEAKER.- Thank you, honourable Minister for Local Government, Housing and Environment.

HON. P.B. KUMAR (Minister for Local Government, Housing and Environment).- Thank you, Madam Speaker. Madam Speaker, I rise to respond to the question raised by the honourable Member.

Madam Speaker, a joint Committee lead by the Office of the Commissioner Central and the members of the Navua Rural Local Authority, the two provincial councils of Serua and Namosi and the Navua community at large, recently made a submission under Section 5 of the Local Government Act to the Ministry of Local Government, Housing and Environment for the declaration of Navua Town, after undertaking the due process.

Consultations by the Joint Committee were well received from the business communities, residents and the two provinces. In this process, the Ministry for Local Government, Housing and Environment provided an advisory role to the Joint Committee on the process involved in accordance with the Local Government Act.

Madam Speaker, in line with this process, I have recently appointed the members of the Local Government Committee that will enquire and advise me before a decision is made on the application.

Madam Speaker, in light of the remaining process of defining the boundaries of Navua Town, the population and the publication of the declaration and gazette, including a two months' objection period, the declaration of Navua as a town will be around July. However, considering an appeal to my decision, the declaration will be possible by September of this year, 2015. Thank you Madam Speaker.

MADAM SPEAKER.- Thank you.

HON. RATU S. MATANITOBUA.- Madam Speaker, I would like to thank the honourable Minister and the Government for the initiative to declare Navua as a town. It has been overdue for a hundred years now. Sugarcane and the butter factory started in Navua and a lot of other projects started during the colonial era.

My question is to the honourable Minister. Navua is a prone flooded town; Navua, Nausori, Nadi, even your town, Ba. During floods and hurricanes, the people from two provinces, Serua and Namosi always come down to Navua. But my question to the Minister, I am happy that the hospital has been moved to Namelimeli, which is in my province, the province of Serua, because the hospital is up in the higher ground. I would like to thank the Government, (and I was in Government in 2006) for allowing that land to be taken by the Ministry of Health. I am happy, and I want to thank the honourable Prime Minister for opening the hospital and at the same time to declare Navua as a town, which I fully support. I want the Government side to know that I fully support this, on behalf of the people of Namosi and the so many people in Navua. The question that I want to ask the Minister is this, can the honourable Minister inform this honourable House if the Government has plans to relocate Navua to a higher ground, before declaring it a township. Thank you, Madam Speaker.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Do you have land?

HON. RATU S. MATANITOBUA.- You can buy land, we will give you land.

(Laughter)

MADAM SPEAKER.- Thank you, honourable Ratu Matanitobua. Honourable Minister for Local Government.

HON. P.B. KUMAR.- Madam Speaker, I am thankful to the honourable Member. At least, he is very thankful to the Government side in whatever we are doing.

Madam Speaker, I have just said in my response that I have received the submission from the Task Force Committee to my Ministry, to go through the report by the Committee that I have appointed. At this point in time, I am not in a position to say whether there is any plan to relocate the existing Navua Town. But if I have to believe the honourable Member, then I will have to relocate Ba, Nadi, Labasa and Nausori,, so what I am trying to say here, Madam Speaker, is that we will take note of what he has said, but at this point in time, I am not in a position to say whether there is any plan for Navua to be relocated. Not only that, one has to understand the existing investment at the existing location. That is more important, and dredging will help the people of Navua, and this Government will do. Thank you.

MADAM SPEAKER.- Honourable Prem Singh, supplementary question.

HON. P. SINGH.- Supplementary question, Madam Speaker. Can the Minister inform this House as to how long he will carry on with single administrators in all the municipalities?

HON. P. KUMAR.- Madam Speaker, I am not going to set any precedence in this honourable House. For people like this, to come around and seek answers for which they are not supposed to. Take it from me, I am the Minister, I know, but also there is a Standing Order, Madam Speaker, that they need to follow. Thank you.

(Laughter)

HON. P. SINGH.- I have a point of order, if the Minister could answer that question.

MADAM SPEAKER.- Thank you. I was going to say that the question really is unrelated to the initial question. Your question Hon. Prem Singh is unrelated to the initial question, declaring Navua a township. Thank you.

There being no other supplementary question. I thank you all for this vibrate session, which has brought the question time over, and I will now move on to agenda item 7. Secretary-General!

SECRETARY-GENERAL.- Ministerial Statements.

MADAM SPEAKER.- The Minister for Infrastructure and Transport has informed me that he wishes to make a Ministerial Statement, under Standing Order 40. The honourable Minister for Infrastructure and Transport, you can have the floor.

HON. J. DULAKIVERATA.- A point of order.

MADAM SPEAKER.- Point of Order.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I would like to raise a point of order under Standing Order 40. Madam Speaker, I also refer to the *Daily Hansard* of 11<sup>th</sup> February, 2015,

whereby you requested that Ministerial Statements should state the subject matter in advance, like we ask questions, to give us a time to respond. I think this was approved by the Deputy Speaker, who was presiding at the meeting. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. From my information, the issue was raised, but there was no decision made at the time, and the reason that we continue with the Ministerial Statements. However, if you want to make another request as to the release of Ministerial Statement beforehand, you may make it now and I would like to ask for a decision to it.

HON. J. DULAKIVERATA.- Can I just read it. “Mr. Deputy Speaker, Sir, I rise on a point of order – Standing Order 40. I request if Ministerial Statements can indicate the subject matter and listed in the Order Paper like we do with the Questions”.

This was the reply, Madam Speaker.

“Honourable Members, Standing Order 40 states and I quote: “A Minister wishes to make a statement on a public matter of national importance must inform the Speaker and each party represented in Parliament....”

Thank you, Madam Speaker.

HON. DR. M. REDDY.- Point of order, Madam Speaker.

MADAM SPEAKER.- Thank you, point of order.

HON. DR. M. REDDY.- Madam Speaker, Ministerial Statements are not meant to be an avenue for debate. When a Member on the other side wants to engage in debate, they can raise a question. The purpose of Ministerial Statement, Madam Speaker, is for Government to inform the public about some urgent matter. That is the purpose. It is not to open up an avenue for debate. Madam Speaker, they can raise a question, they can table a question, and anyone of us can table a question on the other side, and they will get in advance the question.

Ministerial Statement, Madam Speaker, is not meant for them to engage in debate. It is meant for us to inform, the Government side to inform the public about what we are doing, any particular matter of national importance.

MADAM SPEAKER.- Thank you, the issue as raised is noted. For now, we will now ask the Minister for Infrastructure and Transport to make his Ministerial Statement.

HON. LT. COL. P. TIKODUADUA.- Thank you, Madam Speaker. I rise this afternoon to make a statement, not on a controversial subject, but one of necessity, and the issue is to do with Government plan to beef up the work regarding our rural road networks.

Madam Speaker, I rise to address this august House, to inform the honourable Members on the internal transfer within the Fiji Roads Authority (FRA) of \$5 million to support building capacity for immediate response, towards improving our rural and maritime roads that is supervised by the Ministry of Rural and Maritime Development.

Before the Fiji Roads Authority commenced operations in January 2013, the management of roads in Fiji was disjoined with various agencies looking after different roads. The 11 Municipal

Councils had to sustain the machinery and equipment to look after road networks that were so small, it simply was not possible to do it cost effectively. Some of these Councils had less than 20 kilometres of road. Cutting across the various municipalities were government roads, maintained by the Department of National Roads (DNR). Road users were easily confused about who was responsible for what road.

Madam Speaker, in the rural areas, the situation was complicated further. DNR maintained around 4,000 kilometres of road whilst the Ministry of Rural and Maritime Development kept watch over some 700 kilometres of roads that were typically lower traffic volumes and a lower standard of construction. Outside of these primary access roads managed by DNR and Rural and Maritime Development, there were over 6000 kilometres of cane access roads that only received *ad hoc* maintenance around the time of the cane harvest.

Madam Speaker, this disjointed approach is now a thing of the past, but the legacy it leaves us is one of roads that have been built to varying standards, and maintained or not maintained as the case may be, in an inconsistent way over many years. Roads that were cut to a low standard with the intention of upgrading them over time got forgotten about, if funds became tight.

The DNR had a road design and construction standard that had to be met before a road could be passed to them for ongoing maintenance. The practice that was followed for many years by Rural and Maritime Development was to focus on cutting a road within whatever budget was available for that year, and then to try and progressively upgrade the road over coming years, until it could meet the standard to enable it to be passed to the DNR.

This approach had merit in as far as providing some access, but the reliability of that access was quickly compromised because the roads were not resilient to the harsh environment and heavy rainfall were experienced in rural and maritime areas. Madam Speaker, resilience and reliability are two key words for infrastructure that I will talk more about later.

We also have numerous roads that were built in the past for a specific purpose that are no longer in use – but may be revived if the need arises. A number of roads that were built to serve the cocoa industry fall into this category. Thus, we have several hundred kilometres of road that are at some point on the journey from being a raw “pilot cut” with very little gravel and inadequate drainage, to being a properly constructed road that will deliver the level of services we need to get from it.

Madam Speaker, and what do we mean by level of service? Quite simply, it means that different roads will have different standards, depending on what they are used for. Not every road will end up being tarsealed. Madam Speaker, to do so would be uneconomic and impractical. FRA currently looks after many roads that are only suitable for 4 wheel-drive vehicles. There are many other roads that are perfectly fine until it rains; and then they become impassable, they are not resilient and therefore, they are not reliable. Ultimately, we would expect to see very few of this type of roads into the future.

Certainly all roads that provide access to villages, schools and rural communities will, over time, be brought up to a standard that will allow carriers to travel on them for most of the time with no problems. There will always be extreme weather events that can potentially close off access, but the roads are becoming more and more resilient and this situation will continue to improve as the upgrade programme proceeds. Madam Speaker, resilience in roading is the ability of the roads to cope with extreme weather events quickly and bounce back to resume services. The next step up in standard from being a carrier-accessible road is when a road is upgraded to the point it can be a reliable bus route and key word here is “reliable”.

Madam Speaker, there is no point starting a bus service on a road until we can be sure that it is constructed and maintained to a standard that will let the bus operate every day in all conditions. The highest level of services we provide is, of course, the tarsealed road and this will generally be on higher trafficked rural roads.

The long term goal is to enable people living in isolated rural and maritime areas to have regular access to jobs, markets, education, health care and all of the services that are taken for granted in the urban areas. To do this, we must build resilient infrastructure that will reliably provide an appropriate level of service.

Madam Speaker, our Rural Road Access and Upgrade Programme is increasing in scale year-on-year to provide these benefits to more and more Fijians.

FRA receives guidance from the Divisional Commissioners about which existing roads are priorities for upgrading to FRA standard.

Madam Speaker, as I already noted these are rods that may have been cut some years ago, but never built to the standard that will allow reliable service for carriers and private vehicles. These are also roads that are targeted for upgrading to allow bus services to begin to operate as demand for this type of transport services develops.

Divisional Commissioners also play a key role in identifying where completely new roads are required – particularly for the purposes of connecting villages to the existing network, as well as opening up specific areas for economic development whether that can be forestry or agriculture.

Madam Speaker, last week I reached an agreement with the honourable Minister for Rural and Maritime Development that clarifies more formally the respective roles of FRA and the Ministry in as far as new rural and maritime roads access is concerned. FRA already has a \$20 million programme for new and upgraded Rural Access in 2015. The agreement I had reached with the honourable Minister is for a further \$5 million this year to be re-allocated within FRA budgets to accelerate this programme.

Madam Speaker, I have also instructed FRA to begin work now to prepare projects for 2016 and beyond. This Government takes seriously our obligation under the Constitution to provide reasonable access to transportation of all Fijians. It became clear to me that the current rate of progress, whilst vastly more substantive than in the past, is not fast enough to meet this goal in the timeframe we would like. Therefore, Madam Speaker, I have asked FRA to develop a programme that will ensure that majority of villages in Fiji have reasonable access to transportation within a target timeframe of 5 years. Madam Speaker, this is an ambitious target, but access is fundamental to economic development and social inclusivity. It is this Government's intention to deliver those opportunities to all Fijians.

Madam Speaker, the agreement that the honourable Minister for Rural and Maritime Development and I reached goes further. It also sets out how FRA and the Divisional Commissioners will work more closely to respond to issues that arise on the rural and maritime road network. We need these two important government agencies working more closely in this area, because as I have already mentioned, we have hundreds of kilometres of road that are still on the journey towards resilience and reliability.

This is a journey of several years, not months. So whilst we can all appreciate that the permanent solution will take time, this is no comfort to the parents of children who have to walk miles to school because the carrier could not get to the village. And neither do these parents want to hear that the work will be programmed for action in some weeks' time. No. Madam Speaker, they want to see some action

as soon as possible and that is why I, and the honourable Minister have agreed a protocol for a dedicated fast response fund.

This will be a \$5 million facility that will be re-allocated within FRA budgetary allocation for 2015 and used to respond to specific localised problems identified by the Commissioners. The Commissioner are on the ground in the Divisions, they are a common central point for the people to raise their issues. FRA has technical staff and a network of contractors that can be rapidly deployed to undertake fast responses.

Madam Speaker, we will harness these two complementary attributes by FRA and the Commissioner's by identifying specific staff to manage this process. There has been much good work carried out in rural areas over the past few years. Service reliability has increased significantly. In 2014 alone, there was grading carried out on over 14,000 kilometres of road.

I am confident that my Ministry has good control over 95 per cent of the issues with regards to roads. This latest initiative will allow us to address the remaining 5 per cent through the combined efforts of Fiji Roads Authority and the Ministry of Rural and Maritime Development.

Thank you, Madam Speaker, and I thank the honourable House for listening to the statement.

MADAM SPEAKER.- Thank you.

I now give the floor to the Leader of the Opposition or her designate, honourable Radrodro.

HON. A.M. RADRODRO.- Thank you, Madam Speaker.

I rise to respond to the Ministerial Statement by the honourable Minister for Infrastructure and Transport.

Madam Speaker, I would like to take us back to the 2015 Budget and I was expecting to hear some of the prioritisation of the rural roads from the Minister in today's Statement since he is talking about rural roads. In the Budget, it says that there are 13 rural roads and I take it that that was the allocation for the \$20 million that was allocated, as mentioned by the honourable Minister. Today, we hear another \$5million additional allocation that has been allocated to the Fiji Roads Authority, which has been given for rural upgrading. What I would like to request the Minister is, whether there has been any planning of prioritisation on these 13 roads? Which are the particular 13 roads that will be developed in 2015 as highlighted in the Budget? And how much is the cost of the roads that will be developed? What is the time period of all these 13 roads that have been identified in the 2015 Budget that will be undertaken in 2015? In terms of the cost of the road, I also highlighted, Madam Speaker, that on the 13 roads that have been highlighted, how much is per km per road for the upgrading of the rural roads?

The DNR, as has been alluded to by the Minister, had done this exercise. Now, why do we need additional \$5 million for the upgrading of the rural roads? Is it because the consultant costs are too high or the work men costs are too high? That needs to be clarified, and this is something that is amiss from the Ministerial Statement.

Also, in terms of the cost, in terms of accountability and transparency, whether a proper tender process has been done to appoint the contractors that will be undertaking these works in the rural areas? As we all know previously, the Department of National Roads has always had their personnel and staff in the rural areas. It is usually not a costly exercise to undertake the upgrading of rural roads. Now, the

question, Madam Speaker, is, in terms of the contractors, what are the local inputs of the contractors that will be involved in the upgrading of these rural roads?

HON. OPPOSITION MEMBERS.- Hear! Hear!

HON. A.M. RADRODRO.- What are the local inputs from the contractors that will be engaged in these rural road upgrading, Madam Speaker?

We need to see the value for money for this exercise. Additional \$5 million is not a small amount, it is a big amount, and therefore, Government needs to be accountable and responsible in a way this money has been allocated.

Another issue, Madam Speaker, is the monitoring of these rural road upgrades. Who does the monitoring? Is it FRA? Is it Ministry of Local Government? Is it the Commissioner? That is something that we need to be informed and take note of, as we progress during the year.

The other issue, Madam Speaker, is the employees. As we note, that the Department of National Roads, most of the employees that were engaged were locals. Now, where are they? Most of them are engaged through the similar exercise but now through FRA. The question is, why do we need to undertake that exercise when we can continue with the norm but improve on the way the operations are made?

Madam Speaker, I think the decision to improve the road is a good one but with the costs involved, I think a lot more reporting and an accountability and transparency process needs to be undertaken by the Minister himself.

Thank you.

MADAM SPEAKER.- I thank honourable Radrodro for his response. I now give the floor to honourable Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker.

We also support the improvement of local roads and the Ministerial Statement today. We thank the Minister. Rural roads, Madam Speaker, is a source of livelihood to people who live in the rural areas and the children who go to school. Some in my maternal home, they still swim part of the way to school. It is charming for those of us who go and observe them when we come from the city, but it would not be very charming for them, who do it every morning, so we support this improvement of roads.

I have also been reminded, I do not know if it falls under the Minister's portfolio but the Sigatoka Rail Bridge has been down for some time. It is for the farmers to access and the roads going up, again, I declare my interest, the Sigatoka Valley Road. These are the rural roads that I know of, the ones that go up past Korolevu and to Namoli, and to Nubuyanitu and Noikoro and also into the Nadi Highlands into the village of Uto and those other places, Madam Speaker. I was there and those roads are really in a bad condition, and other parts of the Highlands of Nadi. Those who operate public service vehicles are reluctant to go there. If they do, because of the high costs they have to incur, the costs of transportation to those who live in those rural communities is very high. It is a burden on the farmers and those who depend on crops and subsistence, those who come and sell crops in towns, the cost of coming in those carriers and things are very high, Madam Speaker, so we do support the Government's move to improve those roads.

Also, what the honourable Member, Mr. Radrodro, has just said about the efficiency so that the Government doesn't lose too much money and make sure that those roads last much longer and help those rural communities much better.

Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you very much, honourable Draunidalo.

That brings us to the end of our sitting today. I thank you all for your discussions, your contributions to the debate that's been vibrant, very interesting and I wish you all a restful night.

This sitting is now adjourned until 9.30 tomorrow morning.

The Parliament adjourned at 5.47 p.m.