

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**THURSDAY, 16TH MAY, 2019**

**[CORRECTED COPY]**

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**THURSDAY, 16TH MAY, 2019**

The Parliament met at 9.32 a.m., pursuant to notice.

HONOURABLE SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present.

**MINUTES**

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

That the Minutes of the sitting of Parliament held on Wednesday, 15th May, 2019, as previously circulated, be taken as read and be confirmed.

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote on the motion.

The Question is:

That the Minutes of the sitting of Parliament held on Wednesday, 15th May, 2019, as previously circulated, be taken as read and be confirmed.

Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- Honourable Members, as no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting. I also welcome our guests in the public gallery and those watching proceedings on television and the internet, and listening to the radio.

Address By His Excellency the Secretary-General of the United Nations

For the information of Honourable Members, later this morning, I will invite the Secretary-General of the United Nations, Mr. António Guterres, to address Parliament.

The Business Committee, in its meeting last Friday, unanimously agreed to the Suspension of Standing Orders so as to allow this process to take place. As it is a normal sitting day, we will proceed with the Order of the day until I am alerted that the bilateral meeting at the Office of the

Prime Minister has concluded. Once alerted, I will suspend the sitting and proceed to the steps of Parliament to greet and escort the Secretary-General of the United Nations into Parliament to deliver His Address.

Delay in Distribution of *Daily Hansard*

I wish to advise Honourable Members that due to the prolonged sitting last night, the distribution of the *Daily Hansard* will be delayed.

Deferment of Motions

On the same note, I wish to advise Honourable Members that we will only have four speakers, two from each side for each motion for the debates. Furthermore, I will limit the supplementary questions to two.

In view of the invitation from the Honourable Prime Minister to attend the Official Reception and Welcome Dinner tonight, I seek leave of the House to defer the five Committee Motions to a later sitting date and to shorten the lunch break to one-hour.

Does any Members oppose?

(Chorus of 'Noes')

Thank you, Honourable Members. We will proceed.

**PRESENTATION OF REPORTS OF COMMITTEES**

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights, the Honourable Alvick Maharaj, to present the Committee's Report. You have the floor, Sir.

Review Report on the 2014 General Elections Joint Report -  
Standing Committee of Justice, Law and Human Rights

HON. A.A. MAHARAJ.- Thank you, Honourable Speaker. The Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the 2014 General Elections Joint Report by the Fijian Electoral Commission and the Supervisor of Elections. The same Report had been reinstated in this new Parliament and referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by Parliament to review the Joint Report and to report back to the Parliament on its findings.

The Committee took note of and deliberated on the previous Committee's concise work and deliberation on the Joint Report. This Report will reiterate the work done by the previous Committee in highlighting issues from the Joint Report and discussions on these held by the previous Committee with the Fijian Electoral Commission and Supervisor of Election.

It was noted that the issues highlighted by the previous Committee were adequately clarified. Consideration was also given to the requirements of the Standing Orders of Parliament pertaining to the impact on gender when deliberating on the Annual Reports, however, the Committee appreciated the apparent gap in placing emphasis on such requirements when the Reports were drafted and initially tabled in Parliament.

As part of its review, the current Committee took note of the previous Committee's deliberation on the Report and the issues noted. The main issues noted were as follows:

- the aspect concerning the legal challenges that were encountered by Fijian Elections Office; and
- the concerns about the confusion caused by Pre-Poll and the aspect of continuing the process.

It was noted that these issues were brought to the attention of the Supervisor of Elections and the Commission for clarification. The current Committee did reiterate the position by the previous Committee where it felt it prudent to review the Joint Report with reference to the Multinational Observers Group (MOG) Report 2014.

The current Committee reiterates the view of the previous Committee and mandate with regards to the review of Annual Reports as follows.

The Committee is mandated to review the Annual Reports and seek public input, including any recommendation. In the case of the Joint Report, it is in the position of the current Committee that the mandate was fulfilled by reviewing the deliberations of the previous Committee when it reviewed the Joint Report and the MOG Report.

The current Committee reviewed and considered the submission received by the previous Committee from the public and the key stakeholders that were relevant to the contents of the Report.

The current Committee does not see this process as a review of the entire Electoral System, but the specific issues raised in the Joint Report.

Having noted the Committee's mandate with regards to this Joint Report, the Committee also recognises that such a comprehensive review of the current system should occur after the 2018 General Election.

The Committee knows that progress has been made with regards to addressing many of the concerns raised in the Joint Report, yet every system has room for improvement. After the 2018 General Election Fiji has had two election cycles completed under the new electoral system and this will allow for a full understanding of the challenges in the new system and opportunity to gather and consider the lessons learned.

At the conclusion of the 2018 General Election, it would be right time for the Parliamentary Committee to conduct a full review of the electoral system through the Election Report, to ensure all aspects of the system are considered. Moreover, the current Committee shares the position of the previous Committee where the clarification provided on the issues raised from the Joint Report, were adequate.

At this juncture, I would like to acknowledge the Honourable Members of the Standing Committee on Justice, Law and Human Rights of the last term of Parliament for their tremendous work and input, which our Committee also relied on during the review process and in the compilation of this Report. My Committee utilised the salient information noted by the previous Committee to assist it in its direction for its review.

I would also like to thank the Honourable Members of the current Standing Committee on Justice, Law and Human Rights: the Honourable Rohit Sharma (the Deputy Chairperson);

Honourable Ratu Suliano Matanitobua; Honourable Dr. Salik Govind and Honourable Mosese Bulitavu for their deliberation and input; the Alternate Members who made themselves available when the Substantive Members could not attend; the Secretariat staff of the Committee and Officials from the Office of the Prime Minister, who assisted in the Committee's work.

On behalf of the Committee and through the Committee's Report, I hereby commend the 2014 General Election Joint Report by the Fijian Electoral Commission and the Supervisor of Elections to Parliament and request all Honourable Members of this august House to take into consideration the content of the Committee's Report.

HON. SPEAKER.- Thank you. Please, hand the Report to the Secretary-General.

(Report handed to the Secretary General)

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

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

HON. M.D. BULITAVU.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Parliament will now vote.

Question put.

The Question is:

That a debate on the content of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus on 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Natural Resources, the Hon. Sanjay Kirpal, to present their Committee's report.

Report on the Ministry of Fisheries 2016 and 2017 Annual Report –  
Standing Committee on Natural Resources

HON. S.S. KIRPAL.- Mr. Speaker Sir, the Annual Report of the Ministry of Fisheries for 2016 and 2017 was referred by Parliament to the Standing Committee on Natural Resources for its deliberations and recommendations.

The Committee had strongly recommended in its Report that the Ministry of Fisheries finalise its National Fisheries Policy 2018-2028, which will provide an overarching framework explaining how Fiji will manage its fisheries. The Committee noted that the Policy had been submitted, together with its Cabinet Paper and is currently with the Office of the Solicitor-General.

In its deliberation, the Committee was impressed by the Ministry's achievements in essentially bringing the fisheries markets to these localities to avoid urban drift by having two approaches, firstly, a path to market initiatives and secondly, the establishment of National Fisheries Service Centres.

The Ministry has developed a total of 32 Service Centres related programmes from the above-mentioned approaches. To contextualise this first approach, the Committee noted that the Ministry anchors its economic and social development initiatives for Fijians in the rural and maritime sectors. This approach is through the provision of ice production and cold storage facilities for maritime and rural fishermen, and also to close that cycle by facilitating trade between these fishermen and buyers from the urban centres.

The second part of this approach is through the establishment of Fisheries Service Centres, spread across the Fiji Group. Through these Service Centres, the Ministry provides licensing but in particular advisory support services, which allow the Ministry to promote and sustain fisheries as a viable economic option for the nation.

The Committee wishes to echo the vision and mission of the Ministry of Fisheries "To be the best Fisheries in the Pacific Region and to sustain, manage and protect Fiji's Fisheries". The mission of the Ministry of Fisheries is achieved through the management and compliance of its National Fisheries Legislations and associated Regulations through the provision of licensing, advisory and support through the Fisheries Service Centres, Research and Marine Conservation activities and Fisheries Sector Development activities.

The Ministry works through five functional Divisions along with the nationwide Service Centre Network, namely:

1. Inshore Fisheries Management Division;
2. Offshore Fisheries Management Division;
3. Aquaculture Division;
4. Research and Marine Conservation Division; and
5. Fisheries Development Division.

Activities of the Fisheries Service Centre Network with 32 Service Centres and 28 Ice Plants were supported by Central, Eastern, Western and Northern Divisions.

The Committee met with officials at their headquarters in Suva and were briefed on the initiatives of the Ministry of Fisheries. The Committee also conducted site visits and viewed some areas of operation, such as the Makogai Mariculture Station, the Naduruloulou Fisheries Station and the Galoa Research Station.

To promote SDG 5, the Ministry has a two-pronged approach to the achievements which are organisational, that is, within the Ministry and outwardly, in terms of community programmes undertaken by the Ministry.

The Ministry also made efforts to have an inclusive and united society and involved women, youth, the elderly and the young within the communities, in income-generating fisheries activities to benefit the people of Fiji. These activities were carried out through the various aquaculture and coastal fisheries projects.

I wish to extend my appreciation to the Management and Staff of the Ministry of Fisheries for their dedicated work in protecting our ocean, revival of extinct species and giving awareness to

the public in fisheries sector. I take this opportunity to also thank the Honourable Committee Members for compiling this bipartisan Report. On behalf of the Committee, I hereby commend this Report to Parliament. Thank you, Sir.

HON. SPEAKER.- Thank you. Please, hand the Report to the Secretary-General.

(Report handed to Secretary -General)

HON. S.S. KIRPAL.- Mr Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. P.W. VOSANIBOLA.- Honourable Speaker, I beg to second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote

Question put.

The Question is:

That a debate on the content of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Public Accounts, the Honourable Alvick Maharaj to present the Committee's report. You have the floor, Sir.

Review Report - Audit on Procurement of Biomedical Equipment and Rural Postal Offices Quarterly Returns - Standing Committee on Public Accounts

HON. A.A. MAHARAJ.- Thank you, Honourable Speaker. Honourable Speaker, at the outset, I am pleased to present the 8th Report of the Public Accounts Committee. The Report reviews the Audit Report on the Procurement of Biomedical Equipment for the Ministry of Health and Medical Services and the Audit of Rural Postal Offices Quarterly Returns.

The Report summarises the work of the Committee and the processes taken to scrutinise the information provided in the Audit Report. The main objective of the Committee review on this Audit Report was to collate information from the Ministry of Health and Medical Services and Post Fiji Limited and validate those responses with all audit issues that were identified and highlighted by the Office of the Auditor-General (OAG).

The content of the Audit Report was thoroughly examined by the Committee prior to the consultation conducted with these two entities. The questions raised to these two entities were mainly focused on the main audited areas, as outlined below:

1. Procurement of Biomedical Equipment; and
2. Audit of Rural Postal Offices Quarterly Returns.

The questions that were raised to these two entities during the deliberation process of this audit report were fully answered and the Committee was satisfied with the responses provided.

It is important to note that based on the Audit findings and the Committee's thorough scrutiny of this Report, Honourable Members have agreed to a few recommendations for these two entities takeaways in moving forward, particularly on audit issues that were highlighted by the OAG.

On Wednesday, 10th April, 2019, the Officials of the Ministry of Health and Medical Services appeared before the Committee and clarified those audit issues that were raised by the Committee, particularly on the main audit-focused areas as stated. All Honourable Members agreed to the review process that was followed until the compilation and endorsement of this Report.

Further on Friday, 12th April, 2019, the Post Fiji Limited (PFL) Executive Management, together with the Ministry of Economy Officials appeared before the Committee to respond to questions that were raised with regards to the audit issues that were found by OAG on PFL. The submission made to the Committee was satisfactory, as most of the issues were already addressed and some of the other issues were in the process of being resolved, and this involved other relevant stakeholders such as Ministry of Economy for Post Fiji Limited's case.

Overall, the Committee commended the work and the efforts of the Ministry of Health and Medical Services and Post Fiji Limited, in improvement of the systems and processes for the Procurement of Biomedical Equipment and the facilitation of Postal Offices Quarterly Returns. In this regard, the Committee recommends that these two entities positively take on board the Committee's recommendations for its future undertaking.

At this juncture, I would like to extend my appreciation to all Honourable Members of the Committee who were part of the successful compilation of the bipartisan Report namely:

1. Honourable Joseph Nand;
2. Honourable Vijendra Prakash;
3. Honourable Aseri Radrodro; and
4. Honourable Ratu Naiqama Lalabalavu.

Further, pursuant to Standing Order 115(5), Honourable Adi Litia Qionibaravi stood in as an Alternate Member for Honourable Ratu Naiqama Lalabalavu.

On behalf of the Committee, I also extend my appreciation to the Secretariat Staff for their timely support in the compilation and submission of this Review Report.

With those few words, I hereby commend this Report to Parliament.

HON. SPEAKER.- Thank you. Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

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

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

HON. J.N. NAND.- Honourable Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote.

Question put.

The Question is:

That a debate on the content of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights, the Honourable Alvick Maharaj to present the Committee's Report. You have the floor, Sir.

Report on the Public Service Commission Annual Report 2014 –  
Standing Committee on Justice, Law and Human Rights

HON. A.A. MAHARAJ.- Thank you, Honourable Speaker. Honourable Speaker, the Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the Public Service Commission Annual Report 2014. The same Report had been reinstated in this new Parliament and has been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by Parliament to review this Report and to report back to Parliament on its findings.

The Committee took note of and deliberated on the previous Committee's concise work and deliberation on the Annual Report. This Report will reiterate the tremendous work done by the previous Committee in highlighting issues from the Public Service Commission Report and the discussions held by the Committee with the Office. It was noted that the issues highlighted by the previous Committee were adequately clarified.

Furthermore, it should also be noted that there has been a restructure of the Public Service Commission. Consideration was also given through requirements of the Standing Orders of Parliament pertaining to the impact on gender when deliberating on the Annual Report. However, the Committee appreciated the apparent gap in placing emphasis on such requirements when the Report was drafted and tabled in Parliament.

Honourable Speaker, as part of its review, the current Committee reviewed the deliberations on the Report and issues identified. It was noted that the issues were then brought to the attention of the newly formed Ministry of Civil Service for clarification. Some of the main issues and queries noted were the policy for the Training and Workforce Development Division; the policy for the Office Accommodation and Government Housing Division; the monitoring and recovery of student loans under the Student Loans Recovery Unit; the effectiveness of the Fiji Volunteer Services;

aspects of the Public Service Group Investment Scheme and certain discrepancies in the financial statement of the report.

It was noted from these discussions that the previous Committee was of the view that some of the identified issues have somewhat become redundant as there were changes and improvements implemented by the Government and Ministry of Civil Service. Changes including; the review of the Training and Workforce Deployment Policies and transferring of functions under certain PSC Unit/Divisions to other Ministries, such as the then Ministry of Finance and the Ministry of Employment, Productivity and Industrial Relations. The current Committee was satisfied with the clarifications provided by the Ministry of Civil Service.

At this juncture, Sir, I would like to acknowledge the Members of the Standing Committee on Justice, Law and Human Rights of the last term of Parliament for their effort and input which our Committee also relied on during the review process and in the compilation of this Report. My Committee utilised the salient information noted by the previous Committee to assist it in the direction for its review.

I would also like to thank the Honourable Members of the current Standing Committee on Justice, Law and Human Rights. On behalf of the Committee I commend the Public Service Commission Annual Report 2014 to Parliament and request all Honourable Members of this august House to take into consideration the contents of the Committee's Report. Thank you Honourable Speaker.

HON. SPEAKER.- Thank you Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, pursuant to Standing Order 121(5), I hereby move:

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

HON. M.D. BULITAVU.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Honourable Members, the Parliament will now vote.

Question put.

The Question is:

That a debate on the content of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

## MINISTERIAL STATEMENTS

HON. SPEAKER.- Honourable Members, the following Ministers have given notice to make Ministerial Statements under Standing Order 40, the:

1. Honourable Attorney-General and Minister for Economy, Civil Service and Communications has two ministerial statements; and
2. Minister for Employment, Productivity and Industrial Relations and Youth and Sports.

Each Minister may speak up to 20 minutes. After each Minister has spoken, I will then invite the Leader of the Opposition or his designate to speak on the statement for no more than five minutes. There will also be a response from the Leader of the NFP or his designate to also speak for five minutes. There will be no other debate.

HON. SPEAKER.- I now call on the Attorney-General and Minister for Economy, Civil Service and Communications to deliver his first statement. You have the floor, Sir.

### World Bank and International Monetary Fund Board of Governor's Meeting

HON. A. SAYED-KHAIYUM.- Thank you Mr. Speaker, Sir. I rise to inform Parliament of Fiji's chairing of the Small States Forum of the World Bank, its role as Chairperson of the 2019 World Bank and International Monetary Fund (IMF) Board of Governor's Meetings, and outcomes of the Third Climate Action Pacific Partnership Conference or (CAPP III) which was just recently being held at the Grand Pacific Hotel.

Mr. Speaker, Sir, building on the success of our global leadership on matters related to climate change for the past two years, we have continued our regional leadership on sustainable development and continued to punch above our weight in the international arena to voice the concerns of Small Island Developing States, and indeed other States that are facing the brunt of climate change.

Never before Mr. Speaker, Sir, has our leadership in multilateralism been regarded so highly. Never before has a small island State been able to steer global discourse towards sustainable, inclusive, resilient and low carbon development with such dexterity.

Mr. Speaker, Sir, before I inform Parliament about the particulars of Fiji's role as Chair of the World Bank and IMF, please let me set the context of the importance for this important international undertaking.

The World Bank and IMF combined are the world's largest public International Financial Institutions (IFIs) in terms of the dollar value of finance mobilised. The two organisations continue to support global development and economic stability through their policy advice, lending operations, provision of grants and technical assistance. For small and vulnerable nations, easy access to multilateral financial resources can also be catered for.

Mr. Speaker, Sir, needless to say that the cost of our development needs far outweigh existing domestic and international finance flows. In other words, there is a huge gap between the financial needs and the finances that are actually available. This is perpetuated by the fact that the cost of accessing mainstream non-concessional development finance has unwanted fiscal impacts.

This is where multilateral IFIs like World Bank and IMF, play a crucial role in shaping future developing nations through targeted and flexible concessional development financing. The

World Bank has recently announced a funding allocation of US\$200 billion from 2021 to 2025 and the IMF is catalysing important market conversations that are influencing greater access to vulnerability financing.

Mr. Speaker, Sir, the financial world is fast realising that climate change is an economic imperative and indeed an opportunity, and Fiji is already placing itself at the heart of this realisation in search of innovative grant and concessional financing for climate change, sustainable development and, indeed, meeting our adaptation costs.

Mr. Speaker, Sir, one of the reasons why Fiji is actively taking leadership role opportunities in the global arena to influence the discourse on international financing in favour of national development needs, is because we need to be in the play to be able to make our voices heard.

Fiji officially assumed its role as Chair of the 2019 World Bank and IMF Board of Governors Meetings at the Spring Meetings in April this year. As Chair of this high level gathering, Fiji was briefed on key matters of discussion in the lead up to the World Bank and IMF Annual Meetings in October 2019. And as a matter of interest, Mr. Speaker, Sir, the next time Fiji will get to Chair IMF World Bank Meetings, I think, will be in about 183 years' time; it is a once in a lifetime opportunity.

At the Annual Meeting, Fiji will have an opportunity to address the plenary sessions of the Board of Governors, together with the President of the World Bank and IMF Managing Director, creating an unprecedented opportunity to raise issues of national and regional significance at such a high level forum.

Mr. Speaker, Sir, as a matter of interest, because of the chairing of the World Bank and IMF, Fiji has also chaired the Joint Committee on Remuneration (JCR) and the Executive Directors and alternative Executive Directors. The JCR considers and makes recommendations to the Board of Governors of the Banks and IMF and all matters affecting remuneration and benefits of the Executive Directors of the Bank and IMF and their alternate Directors.

In 2018, the Board of Governors of the Bank and IMF voted differently for the first time on the JCR's recommendation, departing from the usual practice of parity between the two organisations. As Chair of the JCR, Fiji now, not only has to review the salaries of the Directors of 2019, but also has to provide leadership in formulating a long term and feasible solution to the determination of the Directors' remuneration for both, IMF and the World Bank because of the anomaly created in 2018.

The next meeting with JCR, Mr. Speaker Sir, is expected to be held in Singapore in early July and as a matter of interest, the Co-Chairs are the former Governor of the Central Bank of Finland and a former Minister of Finance from Côte d'Ivoire.

Mr. Speaker Sir, Fiji's crowning achievement of the Spring Meeting was gaining access to financing from International Development Association (IDA) which allows Fiji to receive up to US\$21 million annually in concessional financing through the World Bank, and I would like to thank the many partners, including Australia (and I see our friends in Australia in the gallery) who actually provided a lot of support to us to get Fiji across the line.

Fiji's eligibility to access its large pool of funding is a result of revisions to World Banks either small islands' economies exception that recognises the unique development challenges the smaller island economies face primarily due to the vulnerability.

HON. SPEAKER.- The Honourable Minister, please, could you just take your seat, please.

Honourable Members, as alluded to in my earlier communication, the Standing Orders is suspended so as to allow the Secretary-General of the United Nations to address Parliament today. In that regard, I will now proceed to receive the United Nations' Secretary-General. Our proceeding is suspended *in situ*.

The Parliament adjourned at 10.07 a.m.

The Parliament resumed at 10.14 a.m.

HON. SPEAKER.- Honourable Members, Your Excellency, please, be seated.

### **COMMUNICATIONS FROM THE CHAIR**

#### Welcome – United Nations Secretary-General

HON. SPEAKER.- Honourable Members, we are honoured today to have the Secretary-General of the United Nations, His Excellency António Guterres here with us, and on behalf of the Members of Parliament, it gives me the great honour and privilege to welcome you most warmly to the Fijian Parliament. We are pleased that Your Excellency is able to address Parliament today and also to address the people of Fiji, and I thank the Fijian Government and the United Nations Development Programme for making this possible.

Your Excellency, I now invite you to address Parliament.

### **ADDRESS BY HIS EXCELLENCY THE SECRETARY-GENERAL OF THE UNITED NATIONS**

HON. A. GUTERRES.- Your Excellency, Honourable Speaker, Mr. Nailatikau; Your Excellency, Honourable Prime Minister, Mr. Bainimarama; distinguished Ministers and Members of Parliament: I am delighted to be here today, and it is a great honour to address the Parliament of the Republic of Fiji. I was in Parliament for 26 years of my life; six and a half of them as also Prime Minister, and so being in the Parliament of Fiji, I feel twice at home, at home because I am in Fiji, and at home because I am in the Parliament. *Bula Vinaka*, good morning, and thank you for your warm welcome and hospitality.

Fiji is a country of extraordinary beauty, with a unique connection to the ocean and the sky. Your strong traditions of community and social responsibility, and your symbiotic relationship with your surroundings, make you natural global leaders on climate and the environment. From your chairmanship of COP 23, United Nations' climate talks in Bonn, to your co-hosting of the UN's first-ever conference on the Ocean, to the work of my Special Envoy, Peter Thomson, Fijians have been at the forefront of international action and advocacy on climate and the sea. Fiji has taken on the sceptics and the deniers. Fiji's voice is loud and clear, and the world is starting to listen. I thank the leaders, Government and the people of Fiji for standing up for our planet.

Distinguished Members of Parliament, this Legislature demonstrates another of Fiji's important achievements. Representatives from different political parties, backgrounds and experiences are here together to debate and decide on national issues. This was not always the case in many parts of the world, and I congratulate you on your efforts to make this Parliament, and Fiji itself, a place of inclusiveness, equality, diversity and tolerance.

We need that spirit more than ever at this troubled time. I just came from New Zealand where I visited the scene of the horrific attack on Muslims in Christchurch. Around the world, we are facing rising anti-Semitism, anti-Muslim rhetoric, the persecution of Christians and other forms of xenophobia against migrants, refugees and racism.

We must all show solidarity in response to this dangerous upsurge in hatred and scale up our response to the hate speech which is questioning our public dialogue in many countries and regions in the world, and the Fijian example of tolerance is a very important example today.

The 2030 Agenda and the Sustainable Development Goals are our blueprint for a fair globalisation built on prosperous, peaceful and resilient societies on a healthy planet. Education, health care, decent jobs and economic opportunities, respect for human rights and the rule of law, gender equality, diversity and inclusion, fundamental freedoms and democratic values: these are the keys to sustainable growth, peace and prosperity.

Here too, Fiji is showing great commitment and leadership. I congratulate you for being the first Parliament in the world to undertake a Sustainable Development Goals' self-assessment. Your Parliament's "Speaker's Debates" on the Goals have prompted national discussions between political leaders and civil society, the private sector and academia on Fiji's development priorities, and I applaud your commitment to sustainable developments to improve the lives of all Fijians.

Distinguished Parliamentarians, it was also in this Chamber in 2016, that you unanimously agreed to ratify the Paris Agreement on climate change, making Fiji the first country in the world to do so, and climate change is the refining issue of our time. The Honourable Prime Minister just told me in our meeting that this is the battle of our lives. It is the reason for my visit to the Pacific region.

Here in Fiji, thousands of people have suffered cyclones, floods and droughts or lost their homes, schools or crops to rising seas and storms. The poorest and most vulnerable are always disproportionately affected, and such disasters and their aftermath have a different and often more serious impact on women and girls. I express my deepest sympathies to Fijians who have been affected by climate change, and I understand the outrage of those who live under the constant threat of that kind of destruction.

The United Nations stands with you. I stand with you and with the other people of the Pacific. The Intergovernmental Panel on Climate Change has said we have less than 12 years to avoid potentially irreversible climate disruption. We are seeing record highs in land and ocean temperatures, sea levels and greenhouse gas concentrations. The last four years were the hottest on records. Climate change is running faster than our efforts to address it - and political will in many parts of the world is unfortunately slowing down.

Here in the Pacific region, investment in adaptation is especially crucial given the amount of climate change that has already occurred. I know you are already acting to build resilience, improve early warning, and drawing on traditional ecological knowledge to devise solutions that work here at home while challenging the world to change entrenched, damaging practices.

Financing is crucial to assist the world's most vulnerable communities and countries. We need developed countries to fulfil the pledges they have made to support action in developing countries - including by mobilising the public and private sector to reach \$100 billion US dollars per year to support mitigation and adaptation. It is also important to have a successful replenishment of the Green Climate Fund as that improve the managements of the Fund.

Ladies and gentlemen, to help generate ambition, and to show that our goals are feasible, I am convening a Climate Action Summit in September. It means carbon pricing that reflects the true cost of emissions, from climate risk to the health hazards of air pollution. It means not starting construction of new coal plants beyond 2020, and it means replacing jobs in traditional fossil fuel industries with cleaner, healthier alternatives, so the transformation is inclusive, profitable and just.

To ensure effective climate action, we require sound legislative frameworks, as well as legislative bodies that can support and push Government policies and actions everywhere. Here again, Fiji is setting an example. Fiji was the first small Island State to hold the Presidency of

United Nations Framework and venture on climate change. Under your Presidency, you shared with the world the Pacific concept of *Talanoa* - the process of inclusive, participatory and transparent dialogue that takes in the private sector, civil society, academia, media and others.

In October 2017, Fiji became the first emerging market to issue a sovereign green bond. You also introduced an Environment and Climate Adaptation Levy and launched a rural electrification programme to reduce emissions from diesel generators. Fiji has officially launched an important new initiative to develop finance and insurance products for vulnerable and low-income households in Fiji and other Pacific Island countries.

Fiji has also shown leadership in addressing issues of human mobility and climate change, with respect for human rights. You have relocated villagers and established guidelines on how to support people displaced by climate-related impacts. Other countries in the region can learn from your example.

Honourable Members, Fiji's support for the United Nations goes well beyond climate action. You are deeply engaged in efforts to secure the well-being of the world's oceans and seas. The oceans are warming and becoming more acidic, causing coral bleaching and reducing biodiversity. Overfishing is rampant. Pollution, especially from plastic is further poisoning and depleting this vital resource.

The world must do more to respond to the Call of Action adopted at the first Ocean Conference. The Second Ocean Conference will be held next year in Portugal, my home country and a country which like Fiji has been shaped by the sea. Let us use that shared affinity to make the most of this important gathering that follows a Fijian initiatives.

Let me also express my deep appreciation to Fiji for its other contributions to the work of the United Nations. You are a steadfast contributor to United Nations peacekeeping, with many leaders that have personally served this noble cause. Fiji is the first Pacific Island country elected to the Human Rights Council and Fiji is leading voice globally for upholding the protection of refugees. The New York Declaration on Refugees and Migrants was adopted during Fiji's Chairmanship at the General Assembly. Thank you for your stewardship.

The coming years would be a vital period to save the planet and to achieve sustainable inclusive human development. The alarm bells keep ringing – most recently with the release by the United Nations just last week of authoritative scientific findings indicating that, and I quote:

“Human actions threaten more species with global extinction now than ever before ... with the great majority of indicators of ecosystems and biodiversity showing rapid decline.”

We must address this global emergency with the ambition and urgency. Every country has a role to play but I commend Fiji for taking on these global responsibilities with courage and conviction. Thank you.

(Applause)

HON. SPEAKER.- Your Excellency, I thank you most warmly for your most encouraging and uplifting address to the House and to the people of Fiji. I assure you that it is greatly appreciated by all Fijians.

Honourable Members, we will now suspend proceedings for refreshment and I invite the Prime Minister and the Leader of the Opposition to join me in escorting the Secretary-General to the Big Committee Room. All Members are invited as well. The Parliament is suspended.

The Parliament adjourned at 10.28 a.m.

The Parliament resumed at 11.16 a.m.

HON. SPEAKER.- Honourable Members, we will continue from where we left off before the morning tea break. I give the floor to the Honourable Attorney-General. You have the floor, Sir.

### MINISTERIAL STATEMENTS

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I will pick up from where I had left off. As highlighted, with the assistance of many of our development partners and what Fiji has been saying for the past four years, we have finally been able to get access to IDA funds which essentially means, Mr. Speaker, Sir, that even though Fiji is deemed to be a middle income country, we can now access IDA funds which essentially means that the terms and conditions of the loan is a zero percent interest, with 10 years grace period and a 40 years maturity date of the loan.

This is a very long term loan and by the time, of course, if it is zero percent interest, if you borrowed \$21 million or \$23 million today, you pay \$40 million later, in fact you are paying less than what you had borrowed. This means, of course, Mr. Speaker, Sir, there is also another edge to it, that Fiji can access additional funding for regionally focussed development projects in the areas, such as fisheries, ICT, climate resilience, maritime, aviation, infrastructure and investments. There is a potential that it will not only benefit Fiji but also neighbouring countries across the Pacific.

Mr. Speaker, Sir, at the International Monetary Fund and World Bank Annual Meeting last year, Fiji was elected to become the Chair of the Small States Forum within the World Bank Group also. The Small States Forum (SSF) is a group of 50 small States from around the world with a population size of less than 1.5 million coming together and these States consist of countries from landlocked countries in Africa, to Asia, to the Caribbean, the Indian Ocean and, of course, the Pacific Ocean, Mr. Speaker, Sir.

We had, Mr. Speaker, Sir, the Spring Meetings, 120 delegates, including Ministers and Governors of the World Bank in attendance. Having influence over the Agenda of the SSF, Fiji steered in-depth discussions amongst foreign members on Blue Economy and Marine Pollution, Climate Change Adaptation and Resilience including Economic and Financial Sustainability, some of the matters which the UN Secretary-General just referred to in his speech, Mr. Speaker, Sir.

We also, Mr. Speaker, Sir, for the first time under the SSF, agreed to convene a working group under the forum comprising of Finance Ministers from Maldives, Seychelles, Bhutan, Lesotho, Malta and from the organisation of the Eastern Caribbean States to provide high level advisory support for championing issues relevant to Small States with the objective of achieving tangible outcomes over the next two years. Fiji's position also was enhanced because Fiji is the first ever country to carry out a climate vulnerability assessment which was also highlighted in many of the other small States actually want to emulate what Fiji has done.

We also, as the UN Secretary-General talked about, is the first emerging economy to issue the Green Bonds which we talked about and, of course, various issues such as Public Private Partnerships, and we look forward to securing benefits with the Forum and lead the charge for the Small States Forum in this respect, Mr. Speaker, Sir.

Fiji will also continue, in this respect, advance discussions on achieving priority actioned items and launch regional projects on oceans and climate change adaptation through greater

collaboration with the World Bank, SSF Secretariat and Members of the SSF. Mr. Speaker, Sir, among the various events of bridging the ocean- climate nexus, mobilising greater financial climate action, improve access modalities for financing development counties.

Fiji joined the coalition of Finance Ministers for Climate Action. The coalition seeks to bring to the fore fiscal responses to combat the astronomical challenge of climate change. Fiji together with other countries endorsed the principles of the coalition of Finance Ministers for Climate Action which refers generally to the Helsinki Principles to underline the political commitment to work actively to tackle climate change nationally and collectively through macro-economic and fiscal policies.

Mr. Speaker, Sir, political decision makers must quickly realise that development finance is not mutually exclusive to climate finance and neither is climate finance exclusive from development finance. They are synonymous as we have been saying for the past four years; they are indeed the same. Fiji has long recognised the fact, this is why in 2016 we thought ahead and, in fact, embedded the Climate Change Department or Division within the Ministry of Economy to mainstream our climate change policies into a whole of Government planning. So joining this coalition was, in fact, very organic for us and we were one of the first few countries in the world to actually have the Ministry of Economy having climate change within its own purview.

Mr. Speaker, Sir, following the meetings in Washington, we also participated at the 4th Annual United Nations Economic and Social Council Forum on financing for development commonly known as ECOSOC which is where His Excellency the UN Secretary-General was also present. Mr. Speaker, Sir, we also participated in a high level Ministerial Panel with the Minister for International Development Cooperation of Sweden and the Minister of Finance and Public Service of Jamaica to make the case for deploying new and innovative approaches for financing for development.

The panel discussed innovative approaches being deployed to address problems created by climate change. It was noted by the Ministers that Governments cannot do it alone and a blended finance approach could be taken by countries to work with development partners in the private sector to make investments go further.

The Water Authority of Fiji's Rewa River Water Supply Project which will utilise a ground of US\$30 million from the Green Climate Fund to leverage over US\$200 million of concessional resources for the significant urban water supply project was mentioned as an example by Fiji during their discussions. Of course, as we know, it will provide safe and continuous water supply to over 300,000 people.

And within that context also, Mr. Speaker, Sir, we now are currently looking at the Nadi River Rehabilitation Programme and because of the fantastic amount of work and in-depth work that has been put together, working with JICA and Japan, we now already have five players that want to participate in funding this \$400 million Nadi Rehabilitation Project. These now include:

- JICA;
- Japanese Government;
- Asian Development Bank (ADB);
- European Investment Bank;
- For the first time French Development Bank (which only funds in the French territories is also interested in participating in this project); and
- Australia.

Mr. Speaker, I wanted to talk about this in the ADB Forum, but Australians have announced that with the \$2 billion that they call “Australian Infrastructure Finance Facility Programme (AIFFP)”, they will give loans to the tune of \$1.5 billion to Pacific Island Countries, of which \$500 million in addition to that will be by way of grant.

We also, Mr. Speaker, Sir, talked about the green bonds that was being listed on the Stock Exchange. One of the issues that we are actually pushing is, while the green bond gives us a lot of publicity around it, we are more interested in the cost of the funds. So the pricing of the bonds is, in fact, not necessarily any different to normal bonds that you go out into the market and issue. So you can get about to 6.5 percent, 6.25 percent; there is no difference.

So what we are now talking and what we have been pushing the envelope on, is to ensure that when we have a green bond that is issued, that we get the pricing right and we are talking to development partners to see how they can actually encourage the private sector in their own countries to be able to provide a much cheaper cost of finance. And that can be done in a number of measures which we are currently talking to them about. Fiji also called the UN to deliver a new consensus between the world leaders, the significantly increased financial resource available to countries like Fiji, especially small developing States.

Mr. Speaker, Sir, we have also seen an appetite by many of our development partners more focused on specific areas of climate change, so as we announced that we are setting up a Trust Fund for relocation and those who are subjected to climate change and have to be relocated, we have already put down the guidelines and many development partners, in fact, want to have this type of targeted financing.

Mr. Speaker, Sir, in the ECOSOC Forum, we also stated the need for financing for development in the opening of the forum which included addresses from the Secretary-General and the President of Secretary-General, Fernanda Espinosa.

Mr. Speaker, Sir, we have also made a comment as we have said earlier on that we now need to look at a bigger pool of funds. One of the issues that is actually facing the financing of climate change matters is that we are traditionally or conventionally restricted to organisations like World Bank, IMF and now Green Climate Fund and, of course, them trying to seek private sector participation.

Fiji’s suggestion is that in that matrix, we need to bring in organisations and institutions and bilateral partners, for example, the Exim Banks of India, Korea, China and various other banks, the European Investment Bank. We need to bring in various regional programmes that Pacific countries have, for example, the Chinese have a \$600 billion project for the Pacific. If we are able to pool all those funds together with the World Bank, with the IMF and ring-fence it related to climate finance, then it creates a bigger aggregate pool and which will then attract more private sector financing in the climate finance space, and this is something that is a new idea that Fiji is actually pushing at the global level.

Mr. Speaker, Sir, we also participated in the Forum called the Green Climate Fund on transforming climate ambition to action where the new Chief Executive Officer (CEO) of the Green Climate Fund participated in. We expect to get some traction in that respect.

Last but not the least, Mr. Speaker, Sir, we also participated in the panel co-hosted by Fiji and Seychelles on the margins where we talked about Blue bonds and Green bonds and in fact Seychelles talked about their experience of the issuance of Blue bonds. Fiji is currently looking at issuing Blue bonds also. We are in the early stages but what we want to do is obviously to do

something a bit better than what Seychelles has done but we can learn a lot from what Seychelles has done.

As highlighted earlier on that financing in the Blue economy space is not only beneficial in terms of creating sustainable livelihoods, but also the investment in the blue space means that we have a lot more carbon sequestration. The carbon sink in the ocean of mangroves and sea grasses, et cetera, the carbon's capacity for those ecosystems to, in fact, absorb carbon is a lot greater than terrestrial forestry that we have seen.

Mr. Speaker, Sir, all of this is actually a building block for the UN Secretary General's Climate Summit which he actually highlighted an hour or so ago. Our participation will demonstrate action through raising of national ambition, prompting transformative changes and generating political momentum through enhanced social and political drivers as well as youth and public engagements.

Mr. Speaker, Sir, of course, all of this, Fiji into the regional initiatives and we saw the CAPP III being hosted in Fiji on Monday and Tuesday. CAPP actually stands for Climate Action Pacific Partnership Conference that concluded on Tuesday afternoon. The Honourable Prime Minister and, of course, we had the President of Marshall Islands together being the Chief Guest, but we had leaders from all the other Pacific Island countries - Samoa, Nauru, Tuvalu, Cook Islands.

We are happy to also announce as was seen in the publication of the Honourable Prime Minister with the Prime Minister of Cook Islands that the Cook Islands will now be hosting CAPP IV and the funding for that, of course, is coming through the Trust Funds.

Mr. Speaker, Sir, following the two day CAPP Conference, leaders and high level representatives from the Pacific Small Island Developing States (PSIDS) called for high greenhouse emitters to urgently take transformative action to decarbonise and to address the underlying cause and impacts of global climate change.

Mr. Speaker, Sir, the Honourable Prime Minister together with Pacific countries leaders have sounded the urgent need to increase climate ambition in an effort to transition towards a low carbon of 1.5 degree future and reaffirm their commitment to increase climate action to the regional Pacific Nationally Determined Contributions or the NDCs hub that Fiji will be actually hosting.

This is a legacy, of course, Fiji's COP 23 Presidency. In doing so, Mr. Speaker Sir, the Intergovernmental Panel on Climate Change (IPCC) leaders also highlighted the need for enhanced Climate Adaptation Actions to safeguard vulnerable PSIDS from slow and sudden onsets of climate change.

Mr. Speaker Sir, in line with Fiji's priority to reduce the cost of financing and improve the presence of International Financial Institutions (IFIs) in the climate space, PSIDS leaders also called for grant and concessional financing resources and the consideration of vulnerability as a criteria for assessing concessional financing to address the specific vulnerabilities, the unique financial institutional capacity challenges that PSIDS face. Indeed, as highlighted a few days ago, six Pacific Island Countries have recently been categorised by ADB to be in high levels of debt distress.

Mr. Speaker Sir, Fiji is now in a time in its history where strategic economic and social investments today will define the degree of prosperity inherited by future generations. We must

continue to forge robust strategic alliances with development partners, IFIs in the private sector to finance our development ambitions as Government cannot do so on its own.

Mr. Speaker Sir, Fiji continues to champion climate-centric development at the regional and international front and as highlighted by the UN Secretary-General which is critically important, we amplified our presence in the global arena through our Presidency of COP 23 and continue to carry the momentum of climate action and, indeed, climate justice.

Mr. Speaker, Sir, while some may say, we are too insignificant to make a difference, little do they know that Fiji, a Small Island Developing State in the middle of the vast Pacific Ocean has already powered the waves of transformational change towards a sustainable and low carbon future through our global leadership. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General for his Ministerial Statement and I now give the floor to the Leader of the Opposition. You have the floor, Sir.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Sir. First of all, Mr. Speaker Sir, I would like to congratulate the Honourable Prime Minister for the hosting of the United Nations Secretary-General and also thank you, Sir, for bringing His Excellency the Secretary-General of the United Nations to come and address us in Parliament this morning. We also thank you for the photo opportunity we had while we were in the tea room.

I also thank the Honourable Minister for bringing to us the Ministerial Statement this morning that covered both the ADB and Fiji's efforts in the international fora in the area of the economy and in the area of the environment. As he has rightly pointed out, we should be championing the efforts of the world in trying to control the effects of climate change.

Mr. Speaker Sir, you are aware that you placed the C Company Headquarters when you went with the first Fiji battalion and right outside C Company Headquarters is a tomb. The tomb is the tomb of King Hiram of Tyre and you know that King Hiram of Tyre gave orders to his people that when he died, he did not want to be buried in Tyre because he knew at that time that Tyre was going to be sub-merged because the climate was changing and the tide and the sea water level was rising. So, he said that he should be buried on the hill, at that time it was a far way hill, this time you just sit on the area of the tomb and look at Tyre city and half of which is already sub-merged.

King Hiram was responsible for the cedar wood that was taken down, rafted down the coast and taking it up to Jerusalem to build King David's Palace as stated in II Samuel. So, though the climate change is not new, later on in the First Millennium one great king, King Canute, he was Emperor, King of a few nations in Europe, including Portugal, country or nation where the UN Secretary-General comes from.

King Canute was seen as a great King, he conquered everything. He was even King of England at the same time when he was King of Portugal and Spain. They were worried at that time about Climate Change in the First Millennium and people saw that he had conquered almost half of Europe, they said, "You are a great King, you can stop the rise in sea levels", so they took his throne and put it on the beach, Mr. Speaker, Sir, and the waves came in and swamped him and his throne. So, he said, "The greatest of all is God."

On relocation, Sir, we welcome that. It is not a new concept. In all provinces of Fiji, in almost all of the *Tikinas* of Fiji, you will find a village named Korovou, Nakorovou. These are the new villages that people had relocated to, either after the tribal warfare era or because they have moved away from flooded or frequently-flooded banks or by the rising sea levels they noticed at

that time. So, we welcome the relocation allocation of funds that we are going to be raising or collecting.

We have a high profile and the Minister has highlighted that and we acknowledge our role and also acknowledge the role of previous leaders, particularly the late Ratu Sir Kamisese Mara, who chaired and steered The African, Caribbean and Pacific (ACP) Group of States Conferences that led to the first Lome Convention. So our high profile role in the international arena is not new and I congratulate the Government for continuing that and we urge all those coming after us, to continue. As they say, "We are punching above our weight", we will continue to punch above our weight. Thank you very much, Mr. Speaker.

HON. SPEAKER.- I thank the Leader of the Opposition and I now give the floor to the Leader of the National Federation Party.

HON. PROF. B.C. PRASAD.- Thank you, Mr. Speaker, Sir. I also join the Leader of the Opposition in congratulating the Prime Minister and the Government for hosting the Secretary-General to Fiji.

I also thank the Honourable Minister for his comprehensive Statement on the role of Fiji as Chair of the 2019 World Bank and International Monetary Fund and annual meetings at the Small States Forum. Mr. Speaker, I have no doubt that the Minister would have represented Fiji very well in all those meetings and also would do that in his future meetings.

Moving on, Honourable Speaker, we also need to be mindful when we are part of these international organisations as to what they say about our own country, and we need to take heed of some of the signals and the reports that come out from these international institutions and here, Honourable Speaker, I want to talk about the IMF Report.

Just to make a point, I think contrary to what we might be hearing, I think we should prepare for a decline in our economy and all the signals are there and I think the IMF's Statement was very timely and I want to just quickly read one paragraph, I quote:

"Fiscal buffers should be rebuilt as soon as possible to support fiscal sustainability and external stability. The fiscal deficit and public debt increased sharply in recent years and put fiscal space at risk. Fiscal consolidation should proceed quickly to put the debt to GDP ratio on a clear downward path. This will help maintain fiscal sustainability, create fiscal space to respond with flexibility to natural disasters in the future and alleviate the current pressure on foreign reserves by containing imports. Consolidation measures need to be spelt out expeditiously and should be mainly expenditure-based, given the limited scope for further revenue mobilisation."

I think it is a timely warning, Mr. Speaker, Sir, with respect to the economic situation that we are in. For example, I was looking at the mid-term report. The current fiscal year projects a \$4.236 billion of revenue but as of six months, we had collected only 39 percent of it. I want to just read one more paragraph very quickly, just to make another point, "to boost growth potential, reforms should be focus on attracting and supporting private investment, high priority measures include and improve investment regime that can better protect the property rights of investors and adequate regulatory framework that allows to ship from far reaching price controls to enhancing competition and improving the ease of doing business."

Without belabouring the point too much, Mr. Speaker, and without sounding repetitive about it, I think it is very, very important for us to look at the World Bank Ease of Doing Business

ranking. I mean, we average from 75 to 91 from 2008 until 2018 but today, we rank 101 out of 190 countries on the overall ranking of ease of doing business.

It is a very important signal, we have not improved from 2017 to 2018. While we appreciate all the international efforts, some of these are routine meetings, and some of these are opportunities for us to raise our profile, opportunity to raise loans and funding, but Honourable Speaker, we need to look at some of these reports very carefully and the signals are quite serious.

I think the Honourable Minister for Economy has already foreshadowed in a sense of what he might do in the budget by saying that we should expect an economic decline and he was obviously attributing that to the global economic decline. But I think we need to look internally on what we can do in terms of while benefitting from this international organisation in terms of loans of grants, but also aligning our policies and preparing ourselves so that when we are hit by those declines globally, we can weather that very carefully. So, Honourable Speaker, I think it is important that we do take that into consideration.

We also would like to see Fiji's plan on carbonisation mechanics or the proposed blue shipping bonds and the ocean policy for us to make further comments on this. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Leader of the National Federation Party for his statement.

We will move on, Honourable Members, to the next Ministerial Statement and I now call on the Minister for Employment, Productivity, Industrial Relations and Youth and Sport to deliver his statement. Minister Parveen Bala, you have the floor.

#### Update on the National Job Fair and National Youth and Sports Conference

HON. P.K. BALA.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I rise to update this august House on the National Job Fair and the National Youth and Sports Conference held recently. Both were notable events and a first for Fiji.

Mr. Speaker, Sir, before I provide that update, I would like to take time to comment on an event and an issue that was of intense public interest and commentary.

First I would like to congratulate Roy Krishna for winning the golden boot and Johnny Warren Award for the best A-League player.

HON. MEMBERS.- Hear, hear!

HON. P.K. BALA.- Mr. Speaker, Sir, these are high honours on a humble but high achieving Fijian soccer captain who has been a role model for our youths. Roy, as he is known to fans, came to prominence in the year 2007, Under 21 World Qualifiers in New Zealand when he won the golden boot and brought Fiji to within one goal of qualification. This past season has been the best as Fiji's only A-League player so far and we congratulate Roy Krishna for making a mark for Fiji and in particular for the youth of this country.

Mr. Speaker, Sir, the other issue of public interest, involving youth and sports was the achievement of Yeshnil Karan, and his known selection in the Fiji Team for the Pacific Games. I commend Yeshnil for his achievement. I am also deeply moved by his grace composure and

maturity at a time when other commentators on social and other media were engaging an angry outburst.

Mr. Speaker, Sir, Karan has accepted the decision of Athletics Fiji and acknowledged that their decision is final and based on their qualification and policies. As Minister of Sports, I would like to ask all his fans to respect his decision.

Mr. Speaker, Sir, Athletics Fiji responded to and clarified some of the issues that my Ministry raised with them in public interest regarding the non-selection. I joined Yeshnil to show respect for the decision and to allow Team Fiji to continue their preparation for the Pacific Games to bring glory to our country without undue distraction. Mr. Speaker, Sir, no doubt, I, with the rest of the country will follow with interest the pathways that Athletics Fiji comes up with for Yeshnil in the coming months and years.

Mr. Speaker, Sir, before I move on to updates, it is timely that I provide some response to the various issues raised earlier this week in Parliament in relation to youth and jobs. Mr. Speaker, Sir, it concerns me gravely when some of the Honourable Opposition Members use our Fijian youth and their issues solely for the purpose of furthering their political agendas.

(Chorus of interjections)

HON. P.K. BALA.- Sadly, we see that these grand standing politics of the Opposition being given undue prominence in our media and on social media. Mr. Speaker, Sir, the issues and solutions for our youth lie firstly with them. And when I talk about our youths, I am talking an inclusive terms of all Fijian youths and not just the youth wings of your political parties. Mr. Speaker, Sir, in the last Parliament sitting, the Honourable Opposition Whip, without any basis raised the allegation that some youth groups were specifically excluded from the National Youth and Sports Conference.

I assume she meant the SODELPA youth. Mr. Speaker, Sir, I challenge the Honourable Opposition Whip to provide a list of names to back up her allegation but she has not responded since. Mr. Speaker, Sir, as you can see, it is easy for them to make these loose claims behind parliamentary privilege and not face up when challenged. Mr. Speaker, Sir, it is also easy for the Opposition to talk about growth but they failed to back up their talk with any concrete solutions or suggestions. Yesterday, Mr. Speaker, Sir, during the debate, I asked Honourable Salote Radrodro to give us some solutions in regards to the matter that she raised and that was in terms of town rate arrears, but there was none.

HON. S.V. RADRODRO.- Talk about youths.

HON. N. NAWAIKULA.- I got a solution.

(Honourable Member interjects)

HON. P.K. BALA.- I am coming to you, do not worry.

(Laughter)

Mr. Speaker, Sir, the youth of Fiji need more action and less talk. Let us move on to what the FijiFirst Government had offered them from day one.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. P.K. BALA.- It is all well and good for the Opposition to point out that during their term they did this and that. But let me point out to this House, Mr. Speaker, Sir, that youth and sports was relegated to be a Department within the Ministry of Education. That was basically their contribution to youth and sports; a department.

Mr. Speaker, Sir, the FijiFirst Government since coming into to power increased four to fivefold the budget for the Ministry of Youth and Sports and empowered it as a standalone line Ministry.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. P.K. BALA.- And this is the most significant way to see the difference between FijiFirst and the rest when it comes to the importance of youth and sports in our beloved country.

HON. OPPOSITION MEMBER.- Very poor.

HON. P.K. BALA.- Mr. Speaker, Sir, it is important to understand the spending on youths through the Ministry of Youth and Sports' budget against the total Government's spending on youths. The bulk of our national budget is spent on youths through education and the Ministry of Education. Other line Ministries notably, Agriculture, Fisheries, Forest, Trade and Tourism, including Health, have significant spending through their Youth Outreach Programmes.

Mr. Speaker, Sir, it is a simple economics but probably too much for the Opposition to digest. Mr. Speaker, Sir, the youths are not removed from such allocations, but benefit along with the larger population from the Budget and programmes for all Fijians.

Mr. Speaker, Sir, it is against this background that I wish to highlight some of the programmes and achievements of the Ministry of Youth and Sports and I wish to remind the Honourable Opposition Members, these are in real terms, in real time and for real as opposed to their wish list for the youths and for all Fijian youths.

Mr. Speaker, Sir, the National Job Fair initiative is the Ministry's contribution towards Government's commitment in fulfilling the United Nations Sustainable Development Goal 8 on decent work and employment growth. The National Job Fair is directly linked to Government's 5-year and 20-year National Development Plan on inclusive socio-economic development and reducing unemployment rate and in particular, the youth unemployment. It is the Ministry's collective efforts to achieve Government's aim of reducing unemployment rate to below 4 percent by the year 2021.

Mr. Speaker, Sir, at this juncture, let me acknowledge all our host partners and in particular the Fiji High Commissions, Partner Ministries, Training and Educational Partners and Employers. Their support made the success of the first ever National Job Fair and the first ever National Youth and Sports Conference.

Mr. Speaker, Sir, the aim of the National Job Fair provides an opportunity for the young people to be informed of clear pathways from education to productive employment.

Mr. Speaker, Sir, the National Youth and Sports Conference provided an outcome statement to guide the Ministry as it prepares the first rollout of programmes and policies to empower Fijian youths. Moreover, the National Job Fair and the Conference enabled Fijians who have opted out of

mainstream education and wish to pursue their studies through higher education institutes, a window to make their dreams happen.

Mr. Speaker, Sir, a total of 1,897 clients were registered during the two-days Job Fair not taking into account all those who came and visited the booths and did not register themselves. Majority of the public who had registered were aged from 15 to 24 years and almost 50 percent with those between 25 to 34 years making up another 40 percent. Mr. Speaker, Sir, the high number of female attendance at 57 percent is an indicator on the increased number of females wanting to participate in the labour market.

Mr. Speaker, Sir, with the recent signing of the Pacific Labour Scheme between Fiji and Australia on semi-skilled workers for up to three years, all stakeholders will need to be more committed for the benefit of all our unemployed citizens. My Ministry will ensure proper checks and balances of all employment contracts for Fijian workers.

Mr. Speaker, Sir, all our partners acknowledge the opportunity to let the employment market note what is on offer and where the skill gaps are. The presence of our Higher Education institutions provided the opportunity for those not in education, employment or training to have one to one discussion with those wanting to enhance their career through further studies.

Mr. Speaker, Sir, Ministries and Departments presence enable the public to ask questions on the different services provided by Government Ministries together with potential pathways in joining the Civil Service. Mr. Speaker, Sir, the Talanoa Session hosted by my Ministry to review the outcome of the National Job Fair has given us a clear direction on our plans for the future. The responses from all our stakeholders have indicated the need to make this as an annual event.

Mr. Speaker, Sir, the Talanoa Session also highlighted the concerns raised by employers on the expectations of new workers joining the workforce and also identified gaps between the Training Institutions and what is expected from an employer. In this regard, Mr. Speaker, Sir, I once again urge all training providers to work closely with employers as they plan and roll out their programmes. It is no use training in areas that are low or nil demand for training in methods of skills that vary from what is on demand and in particular, location.

Mr. Speaker, Sir, the National Job Fair has created another pathway for potential employers to use the provisions of the NEC Act 2009. The Act plays a social responsibility on employers to promote employment through qualified unemployment persons working as attachés or volunteers on a ratio of, at least, 5 percent of the total number of workers, if employing more than 50 workers. Mr. Speaker, Sir, this enables potential candidates to gain valuable training and experience.

Mr. Speaker, Sir, the Fiji National Council for Disabled Persons also acknowledges FijiFirst Government's commitment on inclusive and concentration for equal employment opportunities.

Mr. Speaker, Sir, the National Job Fair also provided training sessions for participants as part of capacity building and preparing them for employment opportunities. Other sessions encourage participants and enabled job seekers to be job creators.

Mr. Speaker, Sir, the Ministry will continue to work hand-in-hand with all our key stakeholders to address all the challenges and plan even better and bigger for the next National Job Fair. Mr. Speaker, Sir, to the youth of Fiji, I thank you for giving voice to your voices during these forums. We came together, you talked and we have listened and I assure all of you that based on this, we will continue to place your voice above others, as we map more pathways and programmes to empower and transform the youth of Fiji. I thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister for his Statement. I now give the floor to the designate of the Leader of the Opposition, the Honourable Mikaele Leawere. You have the floor.

HON. M.R. LEAWERE.- Thank you, Mr. Speaker, Sir. Allow me to respond to the Ministerial Statement by the Honourable Minister for Youth and Sports, and I thank him for his Statement, but first and foremost, Mr. Speaker, Sir, let me thank the Minister of Youth and the Fiji Higher Education Commission and other key stakeholders for their assistance and co-operation in ensuring a successful National Job Fair that was conducted recently. They deserve our appreciation and our thanks.

Whilst we commend Mr. Roy Krishna for his achievements, let us not forget our European players who have been making a name for themselves in Europe. For example, Mr. Viliame Mata and also Leone Nakarawa and Vereniki Goneva. These are players who have made a name for themselves, but also they have displayed the Fiji banner in the tournament that they play in.

Mr. Speaker, Sir, also Mr. Ashneel for his reasons for not participating at that stage and we appreciate the Honourable Minister has just mentioned in this House, especially for the South Pacific Games.

Mr. Speaker, Sir, the National Job Fair that was just conducted, we wonder if the Fiji Rugby Union was present there as well as the Soccer Association because most of our youths participate in rugby and also in soccer and this is an avenue for them, especially with sports which is now quite a big industry, especially with youths who make their names in this arena, so I wonder if when they next conduct this National Job Fair, that they include the Fiji Rugby Union and also the Soccer Association to participate as well and encourage our youths, especially in the area of sports.

While we are talking about that, Mr. Speaker, Sir, I received a response from the Honourable Minister regarding the summary by province of those who had gone for the Seasonal Worker Programme and there were about 748 that have left our shores to participate, to work in Australia and New Zealand. Those employees if they also be part of the National Job Fair because our youths are also looking for employment opportunities and this is an area in which others can come in and be introduced to what these employers provide for them when our people want to work there in these countries.

Also, Mr. Speaker, Sir, historically the National Job Fair was known as the Careers Expo and this was through the brainchild of the SDL and SVT Governments and it is also part of their contribution when they were in Government.

Also I have mentioned that that should have been part of his Ministerial Statement to acknowledge the contribution that was made then.

Mr. Speaker, Sir, while it is pleasing to note that Government is taking the right steps for youth empowerment and accelerating to how a youth can earn the prestige and pride through arts and sports, we should not forget those youths who are disadvantaged and also disabled. They need to be included in this Job Fair Annual Meetings. These are some of the suggestions we wanted to make, Mr. Speaker, Sir.

Finally, Mr. Speaker, Sir, we are recommending these efforts by the Ministry of Youth, especially the Honourable Minister and noting the profound statement here this morning, we express the hope that we can work together for the protection and empowerment of our youth to effectively participate in our socio-economic development. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member for his Statement. I now give the floor to the designate of the Leader of the National Federation Party, the Honourable Lenora Qereqeretabua. You have the floor, Madam.

HON. L.S. QEREQERETABUA.- Thank you, Mr. Speaker, and I thank the Honourable Minister for his Statement. I just want to take this time, Mr. Speaker, to commend our young people who were very eagerly and passionately involving themselves in the sectoral issues close to their hearts, and I just want to encourage, Mr. Speaker, Sir, through you, our young people to keep speaking out, we need to hear that in this House more than anything.

One thing that stands out like the monolithic Joske's Thumb, Mr. Speaker, Sir, which is visible as we go out on the balcony to either inhale some nicotine or just try and inhale some fresh air, is the lack of budgetary resources available to the Ministry to economically empower our youths, and this is a matter of great concern. Are we therefore paying lip service to genuine empowerment of our youths, only glorifying them in national and international forums but neglecting them where it matters most?

The ADB Conference that just ended which taxpayers paid \$10 million for, also had a large team of up to 400 youths involved in the back-end running of proceedings and I understand all their efforts were lauded by all of us. This update of 400 youths assisting featured on the FBC News on 5th May, 2019. Sadly, the Government's procurement of their services as "volunteers" with unclear and unwritten expectations on their voluntary payment which was minimal by the way and what I understand to be around \$40 a day for meal allowance, plus transport. Many of these young people were not paid in full as verbally agreed and I hope to goodness that the Government has done right by then now. I would remind the Minister that using young people as token supporters is not right. Young people are not fooled anymore, neither is using them for entertainment and pushing the optics of a happy, happy Fijian, please, let us be respectful of the intellect and the passion that our youth bring to the table.

On the road to the Blue COP 25 in Chile this coming December, Honourable Speaker, I would imagine the Government is going to tap on our young voices again as it did for COP 23 and possibly, the UPI process in Geneva. If so, please, let the youth speak and engage with the fullest backing, nurturing, resourcing and mentoring without Qorvis because they are the ones who will have to wade through and fix the convoluted Climate Change policies of this Government.

Mr. Speaker, the Honourable Minister spoke about the National Job Fair. What we would like to know is, what is the rate of unemployment amongst our youth now? Three years ago, we heard from the Honourable Minister Akbar, in one of the forums that unemployed youth comprised 80 percent of the total number of unemployed persons nationally and she was right. With the perceived reduction in the rate of unemployment, we expect this percentage to drop but we suspect it will still comprise a significant component of unemployed population. So, what types of jobs have been created, Mr. Speaker, is it mostly paying the minimum wage rate; is it creating decent and meaningful paying jobs? Are the jobs just replacement for retirees, those who are deceased or those who resigned or opted for greener pastures? These are the statistics we need.

Mr. Speaker, let me repeat what the Honourable Pio Tikoduadua said in Parliament on Tuesday, 14th May, 2019.

"Our youth need social justice and they need economic opportunities as well. Our youth are tired of being talked down to. Our youth must be directly involved in strategies to improve their lives."

The first step towards genuine empowerment should be to “convene a National Youth Summit with a wide range of youth representatives and this Summit should develop strategies focused on education, employment and enterprise” not a national youth conference.

The Summit should also develop new opportunities in tourism, agro-business, outsourcing and servicing. These should not be looked on as just opportunities for employment. These should be viewed as opportunities for young people to being small enterprises and to use their energy and passion to deliver them.

Honourable Pio Tikoduadua also stated, and I quote:

“Our youth should be encouraged to ascend to leadership in the community in sports, social events, health and environmental awareness. This will soon be their country, and we must help them save it.”

They must also have freedom of speech and creativity and the right to criticise and call out the mistakes of our national leaders. This is what they need and we must all aspire towards achieving it for them.

Thank you, Mr. Speaker.

(Applause)

HON. SPEAKER.- I thank the Honourable Member for her contribution to the debate. Honourable Members, we will move on.

Honourable Members, I now give the floor to the Attorney-General and Minister for Economy, Civil Service and Communications to deliver his second Statement. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir, and thank you for allowing me to do this as I withheld this back yesterday because of the time constraints.

#### Update on the 52nd Annual Meeting of the Asian Development Bank

Mr. Speaker, Sir, I wish to provide an update on the 52nd Annual Meeting of the Asian Development Bank which was very successfully hosted in Fiji from the 1st to the 5th of May with the theme “Prosperity through Unity”. This is the first time that any Pacific Island country actually hosted the ADB Annual Meeting, Mr. Speaker Sir.

In the wider Pacific region, if we include Australia and New Zealand, the last time it was held in this wider Pacific region, Australia hosted last in 1969 and New Zealand last hosted in 1995; a 23-year gap but never held in the Pacific. Mr. Speaker Sir, as the Honourable Prime Minister highlighted in his opening remarks that this milestone, and I quote, “... marks the end of an era of missed opportunities” for Fiji and the Pacific.

The huge success of the Annual Meeting has further raised Fiji’s position in the region and it has made us very much stronger in respect to not only in the region, but on the global stage. Indeed, Mr. Speaker Sir, I have to admit personally, we were quite nervous about whether we can pull this off because this was really an opportunity to showcase ourselves to the rest of the world and we were overwhelmed with the positive feedback received from the ADB President, the ADB

Management, the Deputy Prime Minister of Japan and various other Ministers from the Asia-Pacific region and various other delegates.

The President of ADB, Mr. Speaker Sir, publicly stated that the event was extremely very well organised surrounded by the beautiful ocean and helped by the perfect weather. It has been hailed as one of the best ADB Annual Meetings ever and you should all be proud of this. Around over 2,258 participants attended the meeting including Government delegates, ADB personnel, guests, observers, civil society organisations, media and other accompanying persons. Participants enjoyed our culture and traditions appreciating the warm and welcoming Fijian hospitality, many for the first time had the opportunity to experience our natural beauty and the pristine environment and also more importantly, we were able to show to the world and policy makers from the larger countries the vulnerabilities and unique challenges we are exposed to such as climate change.

Mr. Speaker Sir, the hosting of the ADB Annual meeting had numerous benefits for us including the economics spin-offs marketing for Fiji, not only as a tourist destination but also leveraging the successful event to promote us to capture the fast expanding MICE market. Mr. Speaker Sir, to host Meetings, Incentives, Convention, Exhibitions (MICE) which is the high niche segment of the tourism sector, we need to make a huge inroad into this area.

Mr. Speaker Sir, the FNPF has already announced in building the Convention Centre which we talked about some time back. The initial estimates, Mr. Speaker Sir, showed that the overall economic impact from hosting the ADB meeting was over \$30 million with the exemplary level of interest shown for meeting, many delegates have brought their families and friends over to Fiji. There is a lot of spending on air fares, accommodation, transportation, spending at restaurants, bars, sightseeing and spending on other recreational activities.

Our local entrepreneurs, our SMEs and designers also benefited from this particular event, we also had numerous traditional practices, dances, we had the Ba Women's Forum all on displays selling their goods and many other products including from the Fiji Arts Council. Mr. Speaker Sir, of course, you have market vendors, taxi drivers; everyone benefitted from this.

Mr. Speaker Sir, many were impressed with what we had to offer. Many have already started making plans for second trips and the benefit from the word of mouth marketing is also going to be immense as Asia is one of the largest source of out bound tourism. Mr. Speaker Sir, we have, of course, now laid a very solid basis for multilateral meetings and in fact the ADB is already talking about coming back to Fiji again. Our goal, Mr. Speaker Sir, is to have what we call the "icing on the cake" which would be to host the Annual World Bank and IMF Meeting, but for that of course, we need to have a large convention centre. The World Bank and IMF as a matter of interest, every two years goes outside of Washington, the last time they were outside of Washington was in Bali and we want to be in that space also.

Mr. Speaker, Sir, as highlighted, it was not just only about tourism *per se*, we were able to bring to the fore many of the challenges faced by Pacific Island Countries, be able to discuss many of the issues in respect of financing grants, concessional funding and the catastrophic challenges. We had people who went and visit Koroipita, Lautoka, about what fantastic work Peter Drysdale has done. Of course, during that particular event, the Honourable Prime Minister was in Vio Island where we launched the rural electrification programme which is a standalone hybrid system which was initially funded by the Leonardo DiCaprio Foundation and, of course, we have got another 10 other remote villages and locations that will now have access to the hybrid system.

Mr. Speaker, Sir, I would like to very quickly thank everyone responsible for the logistic arrangements, the Liaison Officers from the Civil Service, Reserve Bank of Fiji, Ministry of

Economy, Personal Protection Officers from the Police Force and those ensuring security and stability and those of you who were privileged to be there. Unfortunately, the Honourable Leader of the Opposition said he would be there, but he did not turn up. The Mac that had been set up, it has never been done in such a manner. The actual logistics and security details were phenomenal.

I also like to thank, of course, all the hotel staff, drivers, tour guides and, of course, the volunteers. Honourable Qereqeretabua, of course, was not there so she did not have the opportunity to speak to the volunteers but I spoke literally to hundreds of the volunteers and they were very glad to be there, very glad to be made part and parcel of this historic occasion. I can tell you that all of them have been paid.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- You do not even know your facts.

All of them have been paid. They knew what they were getting into, Mr. Speaker.

(Chorus of interjections)

HON. SPEAKER.- Order!

HON. A. SAYED-KHAIYUM.- You see this is again, we have got another Member of La La Land now and another one is on the way too.

Mr. Speaker, Sir, the pride and professionalism of the staff and all other volunteers ....

(Honourable Member interjects)

HON. L.D. TABUYA.- That is slavery.

HON. A. SAYED-KHAIYUM.- Slavery? What nonsense are you talking about? We engaged them in slavery; the volunteers? These are university students who agreed to the meal allowances, transportation, they were paid allowance on a daily basis. Slavery is when you force someone to do something that they do not want to do. These people gladly volunteered to do that. What nonsense!

(Chorus of interjections)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- You need to go and check the English Dictionary.

Mr. Speaker, Sir, I urge the volunteers who are listening now, who were there as volunteers to listen to the nonsense and the obtuseness that is coming from the other side and they can tell you the richness that they actually experienced in which they were able to interact with people from different countries to be able to enrich their experience.

Mr. Speaker, Sir, I would like to particularly single out the Permanent Secretary for Civil Service who has just become in the past few days, now the Permanent Secretary for Health and Medical Services Bernadette Welch who, by the way Honourable Radrodro, is an expatriate who took the overall charge for all the logistics and making sure that everything was in order. Without

her professionalism, including eye for detail and ability to garner the right people around her, the ADB Conference would not have been as successful as it was.

By the way, Mr. Speaker, Sir, Bernadette Welch also hosted two G20 meetings for the Australian Government and one of the important things that the ADB President and others told us that the seamless way in the entire conference was facilitated, they said is unprecedented.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. A. SAYED-KHAIYUM.- Even they said, they ventured out to say, “this is the best ADB Conference ever.”

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. A. SAYED-KHAIYUM.- I would like to thank everyone who participated. I spoke to the ladies in the hotels, ladies who were cleaning the rooms, the porters, the gardeners, the taxi drivers, they all felt an immense sense of pride that Fiji was hosting such an event and they I can tell you, had more economic and financial sense than any of those people sitting on the other side of the House.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- They understood the meaning and the opportunity that had been created by this ADB Annual Meeting, Mr. Speaker, Sir. I would like to thank them all for doing a sterling job despite some people trying to sabotage the entire process.

Mr. Speaker, Sir, the estimated cost of hosting the event was around at this point in time \$13.1 million. We, of course, are still making payments on this. The Government had allocated \$10 million. We received \$6.9 million in cash sponsorship including from countries like Australia and New Zealand and also the remaining was provided by way of aid-in-kind or client support.

Mr. Speaker, Sir, let me shed some light on the outcome of the discussions, dialogue that were made during the Annual Meeting.

Mr. Speaker, Sir, we had the 29th Pacific Development Member Countries (PDMC) Meeting. The Republic of Marshall Islands actually chaired the 29th PDMC and in that Mr. Speaker, Sir, we had countries like Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Republic of the Marshall Islands, Nauru, Papua New Guinea, Republic of Palau, Samoa, Solomon Islands, Timor Leste, Tonga, Tuvalu, Vanuatu and the newly joined Member of ADB which is Niue.

Mr. Speaker, Sir, they all, of course, congratulated Fiji and indeed as we said as the Honourable Prime Minister also said that we saw the ADB meeting as a Pacific meeting that we were hosting and we wanted it to be a Pacific event and indeed there were specific displays regarding the Pacific Island countries and the work they engaged with the ADB.

Of course, Mr. Speaker, Sir, the PDMC also allows and provides the forum for us to be able to directly engage with ADB as a regional sub group and how we can talk and engage with our multilateral partners, not just ADB but others present.

I would like to also very quickly highlight Mr. Speaker, Sir, some of the areas that we did discuss in the PDMC with the ADB where on the fragility and vulnerability in respect of

concessional finance. The PDMC Governors reiterated the need for ADB to offer what we call “differential pricing mechanisms” for ordering capital resources. This would mean, Mr. Speaker, Sir, that the middle income countries like Fiji and Cook Islands would be able to access highly concessional financing from the ADB. As I highlighted earlier on, World Bank has already agreed to this so we are getting IDA funds.

Mr. Speaker, Sir, the Pacific Ministers also expressed their disappointment and frustration over the inclusion of Fiji, Marshall Islands Samoa and Vanuatu in the European Union Tax Haven Blacklist or the blacklist as they call it. A few other Pacific-member countries are currently under review and expected to be added to the blacklist. It is quite unfortunate, Mr. Speaker, Sir, and the Finance Ministers showed their strong dissent over the EU’s approach, calling the process non-transparent and unfair adding that it undermined the development aspirations of small and vulnerable countries in the guise of tax corporation.

Mr. Speaker, Sir, as said in Parliament previously, there was no consensus on a bilateral basis and indeed there was consensus amongst the Finance Ministers that the process was non-transparent. And indeed we are looking at issuing a letter on the regional basis to the European Union.

Mr. Speaker, Sir, as I highlighted earlier on, the Australian’s did present their facility of \$2 billion to the PDMCs and as I have also highlighted that Fiji and Australia are very keen to use some of that financing to help us with the Nadi Rehabilitation Project which we hope to actually get the bricks and mortar starting at least from stage one of the Nadi River which includes from the town end up towards the Nadi River.

Mr. Speaker, Sir, interestingly enough also at the ADB, the Irish launched their trust fund through the ADB where they announced that they will be channelling funds through the ADB to the tune of €12 million aimed at supporting climate resilience and disaster preparedness in the SIDS.

Mr. Speaker, Sir, we also were very glad to meet the new Vice-President of the ADB, Mr. Ahmed Saeed who is the new person and who had replaced the previous person who has gone off to the Middle East and it was very inspiring because he has come from a private sector financial background, who was working in places, like Morgan Stanley, et cetera, and he, in fact, identified Fiji as having remarkable development progress in the last few years and acknowledged Fiji’s contribution to global leadership. But he also said that he wanted to use Fiji as an example to the rest of the Pacific and would like to work with us on a number of projects to showcase Fiji to the rest of the Pacific and other countries.

We are looking at supporting the ICT sector, diversification about tourism as I highlighted into age care, into medical tourism, investment in software infrastructure and also to assist Fiji to propel private sector development and there is a huge level of funds that had been allocated by the ADB in that respect about a \$100 million and they will work directly with the private sector.

As highlighted in the past few days, Mr. Speaker, Sir, we had a specific Governors Round Table where we had countries like USA, China, Germany, India, Indonesia, Pakistan, Malaysia, Australia and all the other key countries. It was a closed session, Governors Round Table on the heightened global uncertainty in respect of global economics.

Of course, since then, Mr. Speaker, Sir, we know that after that particular event, a week or so later, USA has now imposed a 25 percent tariff on all Chinese goods. There has been a notable slowdown in the global economy since the second half of 2018, largely due to the weakening growth in the major advanced economies; USA, Europe and Japan. Of course, the trade tension

between USA and China, enormous level of uncertainty regarding Brexit and the growth slowdown in China, the general tightening of global financial conditions.

These risks are tilted to downside with the possibility of further escalation of trade tension between China and USA. We, of course sit on the periphery but we will also get affected by it, in particular if trading partners with China such as Australia that sends a lot of its raw materials to China, if there is a mutant demand for that, those raw materials, there will be an enormous impact on Australian arrivals into Fiji. We have seen, of course, a slower, in fact, downturn or a growth in the tourism sector since January of this year, and we need to prepare ourselves as I highlighted a few days ago, we need to put in place anticipatory measures and, of course, this will affect the other Pacific Island countries too.

As highlighted, and we have already said this before, we need to build fiscal buffers, we have set the right policies right to be able to mitigate the negative implications from the adverse external events and pursue long term structural adjustments to diversify the economy and reduce and remove hindrances that constraint on our true economic potential.

Honourable Professor Biman Prasad talked about Ease of Doing Business. I do not think that you were here, Honourable Prasad, when the Honourable Minister for Industry and Trade talked about the various current initiatives that we have with the Singaporeans in respect of mitigating those issues pertaining to Ease of Doing Business.

We also have, Mr. Speaker, Sir, an opportunity what we call “The role of tourism for sustainable development” hosted by the famous Zeinab Badawi from BBC. It consisted of the Deputy Prime Minister of Japan, Mr. Taro Aso, who is also the Governor for Japan; Mulyani Indrawati, a very influential lady who is also the Minister for Finance for Indonesia and has worked with the World Bank and IMF and we had representation from Italy and from Philippines too and, of course, Fiji was there too.

Discussions also focused on the need to ensure continuous diversification in the tourism sector, establishment of new source markets and airline routes, protection, of course, of our traditions and culture and environment, including developing niche tourism segments, like medical tourism. Mr. Speaker, Sir, it is very encouraging, and I urge the Honourable Members if you can go to the website [www.ADB.org](http://www.ADB.org), you will see all the programmes from there.

Talking about the youth again, we had a host country Seminar “30 under 30” where we brought and we had a competition throughout Fiji as a young population, Mr. Speaker, Sir, we decided to focus our host country seminar on the youth. We knew from the start that it was an opportunity to showcase and throw spotlight on our young people. As such, Mr. Speaker, Sir, we decided to enlist the help of the entire nation to launch a nation-wide search for success stories of rising young trailblazers across business, Government, Civil Society Organisations (CSOs), all aged below the age of 30.

Mr. Speaker, Sir, our goal in all of these was to identify 30 leaders under the age of 30 or faces of Fiji’s future and I know they were the first of its kind recognition that served as a foundation, and again we had the host, a very well-known Australian trailblazer herself who hosted the particular seminar.

Mr. Speaker, Sir, a lot of comments were made about the fact that we are not doing anything for the youth. The Honourable Minister for Youth, the Honourable Minister for Agriculture, the Minister for Industry and Trade have various initiatives in place. The Honourable Minister for Education and there are so many others, I really do not know where Honourable

Lenora Qereqeretabua is getting information from, and I do not want to highlight that at this point in time.

Mr. Speaker, Sir, we also had a wonderful opportunity where we had a host country reception at the InterContinental. Again, it was lauded as one of the best where we were able to demonstrate and help people participate in authentic Fijian atmosphere, Fijian foods by Fijian, they were overwhelmed with the Fijian hospitality. We had students who performed traditional dances, the fire dances, the Rishikul College, et cetera, Mr. Speaker, Sir.

Mr. Speaker, Sir, we had, of course, a number of bilateral meetings that are too many to highlight but the annual gathering provided valuable opportunity from member countries to discuss key global and regional issues, development challenges and opportunities and it also provided an avenue for discussion of financing options to suit the development priorities and economic financial needs of member countries. ADB remains a genuine development partner for Fiji and has assisted us through various technical assistance programmes by financing a number of infrastructure projects. It was a proud moment for all of us as Fijians to have been able to host the Annual Meeting of ADB with great enthusiasm and pride and use this as an opportunity to showcase the determination and ability of Fiji to successfully host such large events.

We are confident, Mr. Speaker, Sir, that because of the success of the ADB Annual Meeting, Fiji has become an ideal hosting spot for even larger events, like international sporting tournaments, concerts and other large events that support the growth of our tourism, even in the off season.

Mr. Speaker, Sir, the ADB Annual Meeting has given Fiji another special spot on the global map and I thank everyone for that. *Vinaka*.

HON. SPEAKER.- I thank the Honourable Attorney-General for his Statement. I now call on the Honourable Leader of the Opposition to have the floor.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Mr. Speaker, Sir. I rise to respond to the Ministerial Statement and we are very grateful for the Statement given to us about the successful ADB meeting that was held in Fiji two weeks ago.

I congratulate the Government for hosting that meeting, claiming that it is the best ever. I do not doubt that, Mr. Speaker, Sir, because everything improves every year. The one next year will be the best ever next year.

Mr. Speaker, Sir, I did not go to the venue, I skirted around it, I saw it was very well patronised, but I did not go there because I had just driven through from Suva that morning, and I went through some rough patches of road. When I got there I knew that those that were at the Conference had just come out and were received by our Border Control Agencies, newly renovated Terminal building with all its facilities.

They were greeted by smiling traditionally-clad entertainers and are taken out to very nice cars driven over very nice roads, multiple lane all the way to the newly renovated hotels, so I felt like I was back in the village during the visits of *Turaga Bale na Vunivalu sa bale*, when before the ceremony started, the *Turaga ni Koro* stood in the middle of the green and announced in Fijian, if I can say it in Fijian, Mr. Speaker, Sir, “*Ni sa erei ai Tubutubu me ra au tani a gone ei na manumanu, me ra ua ni raici e na soqo bibi sa va'arau ca'a oqo, ua tagi, ua kaikaila, ua a qoqolou..*”

And in English, Sir, the *Turaga ni Koro*, had just warned the village, “Take all the nasty looking things and the improperly behaving children out of site, because we have a high chief coming. We do not want them to see the real view of our village, of our families. Mr. Speaker, Sir, I held back and did not go there, then I went, Mr. Speaker, Sir, towards a restaurant.

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- I went to the restaurant at the Marina, and the Fijian lady who owns the restaurant was saying, ‘I only wish they had allowed our visitors from aboard to come and eat in our facilities.’

So I think we did not take full advantage of this successful meeting, more of the people could have benefited.

HON. A. SAYED-KHAIYUM.- Nonsense.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- I wonder if that is a Parliamentary language. Anyway, the Minister had mentioned that the Prime Minister of Defence was there ...

HON. A. SAYED-KHAIYUM.- Deputy Prime Minister.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- ... Deputy Prime Minister, it was very impressive.

Today, Mr. Speaker, Sir, we heard the news that the Emperor has voluntarily stepped down with the Crown Prince to take over as Emperor, and we must send our message of congratulations to them. I remember vividly visiting the Emperor when we went there to sign the Kyoto Protocol, he was a very impressive gentleman, very humble.

The blacklist we brought up again, all I can say, “You do not slap the hand that fed you, the European Union looked after us for a long time.” Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Leader of the Opposition.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

I give the floor to Honourable Leader of the National Federation Party, you have the floor, Sir.

HON. PROF. B.C. PRASAD.- Thank you, Honourable Speaker. I would like to thank the Honourable Minister for his Statement, and I also agree with him that when you hold such big meetings, obviously there is always very positive multiplier effect in terms of the economic activities that are created around these meetings, and I am also happy to hear from him on a number of initiatives that would emanate from such meetings. I hope that they would be followed with the same passion and commitment that was there in hosting the meeting.

I also agree with him that hosting such meetings, Honourable Speaker, is always a very tough job and so I join him in thanking all those people working in Government and outside of Government who made this meeting a successful one.

We also need to understand, Mr. Speaker, that these meetings are in a particular context. They had particular objectives and those hosting those meetings have their own objectives. I think, Honourable Speaker, having said all the positive things about the meeting, I think it was very unfortunate that we saw police behaving in a juxtapose-like environment and rounding up innocent workers and trade union leaders who had legitimate ....

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- I mean in most democratic countries when meetings are held or when anniversaries fall on those places, you allow people to express their views. I thought it would have been a great positive opportunity for Fiji to showcase our democratic human rights and our ability to tolerate and create the environment of tolerance in dealing with that but that is a lost opportunity, Honourable Speaker, and I hope that in future, we do not have that.

I also want to say that which I said earlier, with respect to our economy, I think, to some extent the Minister for Economy is right but I think the trade war between China and the US right now, the Chinese are putting up tariffs on the US goods as well. Trade wars are always mutually harmful in a sense that both countries would, but I think the third party always have an opportunity, I think, countries like Australia and New Zealand, Australia obviously has a lower tariff, they are not going to impose tariff on the Chinese. The chance is that the Australian economy is actually going to do better and I am looking at some of the figures for the Australian and New Zealand economy. They have a steady growth rate of about 3 percent, right up to 2020 and the US economy shows upward projection.

In the first quarter, the US economy shows that it actually grew at an annual percentage of about 3.2 percent. It is not all “doom and gloom” in terms of the overall economy but for us, I think, here in Fiji, it is very important to understand and the more I talk to people, Honourable Speaker, with respect to the businesses and what is happening, I think we might be in a crisis of confidence. We need to build that confidence and I think I was going to talk on the FRCA Report and I was going to raise a number of issues there but unfortunately it is not going to be debated today, Honourable Speaker, where I would have actually highlighted why we need to build that confidence in our economy because sometimes, you might have the best policy.

The Honourable Minister might come up with a very prudent budget this time, I expect him to reduce expenditure and all that but sometimes policies alone do not create that kind of effect. I think when we get into a crisis of confidence, we need to build that confidence, and I think we need to look at how we can build confidence through our discussions here, perhaps through economic summits which I have suggested earlier. I think we need to get the people to have the confidence. It is alright, we can have these big meetings but if the investors here, if those looking at us from outside in terms of our policies are not having the confidence, then we may not create that, Honourable Speaker. Thank you once again for the opportunity.

HON. SPEAKER.- I thank the Honourable Leader of the National Federation Party for his statement.

Honourable Members, we move on. I have been informed that there are no Bills for Consideration. We move on to the next Agenda Item.

## **INTERNATIONAL CONVENTION FOR THE PROTECTION OF ALL PERSONS FROM ENFORCED DISAPPEARANCE**

HON. SPEAKER.- Honourable Members, I now call upon the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to move his motion. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, I move that:

Parliament approves that Fiji accedes to the International Convention for the Protection of All Persons from Enforced Disappearance and makes the appropriate declaration under Article 42(2) at the time of accession to the Convention.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, I beg to second the motion.

HON. SPEAKER.- Honourable Members, I invite the Honourable Attorney-General to speak on the motion. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I rise to move that Parliament approves that Fiji accedes to the International Convention for the Protection of All Persons from Enforced Disappearance and makes the appropriate declaration under Article 42(2) at the time of accession to the Convention.

The Standing Committee on Foreign Affairs and Defence earlier this week tabled a report in relation to the Convention. The Report provides a summary and examination submissions made to the Standing Committee in which there was an overwhelming support for Fiji to ratify the Convention.

The Convention is an International Human Rights Treaty adopted by the United Nations General Assembly intended to prevent enforced disappearances which is defined under international law as a crime against humanity.

The Convention as adopted by UNGA or the United Nations General Assembly on 20th December, 2006 and entered into force on 23rd December, 2010 and has 60 States parties as at 15th May, 2015. The aim of the Convention is to protect all persons from enforced disappearances and hold State parties accountable for enforced disappearances at an international level.

The Convention aims to combat impunity for the crime of enforced disappearances and gives credit to the person's right to be free from enforced disappearances and the rights of victims to justice and reparation. The Convention comprises 45 Articles and is divided into three Parts which cover broad range of aspects.

Part 1 of the Convention covers Articles 1 to 25.

Article 2 of the Convention defines "enforced disappearance" as the arrest, detention, abduction or any other form of deprivation liberty by agents of the State or by persons or groups of persons acting with authorisation, support or acquiescence of the State followed by refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person which place such a person outside the protection of the law.

Articles 4 to 6 of the Convention requires State parties to take proactive steps to ensure that laws are implemented to reflect the criminality of enforced disappearances together with the reciprocating criminal responsibility and appropriate punishments. It also requires State parties to encompass criminality in a broader context specifically to those that commit, order, solicit or induces the commission of attempts to commit, is an accomplice to or participated in enforced disappearance. These Articles also provide for State parties to take appropriate measures to investigate acts of enforced disappearances committed by persons or groups of persons acting without the authorisation and approval of the State and to bring those responsible.

Mr. Speaker, Sir, Articles 8 and 9 of the Convention requires State parties to establish competence to exercise jurisdiction over the offence of enforced disappearance and to ensure that the limitation period is a long duration and proportioned to the seriousness of the offence.

Article 10 of the Convention provides that a State party may take a person suspected of committing the offence of enforced disappearance into custody after examining the available information based on available evidence in the circumstances it so warrants. In such circumstances, preliminary enquiry, investigation must be carried out to establish facts, the State party must then notify the competent authority of whether it intends to exercise its jurisdiction and further provide the measures taken including detention. The circumstances justifying detention and the findings of the preliminary inquiry or investigations.

Article 12 of the Convention, State parties are required to recognise a person's right to report to the competent authority the facts upon which an alleged commission of the offence of enforced disappearance is made. The authority then must examine and investigate the allegation in a prompt and impartial manner.

The Convention further empowers the State party to take necessary precautions to ensure that the suspected person is not in a position to influence the investigation progress through pressures or acts of intimidation or reprisal aimed at the complainant, witnesses, relatives of the disappeared person or the defence counsel or a person participating in the investigation.

The Convention strictly requires that no person be held in secret detention and that specific information be disclosed to persons with legitimate interest such as the detained person's relatives and counsel, such as the authority that they owed the deprivation of liberty, the date, time and place where the person is deprived of liberty and admitted to a place of deprivation of liberty. The authority responsible for supervising deprivation liberty, the whereabouts of the person deprived of liberty including the events of the transfer to another place of deprivation of liberty and various other information as you can read. I do not want to read the whole bit, Mr. Speaker Sir.

Part 2 of the Convention covers Articles 26 to 36. In summary of Part 2 of the Convention, establishes the committee on enforced disappearances which consists of 10 experts with the relevant experience elected by State parties.

Under Part 2 of the Convention, State parties must submit to the Committee through the Secretary-General of the United Nations a report on the measures taken to give effect to its obligations under the Convention within two years of the Convention entering into force and this Report will be made available to all State parties.

It is prudent to note that under Article 31 of the Convention a State party at the time of ratification or any other time must declare that it recognises the competence of the Committee or receive and consider communications from or all individuals subject to its jurisdiction claiming to be victims of a violation by the State party under provisions of the Convention.

The Committee shall not admit any communication concerning a State party which has not made such a declaration. Given that Fiji will not make such a declaration, Mr. Speaker Sir, Fiji will not be bound by Article 31 of the Convention. We are not going to be bound by Article 31 of the Convention.

Part 3 of the Convention covers Articles 37 to 45. In summary of Part 3 of the Convention, it governs general provisions and entry into force of the Convention. Part 3 specifically provides that for each State ratifying or acceding to the Convention, the Convention will enter into force on the 30th day after the date where the deposit of that State party's instruments of ratification or accession with the Secretary-General of the United Nations.

It is prudent to note that Part 3 of the Convention, Article 42(1) provides that any dispute between two or more State parties concerning the interpretation or application of the present Convention that is not settled by negotiation, shall at the request of one of them be submitted to arbitration. If within six months from the date of the request by arbitration the parties are unable to agree on the organisation of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with a Statute of the Court.

However, Article 42(2) which I have referred to in my motion, Mr. Speaker Sir, also provides that each State party may at the time of signature or ratification of the present convention or accession thereto declare it does not consider itself bound by Article 42(1). Countries such as Cuba, Morocco, Ukraine, Venezuela have made similar declarations at the time of ratification or accession.

Given the implications of Article 42(1) of the Convention, it is recommended that Fiji makes the following declarations at the time of accession. The Republic of Fiji and I quote, "...declares that it does not consider itself bound by provisions of Article 42(1) of the Convention." Mr. Speaker Sir, the benefit acceding to the Convention are as follows:

In the Fijian Constitution, the offence of enforced disappearance is further reinforced by the rights accorded to the arrested and detained persons entrenched in the Bill of Rights under the Constitution of the Republic of Fiji.

Section 13 of the Constitution in particular provides detained and arrested persons with rights that render enforced disappearances repugnant in cases over a normal detention and arrest as they are mandatorily required to be permitted communication with their legal representatives, spouse, partner or next of kin and a religious counsellor or social worker.

Section 13 of our Constitution further requires that they be produced before a court for further review within 48 hours of arrest. Thus in an instance of a normal detention or arrest, the offence of enforced disappearance would clearly constitute the infringement of a constitutional right, giving rights to grants for constitutional redress against the State.

Furthermore, Mr. Speaker, Sir, Section 9(3) of the Constitution specifically affords the rights to persons detained in a state of emergency which mandatorily requires that they be allowed communications with:

- i) spouse, partner or next of kin;
- ii) legal representative;
- iii) religious counsellor or a social worker; and
- iv) medical practitioner.

It further requires, Mr. Speaker, Sir, that they may be produced before a court for review within a month, that it is in the emergency cases, for the detainment and thereafter at intervals, not more than a month.

The effect of Section 9(3) is that perpetrators cannot use a state of emergency to justify an enforced disappearance, given the specific rights captured therein. This essentially renders enforced disappearances in a state of emergency, of course, unconstitutional, giving rights to grounds for constitutional redress against the State.

Our Crimes Act 2009, Mr. Speaker, Sir, will complement various provisions under the Convention itself. Prior to the Crimes Act 2009, enforced disappearance was not an offence under the laws of Fiji. The offence of enforced disappearance of a person is established under section 95 of the Crimes Act 2009 and prescribes a maximum penalty of 17 years imprisonment.

Consistent with the Convention, Section 95 of the Crimes Act 2009 addresses the offence of enforced disappearance by imputing criminal liability and responsibility, even in circumstances where the perpetrators' actions are done in accordance with the authorisation, support or acquiescence of the government or a political organisation. In further reinforcement, our criminal responsibility and liability in such circumstances is consistent with the Convention, Section 98 of the Crimes Act 2009 provides as follows defence of superior orders.

Section 98 says, the fact that genocide or a crime against humanity has been committed by a person pursuant to an order of government or of a superior where the military civilian does not relieve the person of criminal responsibility. Thus since the offence of the enforced disappearance is recognised, there is a crime against humanity under the Convention as well as the Crimes Act 2009, the defence of superior orders is inapplicable and perpetrators remain criminally responsible and liable, even if acting pursuant to an order of a government official or superior officer.

Given the various sections under the Constitution and the Crimes Act 2009, Fiji's accession to the Convention will further strengthen the protection of all persons from enforced disappearances. Furthermore, accession to the Convention will promote co-operation and strengthen international relations with other State parties who have acceded to and ratified the Convention.

Mr. Speaker, Sir, for all these reasons and by way of introduction, I urge that all Honourable Members of Parliament vote in favour of the motion as I have read out for you. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Members, I thank the Honourable Attorney-General for his motion. Honourable Members, the floor is now open. Honourable Pio Tikoduadua, you have the floor.

HON. LT. COL. P. TIKODUADUA.- Thank you, Honourable Speaker. First of all, Honourable Speaker, I thank the Honourable Attorney-General for the motion that is before the House.

I can see, Honourable, Speaker, that the Chairperson of the Standing Committee of Foreign Affairs and Defence is not in the House today.

You will know. Honourable Speaker, that your Parliament through your directive head referred the Convention to the Standing Committee of Parliament on Foreign Affairs and Defence on 4th April, 2019 to review and come back with the report and that report is before the House and I

believe each member of the House has got a copy of that. I would have loved this morning that the Chair of our Committee would be here to stand and present on that report given that it was under his stewardship that Members of the Committee came up with the recommendations that are before the House, but it is unfortunate he is not here today, and I am really sorry that I have just been informed that he is in hospital. Therefore, I will take this opportunity, Honourable Speaker, given that he is not here, to speak a little bit about the Report and the work of the Committee in terms of how it came its conclusion.

Towards the end, I will make a short contribution of our view towards the motion that is before the House. Honourable Speaker, to state at the outset that the motion that is before the House, to ratify the Convention for the Protection of all Persons from Enforced Disappearance, is not the recommendation of the bipartisan Report that is before the House by the Committee, and that I would like to state at the outset, and I would like, for the information of the House to read to the House, the recommendation of the Committee.

Honourable Speaker, on Page No. 7 of the Report on the Convention, "The Committee in its recommendation states that the Committee recommends that Fiji fully ratifies the Convention."

So, Honourable Speaker, it is obvious today, as it was like yesterday, that the bipartisan position of the Committee is now not the position of the Government putting the motion before the House today, and I fill in the way for the Members of my Committee from the Government side, who have contributed immensely in a way very positively to the discussions of the Committee and we have all agreed to the recommendation of the Committee that is before the House and it is very unfortunate that the Honourable Attorney-General today while putting the motion before the House, has mentioned specifically, I know, Article 42(2), which is allowable under the Convention for ratification but, however, more specifically, the reservations under Article 31, which I want to speak on later on as part of my presentation in the next 20 minutes, Honourable Speaker.

Honourable Speaker, the Honourable Attorney-General had very quickly ran through some of the more pertinent issues about the Convention that is before us and hoping that we will vote for it today. I would go through that again, just for the purpose of re-enforcing those points. This is very critical, it is a very important Convention, Honourable Speaker, because out of the nine core Human Rights Conventions of the United Nations, Fiji has ratified seven and the remaining two are before the House today, one of which we are currently debating; the Convention for the Protection of all Persons from Enforced Disappearance, and then later on we will talk about the Convention on the Rights of Migrant Workers and their families.

I will say, Honourable Speaker, that this is a very important Convention because what it does, in my view, it took a while for this Convention to come before the House, because there are ramifications of this Convention in the future of our nation, given our recent past, and the recent past that we now have to fully acknowledge under these Convention, and I will speak later on about that, why it is very critical to take into account the deliberations of the Committee, that we need to fully ratify this Convention for the purpose of giving our children the future that they need without fear.

That is the point that I would like to talk on today. But going on, Honourable Speaker, in sort of furtherance of what the Honourable Attorney-General had alluded to earlier, I hope that the Members of the House have taken time to read this Convention because it has some great ramifications as I have noted.

In the Pacific, only Samoa has ratified this and Palau and Vanuatu have only signed, the Report says that. Also Part I of the Report contains the substantive provisions that focus primarily on the obligation of State parties to prevent and punish such crimes.

Part II, which is Article 26 to 36, establishes the Committee on enforced disappearance that I will talk to about later.

Articles 37 to 45 contains the formal requirements regarding signature entry into force amendment and the relationship between the Convention International Humanitarian Laws which today we have heard that under Article 42(2), the Honourable Attorney-General has stated that part of the motion will be that Fiji will only accede to the Convention under that particular Article 42(2).

Honourable Speaker, some of the more pertinent issues I will just try and talk very briefly about the Convention. Combatting impunity: The Convention states or puts an obligation on State parties to bring enforced disappearance offenders to justice;

Also, Honourable Speaker, under Article 2, the State has an obligation to investigate, prosecute and sanction non-State actors that commit acts of enforced disappearance, for example, terrorist groups, gorrillas, et cetera.

The second part of the Convention that I would like to talk about is prevention. Honourable Speaker, you will see at the beginning, the wordings of the Convention is “The Convention on the Protection of all Persons from Enforced Disappearance”. There is a lot of emphasis, Honourable Speaker, about putting in place the law to prosecute those that have committed the offence, but there is little emphasis in the law in terms of their protection, Honourable Speaker. So under prevention, the Convention provides for a number of procedural safeguards, as the Honourable Attorney-General had alluded to earlier, so that they do not go missing and people are deprived of liberty, have to be kept in an official place, to be registered or have their movements registered so at least, their families know what is happening to him.

Now, rights of victim, Honourable Speaker, I would like to note that specifically this Convention not only recognises the person that has been detained or deprived of his right as being the victim but it also regards the families of those of this person as being victims as well.

Enforcement: I would like to say, Honourable Speaker, that under Article 31 which the Convention establishes an International Committee of ten independent experts to monitor compliance and these Experts will review Reports by States and can also receive individual complaints.

Honourable Speaker, I say it is rather unfortunate that the Government has preferred to disregard the recommendations and the free-thinking of its own Members in the Committee whereby with us on this side of the House, we are part of the bipartisan Report to fully ratify this Convention as being put before the House.

Honourable Speaker, our own history, particularly, since 1987 up until now have had many, many cases of people that have been deprived of their right to be protected by the law, and this Convention aims to stop that. Because this is primarily against State actors and those that act on behalf of the State, in Fiji the crimes in the past against enforced disappearance for this matter had been committed primarily by the law enforcement agencies of the State, being the Military (the RFMF) and the Fiji Police Force. Now this is true, Honourable Speaker.

There are numerous cases where this has happened, and this needs to be brought in so that we need to recognise that this Convention allows that no further, that we must act within the law, and that the law enforcement agencies must understand that it is their obligation to protect the people. So this is why Honourable Speaker, I was a bit disappointed that the reservation about ratifying this Convention, the Government has preferred to invoke Article 31.

Now, Honourable Speaker, when the Committee took submissions from members of the public, including Government Departments, we also heard submissions from the Republic of the Fiji Military Forces. The Deputy Commander was there and he gave submissions on the Republic of Fiji Military Forces. The official of the Solicitor-General had noted with reservation under 42(2) not to also accede to Article 31. Also that was brought to the attention of the Committee during the initial submission and then yesterday we got another one. But, the submission from the RFMF, Honourable Speaker, I will need to put this into perspective.

The Republic of Fiji Military Forces is created under the Constitution under Section 131, and Section 131 (2) states: "That it shall be their responsibility (the RFMF) to ensure at all times the security, defence and wellbeing of Fiji and all Fijians." Honourable Speaker, bearing that in mind, the RFMF through the Deputy Commander when he came to make recommendations to the Committee, at the very end of his submission, after having spoken about everything else, just before the last line to finish, he states:

"Furthermore, we recommend that we recognise Article 31 and the competency of the Committee's role and functions."

Now, Honourable Speaker, the Committee, as you know under Article 31, is established to hear complaints from the members of the State party, if they feel that the State is not considering their complaint in the manner that they feel that the State should be obliged to under every current laws.

Now, Honourable Speaker, in this very Parliament, a few in the last sitting, the Honourable Prime Minister made a statement to the nation and the subject of the statement was about the detention of media personnel who came from New Zealand to report on Fiji. Honourable Speaker, he mentioned the word, 'rogue' – rogue police officers, "because this offence is committed by rogue people." If it is to be committed by anyone it will be by those that a rogue and are not following the law.

That element is currently in place, it is being done by people within the State, so the RFMF very well and very responsibly as well said that there is no problem with Article 31 because, if anything at all, the rogue elements would be from them any way and they are looking at it that there may be no need for it.

I mean Article 31 provides for the people to go directly to the United Nations, I mean today, Honourable Speaker, the United Nation's Secretary-General was here, the custodian of this Convention. The Deputy Commissioner of Human Rights in the world is Fijian. The advantage of this to fully ratify means we stand as we say, 'Among the best in the world in protecting Human Rights and our people.' So why are we adopting with exception? We say something to the world, we do something to our people. I mean, Honourable Speaker, the RFMF is responsible for the welfare of our people. They know the best of our welfare under this Constitution but the Solicitor-General and the Office of the Attorney-General today says otherwise.

Now, I prefer the RFMF solution and Honourable Speaker, I know I am running out of time. There are differences of opinion and I thank the Government here, there are already mention

of laws that are within available, particularly within the Constitution, under the Crimes Act 2009, sections 95 and 98 and to a certain degree, I do not agree with the recommendations of the Commissioner of Human Rights in Fiji where he says that section 139 is good enough to stop the giving of an illegal order.

Now, I say, Honourable Speaker, as a recommendation of the Committee, most of the laws are good but we can make it better. We can protect our people better, Honourable Speaker and I say, adopt Article 31. I also say, here Honourable Speaker, that we must also look at our laws so that, I am looking at here particularly, the law that covers and the person that is giving an illegal order, that it is now and offence to do so.

I know that Section 98 being referred to by the Honourable Attorney-General does not make a defence if someone give an illegal order and you follow it, but hereunder this Convention, it prevents, it does not allow anyone to give an illegal order. At the moment, it is part of Section 138, but I say, Honourable Speaker, you should create a new section within the Crimes Act 2009 to actually make an offence of anyone that gives an illegal order to cause the disappearance of any citizen of Fiji or anyone for that matter.

Because I say, Honourable Speaker, it gives us a breathing space in the future. There is one think we do not have to do, we do not have to cover our ill actions over the past by granting us some immunity in the future because this Convention is not going to allow that again. It will prohibit the issuance of any unlawful order to take anyone outside of their rights of the law to protect them. I stand again here, Honourable Speaker to reinforce the position of the Committee that the Parliament wholly ratifies the Convention as the Committee has put before the House. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member. Honourable Anare Jale, you have the floor.

HON. A. JALE.- Thank you Mr. Speaker, Sir and thank you for allowing me to contribute to the debate on this motion by the Minister and Attorney-General. I am also a Member of the Standing Committee on Foreign Affairs and Defence that put together that report that came before Parliament and it is a subject of the discussion this morning.

Honourable Tikoduadua is also a member and he had really taken us through very clearly the background of the Convention and how the Committee has built up its recommendation. Our recommendation is very clear, we had recommended for the full ratification of this Convention. We had recommended against the advice from some of the entities and organisations in Government that we should take advantage of the provision on declaration under section 42(2) of the Convention.

As Honourable Tikoduadua said, Article 31 of the Convention gives the power to a State to make a declaration under section 42(2) that it should not be bound by Article 31 of the Convention. The Committee recommended for the full ratification of this Convention. The reason why this Convention is coming before us at this time (this was brought into force on 23rd December, 2010) one of the reasons is that, one of Fiji's representative is sitting in as the Deputy Chairperson of the Human Rights Committee at the United Nations. I question the reason why this Convention was not brought before this Parliament earlier.

Honourable Speaker, Sir, I think our history necessitates that Fiji should ratify this. Honourable Tikoduadua has already covered the political upheaval that we have gone through and the suffering that some of our people had to face through those difficult times. But prior to that, we

have also the history about forced disappearance. There was a presentation earlier in the week by some of the Members of this Parliament in regards to the history of *Girmit* into Fiji and one of it was the forced repatriation or people from India being forced to come to Fiji against their will. That is, I would say, one of the matters that we should see and reflect on as the history of this country and while he saw necessary that we adhere fully to the provisions of this Convention.

The other one that we should also consider is the Solomon Islanders and Vanuatu Islanders. They were brought forcefully to Fiji and we still have their ancestors here, the blackbirding issue. We have their descendants in Fiji who have been isolated and displaced from their own country because of all these things; forced disappearance. No adequate solution or fair solution was provided at that time to cater for their cries. Now this is the opportunity for us and I thank the Government for bringing it into place, bringing it to the Parliament so that we can deliberate on it and make a decision.

I also thank the Honourable Prime Minister, who had made the commitment at the UN that Fiji is going to ratify the last two Human Rights Conventions, one of it is what we are debating right now. I am suggesting and recommending to this House today, go with the Committee. We had recommended that we should ratify in full the provisions of this Convention. The good thing about ratifying the Convention is because once we ratify it, we cannot run away from it therein a provision for us to denounce Conventions. We cannot just run away from it. Once we ratify, we are obligated to put in place a mechanism and laws that will see that this country has put in effect the provision of the Convention. That is the reason, Mr. Speaker, Sir, that we should put in place to protect our people. We have suffered in the past, there was no adequate provision in place to cater for the cries and grievances of those people concerned.

Mr. Speaker, Sir, with those few words, I commend to the House that we should support and ratify the Convention in full and not in part as being recommended.

HON. SPEAKER.- I thank the Honourable Member. If there is no one else wishing to take the floor, I give the floor to the Honourable Attorney-General for your Right of Reply.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Unfortunately the picture being painted, in particular, by Honourable Tikoduadua is as if that we are not following any of the Conventions that have been laid out or in one stage he said that we are looking at Article 42; no. The entire Convention is actually applicable except what we are saying Article 42 *vis-à-vis* Article 31. Let me read out Article 42(2) and I quote:

“A State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by paragraph (1) of this article. The other State parties shall not be bound by paragraph (1) of this article with respect to any other State party having not made such a declaration.”

Article 31, of course, states and I quote:

“A State Party at the time of ratification of this Convention or at any time afterwards declare that it recognizes the competence of a Committee to receive and consider communications.”

Article 42 says, and I quote: “The Committee shall consider communication in admissible way ....”

Now, the Committee shall not admit to any communication with State parties which has not made such a declaration. So, what we are saying, we do not want to make that declaration because

we have domestic competent authorities to be able to deal with the matter; that is what we are saying. Now, it does not mean all the rest of the Convention is not applicable, of course, it is applicable and of course if the local laws are inadequate, we have to put that capacity within the local laws. We know that, it has been done, you worked in the Ministry of Justice. So, we are constantly, for example, we ratify the United Nations Convention on the Rights of Person with Disabilities. We had to amend the laws to be able to ensure that the values, principles and the spirit of the Convention is captured in the domestic law.

In fact, Mr. Speaker Sir, let me remind this Parliament, countries that you look upon to have not even ratified this Convention. Let me tell you the main countries that have not even ratified it; China, Australia, New Zealand, USA and Canada have not ratified this Convention at all and the countries that have ratified it have not actually complied under Article 31 are; Samoa, Seychelles, Japan, Italy, Greece and a whole list of other countries, including 38 countries that have not said that they will be bound by Article 31.

So, the reality of the matter is that you have one clause as we have seen in many other Conventions where we have domestic legislation that needs to be beefed up, domestic avenues need to be provided and this is all we are saying. The rest of the Convention, Honourable Tikoduadua that you read out is applicable even the definition of it and let me also point out too, Mr. Speaker Sir, that under our own Crimes Act 2009, we have the various competencies, for example, Part 7 of Chapter 2 of the Crimes Act 2009 contains provisions related to attempts - Section 44; Complicity and Common Purpose - Section 45; Joint Offenders - Section 46; Innocent Agency - Section 47; Incitements - Section 48 and Conspiracy - Section 49. Furthermore for attempts, complicity, joint offenders and innocent agency, the punishment for these are the same as a penalty for the substantive offence itself.

Recently, you would have seen post the imposition of these provisions and the enforcement of the 2013 Constitution. We have had members of the security forces who have been brought to the courts. We have members of the security forces who have been charged, who were prosecuted successfully and had served gaol sentences. So, that goes to show that the provisions in the Constitution and the Crimes Act 2009 are actually working and no exceptions have been made. If you want to go back in time about the events of 1987 and the two *coups*, the 2000 and 2006, there are constitutional provisions.

The Honourable Leader of the Opposition knows that but we are now talking about prospectively about enforced disappearances in the future with the coming in place of this Convention. Do we have the laws in place or not? There are various constitutional requirements, it is very simple. The laws says that if, for example, someone is arrested today by the police, within 48 hours they have to be brought to the court.

No other reason can be given for them not to be brought before the court. If the 48 hours actually falls within a non-working day, a special court has to be convened and they need to be brought in even under the emergency provisions. There is an emergency provision in the Constitution where Parliament actually has agreed to emergency. Even within a month you have to be brought to a court because of emergency situation. So, you cannot have people simply just falling off, people simply disappearing. We accept various submission have been made by respective agencies, et cetera, but this is Government's position.

The Executive's position is, Mr. Speaker, that we need to ensure that we have the domestic avenues exhausted and we need to build the capacity within our domestic avenues. I think this is a milestone. The reality, the Honourable Prime Minister gave an undertaking that will ratify the nine core conventions.

Even if you look at countries like USA, ICCPF, ISCR, they have not ratified it, we have ratified it. We ratified seven Conventions. With the approval of these two Conventions we will have another two, the nine core key conventions would have been ratified by Fiji, a huge milestone for us, Mr. Speaker, Sir.

We have been continuously building upon the domestic law. As you know, we had the Penal Code that we inherited during the British days, came from India went to Queensland then came to Fiji. That has been revamped, it was removed and we put in place the Crimes Act 2009. It recognised many of the modern day offences.

Honourable Anare Jale highlighted the plights of those in the endangered system and those who were blackbirder from the South Pacific, but the analogy is not similar as this, of course, at that point in time. That was in fact the norm as opposed to be exception. There are many things that were done 110 years ago. We do not even have the UN. It came into formation post World War II so to be able to compare that, I think it is not the appropriate thing to compare, you are not comparing apples with apples. They themselves were, of course, tragic events, like the millions of slaves carted across the Atlantic from Africa to North America, to USA, but they have their own place.

We are talking about modern day disappearances done through State agencies or agents of State agencies or agents working for State agencies but without the authorisation of the superiors. All of them is recognised and there is a level of culpability too, there would be culpable. So if, for example, if Honourable Anare Jale is the Superintendent and if one of his subordinates goes and arrests someone, makes them disappear, the subordinate cannot say, "Oh, he ordered me to do it, that is why I did it." He is equally culpable; or if he gives an order to say, "Do that." That person who is actually done the disappearance cannot say, "Well, he ordered me to do it therefore I am innocent." Even that is not recognised now. He will also be equally culpable under this Convention which you want to accept. So, Mr. Speaker, Sir, this Convention obviously came to effect just a few years ago.

Mr. Speaker, Sir, and the Nuremberg Trials, led eventually to the formation of this Convention. Because even after Nuremberg Trial, there were no such convention in place, as Honourable Tikoduadua highlighted, that this Convention just came into force recently, one of the modern day ones and this is why we see countries like USA, for example, have problems ratifying it because they have Guantanamo Bay. The other countries they have their own exceptions.

So, Mr. Speaker, Sir, the reality of the matter is that by not adhering to Section 31 or allowing the avenue through Section 31, somehow or the other, our commitment to adhere to the principles, values and indeed the application of this Convention is watered down, not at all. This actually positions Fiji quite well, Mr. Speaker, Sir, and I urge all Members of Parliament to actually support this motion which is that Fiji accedes to the International Convention of Protection of Persons from enforced disappearance and makes the appropriate declaration under Article 42(2), from time of accession to the Convention. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Members, I thank the Honourable Attorney-General.

Honourable Member, Parliament will now vote.

Question put.

The Question is:

That Parliament approves that Fiji accedes to the International Convention for the Protection of All Persons from Enforced Disappearance and makes the appropriate declaration under Article 42(2) at the time of the accession to the Convention.

Does any Member oppose the motion?

(Chorus of 'Ayes' and 'Noes')

HON. SPEAKER.- There being Opposition, Parliament will now vote.

<u>Vote cast</u>		
Ayes	-	26
Noes	-	21
Not Voted	-	4

HON. SPEAKER.- There being 26 Ayes, 21 Noes and 4 Not Voted, the motion is, therefore agreed to.

Motion agreed to.

Honourable Members on that note, we will adjourn for lunch and as I previously recommended to the House, lunch on this occasion will be for an hour's duration.

We adjourn for lunch.

The Parliament adjourned at 1.32 p.m.

The Parliament resumed at 2.35 p.m.

HON. SPEAKER.- Honourable Members, I now call upon the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to move his motion. You have the floor, Sir.

**INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS  
OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES**

HON. A. SAYED-KHAIYUM.- Honourable Speaker, I move:

That Parliament approves that Fiji accedes to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and makes the appropriate declaration under Article 92(2) at the time of accession to the Convention.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- I now invite the Honourable Attorney-General to speak to his motion. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I rise to move that Parliament approves the ratification of this Convention with the Appropriate Declaration of 1992.

The Standing Committee on Foreign Affairs and Defence Committee earlier this week tabled the Report in relation to the Convention, in which we note that 100 percent of the submissions received by the Committee urged the State to accede to the Convention. We also note from the Committee's Report that some entities had also proposed that Fiji makes certain reservations.

We take note of the discussion of Appendix I of the Committee's Report and in particular, those reservations were raised by the Ministry of Defence and National Security in particular to Articles 8, 18 and 28 of the Convention. I will not go into the detail of the nature of the reservations as they are listed on Page 18 of the Committee's Report, however, I would like to reassure the Fijian Parliament and all Fijians the rights accorded to migrant workers under those Articles of the Convention, mirror the rights given to all persons in Fiji under the Fijian Constitution, and therefore we do not have a problem in adhering to those Articles.

Mr. Speaker, Sir, the Convention is an International Human Rights Treaty, adopted by the United Nations General Assembly and it is the Treaty of United Nations for the rights of all migrant workers and protection for their families. It was adopted on 18th December, 1990 and came into force in 2003. As of 6th March, 2019, the Convention had 54 State parties. This is a fairly new Treaty and countries such as Australia, New Zealand, and United States have yet to accede to the Convention.

In fact, Fiji would be the first Pacific Island country to accede to the Convention pending Parliamentary approval this afternoon. In the pre-amble, the Convention recalls Conventions by the International Labour Organisation (ILO) on migrant workers such as the Migration for Employment Convention revised in 1949, Migrant Workers Supplementary Provisions Convention, 1975 and ILO Convention on Forced Labour such as the Forced Labour Convention, 1930, Abolition of Forced Labour Convention 1957, as well as the International Human Rights Treaties including Convention and Discrimination in Education in 1960.

Mr. Speaker, Sir, it is prudent to note that in 2010, the Fijian Government in its Universal Periodic Review Report made a commitment towards verifying all core human rights instruments within the next 10 years. The last reporting cycle of 2014 was in Geneva before the Human Rights Council. The Fijian Government reaffirmed its commitment to ratifying all core human rights instrument which the Convention is part of.

As stated earlier on, it is acknowledged by all the Members of Parliament that seven of the nine core Conventions have been ratified with the one we just approved, we will now have eight, this would be the ninth. The Convention comprises of 93 Articles and is divided into nine parts, which cover broad range of aspects. I will not necessarily go into the detail of each of the nine parts. The summary of all 93 Articles has been provided in the Committee's Report.

However, Mr. Speaker, Sir, we would like to draw your attention to Article 92(1) of the Convention which provides that any dispute between two or more State parties concerning the interpretation or application of the present Convention, that is not settled by negotiation, shall at the request from one of them be submitted to arbitration. However, Mr. Speaker, Sir, I would like to draw your attention to Article 92(1) of the Convention which provides that any dispute between two or more parties concerning the interpretation or application of the present Convention, that is not settled by negotiation shall at the request of one of them, be submitted to arbitration.

If within six months from the date of the request for arbitration, the parties are not unable to agree on the organisation of arbitration, anyone of those parties may refer the disputes to the International Court of Justice, by request in conformity with the Statute of the Court.

Article 91(2) allows the State parties, at the time of signature of ratification or accession to the Convention to declare it does not consider itself bound by Article 91(1).

Mr. Speaker, Sir, similar declarations have been made by numerous other countries, such as Argentina, et cetera. The laws of Fiji is relevant to the Convention. Under the Fijian Constitution, Mr. Speaker, Sir, accession to the Convention will complement Fiji's Constitutional provisions under the Bill of Rights. The Bill of Rights does not exclusively apply to Fijian citizens.

Section 6(3) of the Fijian Constitution specifically states that the Bill of Rights extends to all natural or legal persons in Fiji. As such it is implied that migrant workers whether documented in a regular situation or non-documented and in an irregular situation will be accorded all rights and freedoms set out under the Bill of Rights Chapter in the Fijian Constitution. These remarks made by the Ministry of Defence are contrary to what the legal provision are which is encapsulated in the Report.

Under the Employment Relation's Act 2007, accession to the Convention will also complement the provisions under the Employment Relations Act 2007. The Act defines a "worker" as a person who is employed under contract of service and includes an apprentice, learner, domestic worker, part-time worker or casual worker. This definition captures all persons under contract of service, including migrant workers, therefore, all the provision of the Act apply to migrant workers equally which includes extensive protections from discrimination and unfair or unlawful terminations together with a grievance process to address grievances that may arise in the cause of employment.

Section 75 of the Act also makes specific provision for equal employment opportunities by expressly prohibiting discrimination advanced on the basis of place of origin.

Section 78 of the Act further prohibits discrimination on the basis of place of origin inter alia or amongst other things specifically in the determination of the rates or remuneration.

The processes, entitlements and rights provided under the Employment Relation Act 2007 are similar to those enshrined in the Fijian Constitution and are substantially consistent with the rights with the Convention. This further positive indication that Fiji is in compliance with the Convention.

Under the Crimes Act 2009, Mr. Speaker, Sir, accession to the Convention will also complement the various provision under the Crimes Act 2009. There are specific provisions under the Crimes Act which criminalised offences relevant to migrant workers, particularly where trafficking and smuggling of persons are concerned. We have already seen a few cases before the Court that have been adjudicated in this matter. The Crimes Act also specifically provides subjecting persons to cruel and inhumane or degrading treatment are aggravating factors for these offences which give rise to harsher penalties.

Under Section 122 of the Crimes Act provides for the offence of people smuggling and entails a maximum penalty of 10 years in imprisonment of FJ\$50,000 fine or both. Section 123 of the Crimes Act further provides for the offence of aggravated people smuggling which entails a higher maximum penalty of 20 years imprisonment of FJ\$100,000 fine or both.

The aggravating factors being an intension to exploit the victim, subjecting the victim to cruel and inhumane or degrading treatment or engaging in conduct which gives rise to a danger of death or serious harm to the victim with reckless disregard for that danger.

Section 112 of the Crimes Act provides for the offence of trafficking in person and entails a maximum penalty of 12 years imprisonment.

Section 113 further provides for the aggravated offence of trafficking in persons which entails a higher maximum of penalty of 20 years imprisonment. The aggravating factors being an intension to exploit the victim subjecting the victim to cruel inhumane or degrading treatment or engaging in conduct which gives rise to a danger of death or serious harm to the victim with reckless disregard for that danger.

Section 114 of the Crimes Act provides to the offence of trafficking in children which entails the maximum penalty of 25 years imprisonments.

Mr. Speaker, Sir, our Courts continue to establish jurisprudence in relation to human trafficking cases for example, there is a couple of cases here which included the case called *Laojindamane vs State* where we had trafficking of people, and again we have the case of the *State vs Murti* and all of these have in fact established and in fact convicted people.

Fiji's recognition on the offence of human trafficking and persons smuggling as well as its recent accession of the United Nation Convention against Transnational Organised Crime are further positive indications which supports the succession of the Convention.

The Immigration Act 2003: Accession to the Convention would also complement the provisions under the Immigrations Act 2003 which also provides for the offences of human trafficking and people smuggling. Part 5 of the Immigration Act, there are a variety of other offences that are relevant to the Convention which includes the exploitation of persons not legally entitled to work, facilitating the stay of an unauthorised migrant, the provision of fraudulent travel or identity documents, et cetera.

A specific regard to the offence of exploiting a person is not legal entitled to work, Section 21 of the Immigration Act further seeks to criminalise any attempt by the employer to prevent or hinder the unlawful employee from seeking an entitlement under the laws of Fiji. Sections 8 and 9 of the Immigration Act further provides to the process in which migrant workers may apply for work permits or allow them to be documented in a regular situation. It also specifies categories of migrant workers that are exempted from requiring work permits which includes a member of the Military Forces when out of the country and entering Fiji for an authorised military exercise, training or secondment, a person to whom immunities and privileges have been extended in Fiji under the written law relating to diplomatic, counselling immunities and privileges.

Mr. Speaker, Sir, as we have highlighted, we have a very strong and salutary national laws which complement the rights and freedoms of migrant workers and their families outlined in the Convention. Given these national laws and given that Fiji has a competent and independent judicial system that has already ruled on many of these matters, we recommend that any dispute in relation to the interpretation and application of any Article of the Convention that falls within the Fijian jurisdiction be adjudicated in Fiji before the Fijian Courts. There is no need to an alternative mechanism to decide on the same. Given the various sections of the Fijian Constitution which is a supreme law of the land in our national law, Fiji's accession to the Convention will further strengthen and complement the rights and freedoms of migrant workers and their families under the laws of Fiji, as we have already seen being adjudicated.

Mr. Speaker, Sir, in conclusion I urge the Honourable Members, to vote in favour of the motion that Fiji accedes to the International Convention and the Protection of Rights of All Migrant Workers and Members of their families and makes the appropriate declaration under Article 92 (2) of the time of accession to the Convention. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Attorney-General. The floor is open for debate. Honourable Qionibaravi, you have the floor.

HON. ADI L. QIONIBARAVI.- Thank you Mr. Speaker, Sir. I rise to contribute to the debate on the motion before the House this afternoon. Firstly, Mr Speaker, Sir, we note that the bi-partisan Committee recommendation on this treaty is to ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.

The learned Attorney-General has otherwise submitted this afternoon that Section 92(1) of the Convention that we should declare Section 92(2) the time of the accession to the Convention. I rise to convey the party's support for the bi-partisan Committee's recommendation which is to ratify the whole of International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Mr. Speaker, Sir.

The move to ratify four Human Rights Treaties is to be commended. However, as with the ratification of the Convention Against Torture, a few issues must be raised for Government and the nation to consider. I say, this, Mr. Speaker, Sir, because it is not good for the people of our beloved nation that our Government signs Human Rights Treaty, but, fails to undertake the necessary actions to implement it in practise. If this happens again, it is a meaningless exercise and our people will not enjoy the rights and freedom which the Government has promised to the international community that it will abide when it signs the Treaty. For example, Mr. Speaker, Sir, we need only to look at the 2013 Constitution, promulgated by Decree, which makes many promises on Human Rights, but, then there are more limitations and exceptions which allow Government to continue breaching those rights.

Mr. Speaker, a prime example of the limitations on freedom of expression and media freedom which will allow the Media Industry Development Authority (MIDA) enacted by Decree 2010 by the Interim Government and this continues in force today, under the same Constitution that makes so many promises about human rights. It is unfortunate that since 2006, our journalists and media fraternity have been cowed into fear by the Public Emergency Regulations that allowed censorship of our news, some were beaten, some were charged, some were sued, and some were charged with contempt and subject to heavy fines.

The severe limitation of freedom of expression and media freedom continues today. Even more serious is the limitation on the right to information on the people of Fiji, as censorship prevents them having all information to make informed decisions.

When it comes to the signing of treaties, the Government signed the Convention Against Torture but entered derogations against the treaty being fully implemented. We need to look no further than the courts where everyday defendants and accused persons are limping into court with bandages and casts around their arms or limbs from injuries sustained after their arrest.

Mr. Speaker, we hear much boasting in Geneva to the United Nations Human Rights Council about the first hour procedure for arrested persons. The question then is, what happens after the first hour when the video camera is off and the observers and lawyers are not there?

Mr. Speaker, on the substantive issue of the Migrant Workers Convention, I would like to pose the following queries:

- Who has been consulted on the proposal to ratify the Treaty?
- Can the Minister advise this House how many people living in Fiji right now would be able to claim the rights outlined in the Treaty?
- Does the Minister know the financial cost of actually implementing the rights under this Treaty?
- Is FijiFirst Party proposing the ratification of this Treaty to facilitate the importation of foreign labour into Fiji? As the Minister responsible for the census, his refusal to release ethnicity figures, coupled with continuing unemployment even of degree graduates, raise many questions. Figures from the Immigration Department are sketchy on where new citizens are coming from. The Government has not published an Immigration Policy unlike Australia and New Zealand, arguably Fiji does not need migrants, even if that has to do with needs of migrant workers, we need to focus on our own people and employ them, rather than import workers.
- Is ratification of this Treaty simply to “tick off” and announce it yet again, Fiji has ratified a core human rights treaty, and to claim human rights credentials when yet again, the situation on the ground is far from the rosy picture presented at the UN Human Rights Council, in Geneva in February 2019.
- Just assigning the Anti-Torture Convention was part of the effort to pull the wool over the eyes of the world, it is a waste of resources to consider signing when there is no real intention to implement treaty obligations.

Mr. Speaker, unfortunately the UN system is such that signatories in name are common and the hypocrisy of the worst abusers of human rights are the majority on the Human Rights Council. Those are the submissions from the party.

Mr. Speaker, Sir, and I reiterate that SODELPA supports the Standing Committee's recommendation to ratify without reservation. We must learn to adhere and respect the recommendation of the Committee given they have conducted public hearings. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Member. I give the floor to the Honourable Pio Tikoduadua. You have the floor, Sir.

HON. LT. COL. P. TIKODUADUA.- I thank you Honourable Speaker. I stand in support of the position as earlier conveyed by my learned colleague, Honourable Adi Litia with regards to the recommendations of the Committee on this particular report.

Honourable Speaker, the Honourable Attorney-General and I thank him for putting the Convention before the House and we are debating it today. As highlighted, those provisions within our law that protect migrant workers in Fiji and their families, and I can see that is commendable because that is the right thing to do. We protect them like as we would do for any of our neighbour. The thing about this law also is that it has moral side to it which obliges us to do unto our neighbours as we would do to ourselves. But it does not take away the fact that we have had cases of illegal migrant workers too in the past and have caused us a lot of problems., some of which perhaps have caused some very obvious and visible political situation and pictures into the recent past, particularly immigrant workers from countries in Asia that have come in and overstayed and have not really helped our society *per se* in terms of what they come to do here.

We are also mindful that our laws should protect these people and I think it is important for Fiji that whilst we are dealing with those migrant workers that come and live here illegally, that we should be mindful of how they are treated particularly in terms of repatriation and when they get taken back to their country, if they do remain here illegally in terms of what they get to experience and they do go back because obviously, there has been situations in the past where we have had no control whatsoever or have any idea what happens to them after they leave our shores. I think we all understand the situation that I am referring to here.

Honourable Speaker, whilst the Committee was looking at this report, it was a report that we had fully endorsed and despite some of the very minor reservations from some departments, I acknowledge that the Honourable Attorney-General had already mentioned that, the Committee supports the protection of the rights of migrant workers that come here to Fiji and in particular, we would like and as I said earlier, make reference to being good neighbours and treating others as they would treat us because we were very mindful of the state of some of our workers in the U.S who contribute immensely to foreign reserves coming to Fiji by way of foreign remittances. I am not sure if I heard the Honourable Attorney-General correctly but he said that the US had not ratified this Convention. But because we are to be seen as good citizens, to be protecting those who are working here in Fiji either legally or illegally, we would expect the community tell the world globally to also look after their migrant workers from Fiji particularly if they are illegal in their status and we know there are many illegal Fijian immigrants particularly in the States, I would say.

So with those words, Honourable Speaker, I stand with the position of the Committee as recorded in the Report before the House today to fully endorse and ratify the International Convention for the Protection of the Rights of all Migrant Workers and Members of their Families as alluded to earlier by my learned colleague. I thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member. I give the floor to the Attorney-General for his Right of Reply. You have the floor, Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. I think given the meat of the substance that needed to be mentioned, as we have said that the Convention again, by having the proviso to Article 92(2) does not in any way derogate or stop us from implementing the full Convention and indeed, if the laws are there, the Constitution is there but as we have said earlier on, with the other conventions, there is a need to give more substance to our domestic laws and we will accordingly do that because we need to be in fulfilment of the requirements laid out under the Convention.

I think the other issue raised by Honourable Qionibaravi is immaterial to what the Convention is all about and I will not even endeavour to respond to those. So we seek Parliament's approval, Mr. Speaker, Sir for Fiji and the Parliament to approve the accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and make the appropriate declaration under Article 92(2) at the time of accession to the Convention. Thank you.

HON. SPEAKER.- I thank the Honourable Attorney-General.

Honourable Members, Parliament will now vote.

Question put.

The Question is that:

Parliament approves that Fiji accedes to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and makes the appropriate declaration under Article 92(2) at the time of accession to the Convention.

Does any Member oppose the motion?

(Chorus of 'Ayes' and 'Noes')

HON. SPEAKER.- There being opposition, Parliament will now vote.

<u>Votes cast</u>		
Ayes	-	25
Noes	-	22
Not voted	-	4

HON. SPEAKER.- Honourable Members, the results of the votes are as follows: 25 Ayes, 22 Noes and 4 Not Voted. The motion is therefore agreed to.

Motion Agreed to.

HON. SPEAKER.- Honourable Members, I now call on the Honourable Attorney-General and Minister for Economy, Civil Service and Communications to move his motion.

**UNITED NATIONS CONVENTION ON INTERNATIONAL SETTLEMENT  
AGREEMENTS RESULTING FROM MEDIATION**

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Civil Service and Communications.- Honourable Speaker, I move:

That Parliament approves that Fiji signs and ratifies the United Nations Convention on International Settlement Agreements Resulting from Mediation.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Now I invite the Honourable Attorney-General to speak to his motion. You have the floor Sir.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Mr. Speaker Sir, the Standing Committee on Foreign Affairs and Defence earlier this week tabled a Report in relation to the Convention in which we know that 100 percent of the submissions received by the Committee urges the State to accede to the Convention. The Convention, Mr. Speaker, Sir, was adopted by the United Nations General Assembly by Resolution 73/198 on 20th December 2018, only last year.

The Convention seeks to facilitate international trade and promote mediation as an alternative and effective method of resolving international commercial disputes. It obliges contracting States (except in specified limited circumstances) to recognise international settlement agreements resulting from mediation in commercial disputes by either enforcing the agreement or allowing it to be invoked as a defence to a claim.

The Convention will open for signature at the signing ceremony to be held on 7th August 2019 in Singapore, and it will be known as the Singapore Convention on Mediation. The Convention will come into force upon ratification by at least three contracting States. The Convention operationalises an alternative international enforcement mechanism for dispute resolution allowing parties to settle a dispute without the need to commence proceedings for breach of contract in the appropriate national court and then try to enforce the resulting judgment internationally or to have the agreement recorded as an arbitral award and enforced as such.

The Fijian Government has continually supported the development of alternative dispute resolution mechanisms in Fiji. Mediation is increasingly utilising an ADR mechanism and it is provided by the Consumer Council of Fiji, the Fijian Competition Consumer Commission and the Reserve Bank of Fiji and, of course, we have mediation through the Judicial Department and also through the Employment Court. By becoming a party to the Convention, Fiji consents to apply the Convention to international settlement agreements resulting from mediation.

The summary of the Convention: Mr. Speaker, Article 1 of the Convention provides for the scope, the application of the Convention.

Under this Article the Convention does not apply to settlement agreements concluded to resolve the dispute arising from transactions engaged in by a consumer for personal, family or household purposes or relating to family inheritance for employment law. Settlement agreements that are approved by a court or concluded in the course of proceedings before a court and that are enforceable as a judgement or as an arbitral award are also excluded from the scope of the Convention.

Article 2 of the Convention provides for the necessary definitions of terms used in the Convention. This provides clarity for situations where parties, multiple places of business or no place of business at all and for a more comprehensive understanding of the term in writing and mediation.

Article 3 of the Convention Mr. Speaker Sir, lays out the general principles of the Convention.

Article 4 lists the requirements for reliance on settlement agreements as it includes submission over settlement agreement signed by the parties and evidence that the settlement agreement resulted from mediation.

Article 5 of the Convention provides the grounds when a competent authority may refuse to grant enforcement, and these are clearly laid down in the Convention, and I do not really need to elucidate any further.

Article 6 provides for parallel applications or claims.

Article 7 also allows flexibility to an interested party to avail itself of a settlement agreement in a manner and to the extent allowed by the law or the Treaties of the Party.

Article 8 allows for two reservation when ratifying the Convention. The first reservation allows a Party to exclude the scope of the Convention on settlement agreements to which it is a party or to which any other government or agencies are a party.

The second reservation allows for the declaration that the Convention applies only to the extent that the parties to the settlement agreement have agreed to the application of the Convention.

Article 9 clarifies that the settlement agreements encompassed by the Convention, including those concluded after entry into force of the Convention.

Article 10 of the Convention designates the Secretary-General of the United Nations as the depository of the Convention.

Article 11 of the Convention governs the signature, ratification, acceptance, approval and accession to the Convention.

Article 12 allows regional economic integration organisations to be a party to the Convention.

Article 13 governs the applicability of the Convention for Parties that may have non-unified legal systems. This article obviously is not applicable to Fiji as Fiji does not have two or more territorial units but different systems of applicable law.

Article, 14, 15 ad 16 govern the entry into force, amendments and denunciations in relation to the Convention.

Mr. Speaker, Sir, as highlighted, the Convention is open for signature in Singapore on 7<sup>th</sup> August, 2019 and thereafter in the United Nations Headquarters in New York.

Under established international practice, only Heads of State, Heads of Government or Ministers for Foreign Affairs are empowered by virtue of their functions to sign multilateral agreements on behalf of States without having to produce full powers to that effect.

In accordance to Article 14(1) of the Convention, the Convention will enter into force six months after the deposit of the third instrument of ratification, for States that accede to the Convention at any time after the third instrument is deposited.

There is no specific requirement under the Convention to implement the provisions of the Convention by domestic law. However, to give effect to the Convention, it is envisaged that a Fijian International Mediation Law incorporating the relevant provisions of the Convention will need to be enacted.

Mediation is increasingly utilised as an ADR mechanism in Fiji, as highlighted earlier on. By becoming a Party to the Convention, Mr. Speaker, Fiji consents to apply the Convention to international settlement agreements resulting from mediation. This in effect would contribute to strengthening access to justice and the rule of law in Fiji.

Fiji, being a State Party to the Convention we will make it easier for businesses in Fiji to enforce mediation and settlement agreements with a cross border counterparts. The Convention will also allow the enforcing party to go directly to a court in a State Party where enforcement is sought instead of first obtaining a court judgement for breach of contract. The court must then enforce the settlement agreement in accordance with the State Parties rules and procedure and under the conditions laid down in the Convention.

The use of mediation results in significant benefits such as facilitating the administration of international transactions by commercial parties and producing savings in the administration of justice by State Parties.

Being a binding international instrument, it will bring added assurance of certainty and stability to this framework, thereby contributing to Sustainable Development Goals in particular SDG 16. As such, this aligns with the Government strategy to further enhance Fiji's hub status.

Mr. Speaker, Sir, just as an aside, as announced by the Australians, they are offering \$2 billion to Pacific Island Countries, a lot of them, of course, will be contracts that will be given to various private companies to carry out works in the Pacific. We want to position Nadi as a mediation hub for international disputes regarding contracts in the Pacific. If, for example, you have a contractor that may go to build, say, a seawall in Tuvalu and if there is any dispute, we want the dispute and the mediation to be actually done in Nadi and we will provide that alternative point of dispute resolution for them, again creating a hub status for Fiji and we are modelling ourselves along the Singapore lines. Singapore today is internationally renowned for mediation purposes and we want to provide that environment too, and I am sure the Pacific Island countries would like to come and have the mediation and indeed put in their contracts place of mediation, a country which has already ratified the Convention and, of course, as its processes are in place and, of course, we have to make the necessary budgetary allocation for that.

There are no immediate financial implications for Fiji by becoming a Party to the Convention and, of course, Mr. Speaker, Sir, there is no immediate need for dedicated institution but we want to set one up for international purposes. Therefore, Mr. Speaker, Sir, it is recommended that Fiji signs and ratifies the United Nations Convention on International Settlement Agreements Resulting from Mediation. Thank you.

HON. SPEAKER.- I thank the Honourable Attorney-General. Honourable Jone Usamate, you have the floor. I was just going to take one from the other side and then come across but you have the floor.

HON. J. USAMATE.- Thank you, Mr. Speaker, Sir. I have always been a great advocate of mediation so I thought I should speak up, and I think this is a great development that we are actually bringing this Convention to the House. I know there has been unanimous approval of it. One of the things that struck my mind when this came up, one of things that the UN Secretary-General has been talking about is one of the great gifts that Fiji has brought to the world, especially in terms of the discussions on climate change is to bring the concept of *Talanoa* to the world, and it has now become something that is being used in the area of climate change.

I talked about *Talanoa*, I did not expect that side of the House to start the *Talanoa* process. But if you think about it in terms of the way that we traditionally resolve disputes in the Pacific and then there a lot of communities before the advent of this western type of resolving disputes, things were settled in *Talanoa*, which is basically what mediation is all about. It is about people sitting down, looking at the pros and cons of different arguments and trying to come up with a solution that both parties can live up with.

So, today as we talked about taking on this Convention on mediation, it is an extension of that idea, what Fiji has brought to the world in terms of bringing the concept of *Talanoa* as a way of resolving anything to do with climate change globally. Now, we are bringing this idea of mediation to be used in Fiji and internationally, it is basically the same sort of thing.

Here in Fiji, over the past few years I have been involved, I am a mediator myself, I have also been trained by the Singapore Meditation Centre, and in terms of labour activities, we have always had, when there are labour disputes in the past, we have had conciliation exercises which is basically mediation. Conciliation brings the parties together to agree on thing.

For a few years in Fiji, we have had quite a number of agencies that have been involved in mediation. The Ministry of Employment has been one of them and they have established their Employment Relations Act. When it first came out, I think in 2007 and 2008, it included this element of mediation, where people in dispute, whether they are employers, and employees, they have an opportunity, if they cannot resolve their dispute, they sit in front of a mediator and discuss the issue, and they come up with a solution themselves.

It is the solution that both parties can live with, and the great advantage, of course, of having mediation is that it saves time, costs, because the other alternative is to take it to litigation, that can take us a long time, you spend a lot money, in terms of the fees that you pay to the lawyers, et cetera. But here you have the opportunity to save time and at the same time you walk away with the solution which you can live with. I think that is a great advantage of mediation, because in mediation you have the opportunity to save on time, save on costs, save on dollars and at the same time, it is a way of trying to repair the relationship between the parties in conflict.

In a normal conflict situation, you take it to a third party who decides who is right and who is wrong. There will a winner and loser, but in mediation we have the opportunity for both parties to come out with a decision that they can live with. I think also over the past few years, the mediation has been brought into the Judiciary where there are some cases that are now dealt with through mediations so these things can progress much faster and they can come up with solutions where both parties are quite happy with the solutions that they have. We have seen the development of the Fiji Mediation Centre which, I think, is a great development in Fiji, because as we move to this idea of a hub for alternative disputes resolution in the Pacific, we already have the

basic infrastructure in Fiji. We have the Fiji Mediation Centre who I understand they had a success rate of around 70 percent or more than 70 percent of all the cases that they have.

In the Ministry of Employment, the mediators that they have there, I think I am not sure what the number of mediators, they have around 40 to 50, their success rate has gone up to even sometimes higher than 85 percent. So we already have the basis of a group of people who are familiar with the use of mediation. Mediation, I understand is also being used at the Consumer Council of Fiji and also at the *Fijian* Competition & Consumer Commission (FCCC). So we have a group of people in the country that have this ability and are familiar with mediation.

I have already talked about what are the benefits of mediation, savings in cost, savings in time, savings in reducing the animosity that exist between parties that are in conflict because both parties can walk away the solution that they can live with. So it is actually also a way of resolving conflict and restoring relationship at the same time. When you have a third party that adjudicates on a conflict, you always have a winner and a loser, but mediation is a way of resolving the conflict and at the same time restoring relationships. Now both parties control the outcome, there is a win-win situation for both and there is confidentiality.

Fiji has signed the New York Convention, we also have our legislations for arbitration already in place, so it is great to see this development of alternative dispute resolution mechanisms. Having this Convention in place means that the mediation activities were already doing in Fiji, they can have the backup of this international convention that is in place.

The Honourable Attorney-General has talked about developing Fiji as a hub. Yes, we are already a hub; a hub in terms of transportation, a hub in terms of shipment of goods and services, a hub in terms of education and we are beginning to become a hub of trade, a hub of financial type of transactions and at the same time to develop this idea of becoming a hub of alternative dispute resolution. So people will always have the option, they can take things through the normal Court system that can take forever or they can come up with an alternative dispute resolution mechanism such as arbitration, which is also very important for the construction sector where a lot of things are taken into arbitration for the resolution of their problems. They can come to Fiji and we can use this alternative dispute resolution mechanism, whether it is arbitration or whether it is mediation or any of these other systems.

I greatly support this. It facilitates international trade as the agreements that are established when this Convention is in place, the countries that sign-off, they actually become enforceable across national boundaries. I think that is something that we should all support. I think in terms of a lot of people that have been involved in mediation, we are very thankful to the work of the Singapore Mediation Centre.

They have done a lot of work in the Ministry of Employment, they did a lot of work in terms of the Judiciary, there are a lot of mediators that are working in Fiji who were trained by them, I was also one of those people. The thing I also like to acknowledge the work of George Lim who I understand made a presentation to the Committee. So with those words, Mr. Speaker, Sir, I support the motion before the House. *Vinaka vakalevu.*

HON. SPEAKER.- I thank the Honourable Minister. Honourable Lynda Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you Honourable Speaker, Sir. I rise to support the motion for Fiji to ratify the United Nations Convention on International Settlement Agreements Resulting from Mediation which is commonly being referred to now as the Singapore Convention.

The Honourable Attorney-General has extensively covered and took a details of this Convention to which I would like to simplify and add my thoughts. Before that, I am not really sure what the Honourable Usamate is talking about in terms *talanoa*, he has left the room.

In terms of *talanoa* when really this is the very essence of what we are fighting for in terms of free, prior and informed consent, that is *talanoa* and this is all that the landowners ask for that they be given their right to free, prior, informed consent in any business deals which is not happening and this is the *talanoa* they are talking about. They do not even know what that means and so they need to revisit that.

We also have unions who are waiting for their turn to *talanoa*. The Government does anything but *talanoa* with our citizens when they are trying to reach them. So I am here to talk about this process, the Singapore Convention.

Quite simply, Mr. Speaker, Sir, the Singapore Convention is a mediation tool to resolve international commercial disputes. International companies will no longer need to go through the long process of court proceedings or arbitration but instead the enforcing part, you can go directly to a court in the country with the enforcement he is sought.

Now the Convention seeks to facilitate international trade and promote mediation as an alternative and effective method of resolving international commercial disputes. It obligates the contracting states accepting various specific circumstances to recognise international settlement agreements resulting from mediation in commercial disputes by either enforcing the agreement or allowing it to be invoked as a defence to a claim.

Now benefits will include cost and time savings with mediation usually organised within weeks and concluded in a day or two and around 70 percent of disputes globally settled within one day. This is according to the IMI Report.

HON. GOVERNMENT MEMBER.- Mobile phone.

HON. L.D. TABUYA.- Yes, I am saving paper, Honourable Attorney-General. Thank you, I am saving the environment, I am being a climate champ.

Mediation under the Singapore Convention will also include joint ownership of outcome, with the mediator facilitating the resolution unlike litigation or arbitration, where the outcome is decided by Judges. This will most likely preserve the relationship, as this type of mediation is non-confrontational and has the bonus (not Qorvis) of all proceedings being strictly confidential.

So for example, if China and Fiji signed the Singapore Agreement and a Chinese Fishing Company sold a boat to Kadavu businessman, like Honourable Rasova and then they renege on payment, instead of the Chinese Fishing Company taking months or years in Court to retrieve the debt, it could enter into mediation and a decision made within a day for it to take Kadavu based business assets.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. L.D. TABUYA.- Very much like how our beloved country, Fiji, was ceded to Britain. Now mediation is increasingly utilised as an Alternative Dispute Resolution (ADR)

mechanism in Fiji by becoming a party to the Convention, Fiji consents to apply the Convention to International Settlement Agreements resulting from mediation.

This in effect would contribute to strengthening access to justice and the rule of law in Fiji. Now being a binding international instrument, it will bring added assurance of certainty and stability to this framework, thereby contributing to the SDGs, in particular the SDG 16. As such, this aligns with the Government's strategy as has been stated by the Honourable Attorney-General to further enhance Fiji's hub status. Now there are no financial implications with Fiji in becoming a party and there is no dedicated institution required for the administration of this Convention at the domestic level. Further there are no mandatory reporting requirements arising from ratifying the Convention.

To conclude Mr. Speaker, Sir, I sincerely believe that Fiji needs an agreement like this to attract more international businesses to Fiji. This is especially after the continued concerns identified in the World Bank Ease of Doing Business Report as well as the US State Department Investment Climate Statement Report, which I alluded to you yesterday about the Ease of Doing Business and issues of transparency and of the regulatory policy and law making process in Fiji. It is envisaged that signing the Convention will give businesses and investors greater assurances that mediation can resolve any disputes of our cross border enforceability.

Further investigations would be necessary that would look into the creation and type of domestic legislative framework to implement obligations which may then entail passing an Act. But, as one of the first countries to sign the Singapore Convention in August of this year, Fiji will send a clear message to the world that it is committed to becoming an active leader in the international community and in particular the upholding of international trade law. Therefore, Honourable Speaker, Sir, we support the motion to ratify this Convention. Thank you.

HON. SPEAKER.- I thank the Honourable Member. Honourable Minister, you have the floor.

HON. P.D. KUMAR.- Thank you Mr. Speaker, Sir. I thank you for allowing me to take the floor to give me support to this motion. I support Fiji's accession to the United Nations Convention, particularly for the settlement of international trade disputes.

Mr. Speaker, Sir, the provision of an effective resolution mechanism on International Commercial Dispute is a good thing for Fiji. It is something that this House should support and I can see from the other side that they are supporting, which is good.

The benefits have been highlighted in the Committees' Report and we should take note of it, that there are many benefits for this. In practical terms, this means that if a Fijian firm falls into a commercial dispute with an entity from another country, who are also members of this Convention, then they will have the opportunity to mediate their dispute. This will be more valuable as the mediated agreement will then be binding adding a layer of security to any such agreement.

Mr. Speaker, Sir, my personal experience with mediation is that, generally in Fiji mediation takes place and that is between a trader and a consumer, but when it comes to a commercial dispute, particularly a commercial dispute which is related to cross-border trade, there is no solution. In the past, the companies would approach Consumer Council but we were not able to assist. The only thing we could do was contact our embassy abroad or a Trade Commission abroad and ask them if they can approach the other company and ask them to settle this dispute. But why would that company listen to our embassy or our Trade Commission?

This particular Convention will actually assist in providing a resolution to such disputes. I also believe that by ratifying this Convention, we will be promoting Fiji as a mediation hub. We have talked about it. As the good work of the Fiji Mediation Centre continues, we can support our legal sector through supporting this Convention.

The infrastructure has already been set with the Fiji Mediation Centre, it is not just the trade mediators but we also need the mediation room to be set up in such a way that mediation can take place and that has already happened. So we are quite ahead in terms of producing this infrastructure. We have already got it, it is just a matter of signing this agreement and then we can take it to the next level. Therefore, Mr. Speaker, Sir, I support this motion which is before the House.

HON. SPEAKER.- I thank the Honourable Minister. I give the floor to the Honourable Member.

HON. A. JALE.- Thank you Mr. Speaker, Sir. My contribution is going to be very short as I mentioned before. I am a Member of the Standing Committee on Foreign Affairs and Defence and the report that we are discussing now is the report of that particular Committee. The beauty part about this mediation convention is that, it is a self-settlement reached by consensus. Everyone comes out as a winner, they are happy at the end.

At the Ministry of Labour, we used to use the word “conciliation”. I think conciliation and mediation are almost the same. We do not force people to agree, we guide them on what to do in order to reach a settlement that is agreeable to them and I think this is the beauty part of it. The recommendation that the Committee put through is exactly what has come out, Honourable Speaker, for the House to approve and I think I do not need to belabour on this. I thank the Attorney-General for bringing to this House this Convention which is timely. Our mediation centre has approved that it works very well here in Fiji. Thank you very much Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Member for his contribution. I now give the floor to the Honourable Attorney-General for the Right of Reply.

HON. A. SAYED-KHAIYUM.- Thank you Mr. Speaker, Sir. I think we have all agreed on this particular motion and I would like to thank all Members of Parliament who have spoken in support of it. I think we all agree that ratification of this Convention will put Fiji in a much better place and indeed encourage businesses and providing the level of surety and indeed further give prominence to Fiji as the hub of the Pacific region. Thank you.

HON. SPEAKER.- Honourable Members, Parliament will now vote.

The Question is:

That Parliament approves that Fiji signs and ratifies United Nations Convention on International Settlement, Agreements resulting from mediation.

Does any Member oppose the motion?

(Chorus of ‘Noes’)

As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

## QUESTIONS

### Oral Questions

#### Update on UNFCCC COP 25 (Question No. 118/2019)

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

Could the Attorney-General and Minister for Economy, Civil Service and Communications advise Parliament on the full and substantive extent of Fiji's upcoming engagements for the UNFCCC COP 25 also known as the "Blue COP" to be held in Chile this December?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Civil Service and Communications).- Thank you, Mr. Speaker, Sir. Honourable Member, I assume the question means: what is the lead up things we are doing, going towards COP 25, as opposed to what we would be specifically doing at COP 25 because it says "full and substantive extent of Fiji's upcoming engagements for the UNFCCC COP 25", so I am glad that she actually asked that question, if it is in that context that she has asked the question because there is a number of issues and indeed engagements that will lead up to COP 25 in the ocean space.

Mr. Speaker, Sir, as we are aware that Fiji co-chaired the inaugural UN Oceans Conference with the Swedish Government in 2017 and the key legacy item of that Conference, Mr. Speaker, Sir, was what we call the Ocean Pathway Partnership that was launched during COP 23 negotiations, and that has actually gained a huge momentum in terms of giving a lot of prominence to oceans as part of the Climate Change discourse.

In this period, Mr. Speaker, Sir, just recently fast-tracking it, we hosted the Incorporating Ocean in the Nationally Determined Contributions (NDCs) Workshop in Suva from the 6th to 7th of May this year (2019) which was only last week which brought regional delegates to discuss and unfold possibilities and options of ocean NDCs in the Pacific domain. Of course, there is a lot of mitigation aspects to it.

As for example, we have said that in the blue economy space, we need to look at planting of mangroves, the sea grasses, protecting the blue economy. Of course, there are certain matters, for example, as highlighted by the UN Secretary-General this morning, the acidification of our oceans.

A lot of that, of course, Mr. Speaker, Sir, has actually caused directly by Climate Change itself where we are seeing hundreds of kilometres of reefs all over world being completely damage, including the Great Barrier Reef, and a lot of these factors that actually affect these environments, these individual ecosystems, these biodiversity are caused by factors beyond the control of those sovereign States. So this is why it is equally important for us to be able to participate in the global discourse, in the global strategising as to how do we, as human beings at planet Earth, reduce the greenhouse emissions and to be able to reduce the temperature rises as we have set our target of 1.5 degrees Celsius and no more.

Mr. Speaker, Sir, we have, of course, as was highlighted also in respect of that, we are partnering with our neighbours Marshall Islands to commit long term targets for decarbonisation under the Paris Agreement through the development of Fiji's low emission development strategy and in that respect we are talking about shipping vessels in the Pacific Islands. On average, most

shipping vessels around the Pacific have an age of 24 years. So obviously the fuel, the emissions are not conducive to the position that Pacific Island countries themselves have taken.

I mean, I have to give the proviso that despite that, notwithstanding that, and the Pacific countries still have very low and negligible levels of carbon footprint. So, Mr. Speaker Sir, in the process of putting forward a blue shipping initiative with the Republic of Marshall Islands and possibly to five or six other Pacific Island countries we are looking at achieving 30 percent to 40 percent reduction in fossil fuel in marine transportation by 2030.

One of the nodding countries that we are talking with and talking to, the Honourable Prime Minister has also had discussion with them where they actually using or running their ships on renewable energy and we are obviously quite interested in that respect. Again this issue was highlighted and indeed there was an Ocean's Segment in the CAPP event that was just held on Monday and Tuesday where we provided the space for not just governmental organisations but also Non-Governmental Organisations (NGOs), private sectors, Civil Society Organisations (CSOs) and non-governmental organisations.

As part of the effort to achieve a safe place for parties to negotiate around Ocean matters, Fiji has formed what we call "Friends of the Ocean" group of parties and UFCCC, we intend to facilitate further UFCCC intercessional meetings to be held in June of this year. As you would know that oceans are now part of the core PARIS Agreement and we are trying to mainstream oceans into the PARIS Agreement framework.

Mr. Speaker, Sir, Fiji, together with the Governments of Sweden, Norway and Chile organised the ocean and climate negotiations symposium a few weeks ago, Mr. Speaker Sir, and again we had a Talanoa session which provided a lot of safe spaces for people to discuss and debate and plan a way forward to integrate ocean into the Blue COP in Santiago in November 2019. This will be first of the three such symposiums for parties to negotiate along with the blue lines in preparation for the Blue COP, Mr. Speaker, Sir.

Mr. Speaker Sir, again, Fiji, of course, anxiously awaits the release of the IPCC Special Report on the Ocean and Cryosphere in a Changing Climate in Monaco this year. We expect this Report to expand on the mountain of literature, together with the 1.5 Degree report in a process to scientifically reaffirm the value of ocean ecosystems and underscore the scale of climate threat they face.

Mr. Speaker Sir, the friends of the ocean network will work on the common responses as well as to help ensure the special IPCC's report and its messages are readily understood by parties as the basis of the UNFCCC negotiations in the Blue COP.

Mr. Speaker Sir, coming to an end I would like to also just highlight what the UN Secretary-General highlighted this morning to us and which is the very critical UN Climate Summit that will be held in September of this year which is, if you like, a prelude to COP 25 which includes the thematic track on what we call "nature-based solutions" and traditionally what has happened in the past number of years is that, nature based solutions have been, sort of, left by the way side in particular in adaptation measures. I just saw a few days ago a particular seawall that we are currently looking at building in Fiji that will have nature-based solutions within the seawall itself.

So, traditionally when we think of a seawall we think of just putting up a concrete wall, but there is now a particular engineering methodology within the seawall that we, sort of, graduated. You will be able to plant things within that, and develop ecosystem of fish and other marine life to be within that ecosystem of the seawall that will be built.

So, the UN Secretary-General Summit is very much focused on nature-based solutions. The remit is to undertake preparatory work for the Summit and ensure transformative processes and outcomes. Fiji expected to leverage this opportunity to promote ocean-related outcome in partnership with local stakeholders, the World Wide Fund (WWF), one may say, it is not really a local partner but, of course, worldwide as the name suggests, they are also in Fiji.

We are also working with J. Hunter Pearl Farm and the Savusavu Chamber of Commerce in respect of local efforts that are being carried out in collaboration with Civil Society Organisations (CSOs) and the private sector. The UN Climate Summit which should be attended by over 190 world leaders including, of course, our Honourable Prime Minister. Fiji will focus on discussing innovative financing for development projects as it is addressing sustainability around a mosaic of habitat, terrestrial, marine ecosystems and the blue carbon space. It will also focus on deploying innovative financing and smart infrastructure options and integrate waste management strategy in tackling our global commitments.

Mr. Speaker Sir, following the UN Climate Summit, Norway will host the Our Ocean Conference in Oslo this year where we will get the opportunity to highlight the importance of knowledge as the basis of our actions and policies to ensure protection of our oceans, responsible management of marine resources and sustainable future economic growth.

With the UN Ocean Conference in 2020 which will be after the COP, Fiji will trigger and amplify accelerated action to achieve the 30 percent marine protected areas commitment which we want to give ourselves as a commitment which will then exceed the 10 percent marine managed target of the Aichi Target under the Convention on Biological Diversity.

Mr. Speaker, Sir, from these various meetings and the engagements, it shows that Fiji's legacy, the ocean pathway partnership and, of course, the necessary metamorphosis into the ocean space leading into the UNCCC. Needless to say, the oceans will play a pivotal role in addressing climate change. In this regard Fiji will maximise ocean climate actions towards the deliberation of the Blue COP.

I am also happy to announce that we are currently in discussions with the New Zealand Government to have what we called a Blue Pavilion where many of the Pacific Island countries will be able to feature as we did the various expos that was held in COP 23. Thank you.

HON. SPEAKER.- I thank the Honourable Attorney-General. Honourable Nawaikula, you have the floor.

HON. N. NAWAIKULA.- Going forward into this Blue COP, can the Honourable Minister advise this august House whether there has been a comprehensive and scientific study done about the extent of the damages to the reefs of Fiji, beaches and what is the extent of the damages, and how does he intend to address that?

HON. SPEAKER.- Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, the Honourable Member actually on a very rare occasion has asked a very pertinent question.

(Laughter)

Mr. Speaker, Sir, he is absolutely right, the data collation is very important and indeed there has been a number of anecdotal stories, anecdotes about the damage that has been done, and we are very keen to work in that ...

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- ... Listen! Do not spoil the moment!

(Laughter)

... Mr. Speaker, Sir, we are currently talking to a number of agencies to be able to take a stocktake.

Mr. Speaker, Sir, it is not necessarily an easy task because you need to ensure that the methodology that is used for assessing the damage and the cost factor that has been built into it needs to be universally accepted. So, we are currently working with different agencies. Of course, we will be talking with Fisheries and various other agencies but we are trying to get some international groups to work with us to do that particular stocktake of the damages that have been caused, not just the reefs but the biodiversity, the sea grass that exists around and of course the impact.

The other thing, Mr. Speaker, Sir, as highlighted is that we have to be mindful that when we do declare marine parks as I highlighted the other day where Kiribati and Tuvalu, one of the countries, declared a vast area of a marine park, we have old foreign ships sitting on the periphery of the park and simply just luring the fish to actually come to their ships.

But it is a very pertinent question and we are currently working on that, Mr. Speaker, Sir.

HON. SPEAKER.- Thank you, Honourable Attorney-General. We will move on to the second Oral Question for today.

Black Rock Facility in Votualevu  
(Question No. 119/2019)

HON. A.T. NAGATA asked the Government, upon notice:

Can the Minister for Defence, National Security and Foreign Affairs provide Parliament an update on the Black Rock Facility and the enhancement of Fiji's Capacity for Global Peacekeeping operations?

HON. LT.COL. I.B. SERUIRATU (Minister for Defence, National Security and Foreign Affairs).- Thank you, Honourable Speaker, Sir, I need to acknowledge the Honourable Member for this question and it gives us an opportunity to be updated with the progress and the future plans on the Black Rock facility in Nadi.

Honourable, Speaker, Sir, first I need to acknowledge the partnership between the Australian Government and the Fijian Government on this project, as I have already alluded to in this House earlier, Sir, that following the meetings between the Honourable Prime Minister then, Malcolm Turnbull, and later the visit by the Honourable Morrison, together with Fiji's Prime Minister, a lot of progress has been made on this partnership. And as we are about to commence with the actual construction which will be commencing almost immediately, now they are doing the fencing work. It is anticipated that from May this year to December next year, the project will be fully completed, but there is a lot of interest now on the project from the various stakeholders.

Let me also say, Honourable Speaker, Sir, that although it is a Fiji owned facility and will be fully utilised for our domestic needs, there are also plans to use it for the benefit of the region. Of course, perhaps the multilateral bodies that do help us during events and of course in line with global arrangement, Honourable Speaker, Sir. The key progress, Cabinet has endorsed on 16th April the MOU between the Government of Fiji, this is just to formalise the discussions that have been taking place that I had alluded to earlier, and on the same day it was signed between Fiji and the Australian Government. That brought the Project Management Team again into Nadi.

Let me also say, Honourable Speaker, Sir, that the good thing about this project is, although we will have the Project Management Team but in terms of the architectural design and, of course, in construction as well, it will involve locals, with few of the experts from the Engineer Regiment in Australia who are tasked with the project management.

Key components of the project, Honourable Speaker, Sir, one is the UN school, the training facility itself. You know what it is like at the then QEB and of course at ATG in Nasinu, but this will be a state-of-the-art facility. The school itself will be at the centre of the camp. In that training facility, Honourable Speaker, Sir, again it will focus on Peace Operations. That is the new terminology now, it is no longer Peacekeeping Operations but Peace Operations.

That will be the focus of the training apart from Humanitarian Assistance and Disaster Relief Training (HADR), and of course, as I have alluded to earlier, our policemen are also involved in Peace Operations. And of course there are also considerations but subject to the completion of the project and the discussions that will take place about even, not having another separate regional police training facility but perhaps it can be annexed into this facility. Then the accommodation blocks, this is a big component of the project as well. We already have two buildings in place constructed by the RFMF, those will remain. But part of this project is the additional facility that will be constructed.

Logistics warehousing, very critical not only for the military stores for Peace Operations, but most importantly for HADR as well. This is part of the lessons learnt from previous disasters. Australia has done the same at Brisbane Airport where they have such a facility, where the warehouse is brought close to the airport so that it can be accessible and makes logistics, particularly in the pushing of stores to the various locations to be much, much easier. So logistics and the warehousing is the key component.

Another big one, Honourable Speaker, Sir, is the medical facility and there are already discussions with the Ministry of Health. That medical facility will be right next to the main entrance (the gate) and it will be also utilised by the locals within the area. So it is accessible to the communities in Votualevu and it is not restricted to those that utilise the facility, particularly the personnel and, of course, the other utilities like water tanks, et cetera, and of course no establishment camp as such cannot go without a rugby oval, and at the centre of this will be the rugby oval which will be used for other purposes as well and that is the facility itself.

Enhancement of Fiji's capacity for global peace operations, Honourable Speaker, Sir. Peace Operations in the world now has shifted a lot, no longer the traditional peacekeeping as previously and this is where the new partnership is. I have mentioned it in this august House, Honourable Speaker Sir, there is a high level independent report that was tabled to the UN Security Council in 2016. This is sort of shaping the way Peace Operations are to be conducted in the future.

One of the key aspects of this HIPPO Report as they call it, Honourable Speaker, Sir, is regional approaches. As we are developing Black Rock at this stage we are also partnering with

Australia and New Zealand in trying to prepare ourselves and it can be a template for the United Nations to adopt in terms of the new approaches to Peace Operations according to the HIPPO Report. So it provides us with this opportunity as we are developing this facility, Honourable Speaker Sir.

For that we are very experienced peacekeepers, but Peace Operations has also changed significantly, therefore, we are also fully utilising the services of Australian and New Zealand trainers and at the same time, as before, we also have these exchange programmes where we are also sending our team across to Linton and Waiouru and to Australia as well for exchange programmes.

We have one of our Majors currently in the Peace Operations School in Canberra on a two years exchange programme. This is all part of the way forward in terms of peace support operations. And with that, we will look at our commitments, particularly in our standby arrangements, these are all part of the package as we are developing the Black Rock Facility. I will stop there, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Tikoduadua you have the floor.

HON. LT. COL. P. TIKODUADUA.- Thank you, Honourable Speaker. I thank the Honourable Minister for the answer to the question raised by the Honourable Member.

Honourable Speaker, I was in Black Rock with the Members of the Standing Committee on Foreign Affairs and Defence and I was impressed with what I saw. We met the Commander there and we engaged with him and he was thankful that we had a Parliamentary Sub-Committee. But what I would like to ask the Honourable Minister, we are getting all these reports, like Black Rock in particular on this occasion. But we raised with the Commander that RFMF has not submitted a report to Parliament since 2014. When can Parliament expect an Annual Report in terms of the RFMF engaging with Parliament in terms of its activities and operations?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, it is a totally new question altogether, nothing related to Black Rock Facility and Peace Operations, but if the Honourable Member does submit another substantive question later, then we will address it.

HON. SPEAKER.- Thank you. Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Honourable Speaker. Honourable Speaker, the Honourable Minister is indicating that the traditional peacekeeping roles or requirements will no longer be there going forward, meaning that, what if there is no demand for peacekeepers, how are we going to meet the running cost of Black Rock?

HON. SPEAKER.- Honourable Minister, you have the floor.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, I am not saying that the traditional peacekeeping is, no I am only saying that it is changing. The dynamics of Peace Operations has shifted and Peace Operations will remain as long as probably this world remains, Peace Operations will remain. And there are still more demands and we are sending again few observers now to Sudan and a few other places because this will continue.

Funding of this facility particularly, it comes in the yearly budget and, of course, if we have Australia and New Zealand and HADR component, a lot of agencies, a lot of our multilateral partners, as I have alluded to earlier, Honourable Speaker, Sir, I hosted the South Pacific Defence Ministers Meeting last week and also had bilateral meetings. I have urged our partners to wait until we finish Black Rock and we take into consideration their offers and plans that are in place. This is the beauty about having us aligned to the multilateral organisations and, of course, our bilateral commitments as well, because they can complement whatever Government provides in its annual budgets to run this facility. Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- Thank you. We will move on, there are two questions already from that side.

I give the floor to the third Oral Question for today to the Honourable Ro Filipe Tuisawau to ask Question 120/2019. You have the floor, Sir.

Integrated Human Resources Development Programme (IHRDP)  
(Question No. 120/2019)

HON. RO F. TUISAWAU asked the Government upon notice:

Can the Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development provide an update on the status of the Integrated Human Resources Development Programme?

HON. P.D. KUMAR (Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development).- Thank you, Mr. Speaker, Sir. I also want to thank the Honourable Member for asking this question.

The Integrated Human Resources Development Programme (IHRDP) was started by ILO and the Fijian Government has now taken over and it is still funding this particular programme. The Programme itself is targeting the grassroot communities. The main objective of this Programme is to create sustainable jobs through skills development and encouraging self-employment.

The grant funding threshold is from a minimum of \$25,000 to a maximum of \$100,000 and the assistance is open to groups and communities with 10 or more members aged 18 years and above. So it is a community-based project where one-third contribution is required from the community in cash or kind.

Mr. Speaker, Sir, the IHRDP in the last five years had assisted 38 income generating projects across Navosa/Nadroga, Serua, Ba, Tailevu, Cakaudrove, Bua, Macuata, Ra, Rewa, Naitasiri, Lomaiviti and Lau. This has directly supported 1,657 jobs and improved the livelihoods of 6,000 Fijians in these provinces. The projects are in various sectors, such as eco-tourism, agriculture, aquaculture, fishing, handicraft, retail, bakery and transport.

There are many success stories which are being replicated in other regions to provide local communities alternatives sources of income. This include the Cicia Island Organic where the IHRDP worked alongside five villages to provide training and equipment for Virgin Coconut Oil (VCO) and ginger farming in 2017 and 2018.

This project has benefitted the island in terms of livelihood-creation and more revenue generation as they sell the VCOs to the local market. This is how the IHRDP continues to support

our grassroot communities, so they started with one project, it was successful. We assisted them with the second project which was the ginger farming.

Another example would be the Silana Eco-Tourism. This is, again, a successful project which includes the construction of four Fijian bures. The project involved community contribution of 5,000 (as I said) which can be either cash or kind, and they contributed \$5,000 in cash, labour and land towards the total project cost of around \$57,000. The community is now earning around \$3,333 per month and with this saving, they have now procured a three-tonne truck to help with the transportation problems that they were initially facing, and they were also able to buy some stationeries to help about 90 primary and secondary schools residing in that area.

Mr. Speaker, Sir, for the coming financial year, the Ministry of Industry, Trade and Tourism has called for Expression of Interest from groups and community-based enterprises and that was the Expression of Interest which had actually closed on 30th April, 2019 and the assessment of this application is underway. That is all I have to share today.

HON. SPEAKER.- Thank you, Honourable Minister. Honourable Tuisawau.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir, just related to that question, I heard that the Honourable Minister explaining that there is a Human Resource Development in the projects, so I was wondering whether apart from the National Strategic Human Resource Plan 2011-2015, there is another plan currently because this seems to have expired, and whether any project evaluation has been done for that particular project. She has mentioned the whole IHRDP in relation to the National Strategic Human Resource Development Plan.

The reason why I am asking is, there seems to be some mismatch between the types of human resource skillsets the nation is developing and the labour market. In this particular plan there is discussion about the types of human resources we develop, the specific skill areas and the labour market which should accommodate that. The question is, what evaluation has been done, not only for IHRDP but also against the National Strategic Human Resource Plan?

HON. SPEAKER.- Honourable Minister.

HON. P.D. KUMAR.- In terms of evaluation, it was conducted and let me just go over it.

As I said, 38 income-generating projects were implemented. I have already mentioned the sectors supported. Let me come to the success rate; 25 out of 38 projects were successfully implemented so the success rate was 65 percent, four are operating but can be improved, so we do not call it really successful yet. Six projects are in the hand-holding stage, guidance has been provided, it is a new project. Support has been given and out of this lot, unfortunately three projects have failed in terms of not meeting the business plan and planned timeline. So that is the status of the 38 projects that I was talking about.

In terms of human resource development, the idea is self-generating, I mean, self-employment creation. This is where the training is provided in the areas of beekeeping or planting, whichever field they choose. So if it is to do with beekeeping then the training is provided in that area and we have staff who go and assist them, so a lot of hand-holding takes place before the project is left to the group to run. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister. We will move on to the 4th Oral Question for today. I will give the floor to the Honourable Selai Adimaitoga to ask Question No. 121 of 2019. You have the floor, Madam.

New Insurance Scheme  
(Question No. 121/2019)

HON. S. ADIMAITOGA asked the Government upon notice:

Can the Honourable Minister for Women, Children and Poverty Alleviation provide Parliament an update on the progress of the new Insurance Scheme that covers the beneficiaries of the social protection schemes?

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Thank you, Mr. Speaker, Sir.

The FijiCare Bundle Insurance Package provides insurance coverage for all Social Protection Programme recipients under the Government's Social Protection Programme. This includes the Poverty Benefit Scheme recipients, Care and Protection Allowance recipients, Social Pension recipients and the Disability Allowance recipients.

The coverage commenced from 1st August, 2018 and what it does, Mr. Speaker, Sir, it covers the recipients for life term benefit for persons under 70 years and that is to the tune of \$3,000. Then we have the funeral benefit for all persons, including those over the age of 70 years to 75 years of age and that is a cover of \$1,000 for funeral assistance; accident or injury for up to \$3,000; and fire for up to \$3,000.

Mr. Speaker, Sir, as of 1st January, 2019, the number of payouts from this insurance package is over 1,000 recipients where the families of recipients or the recipients themselves, in the case of fire and injury, received insurance cover and that is to the tune of \$1.7 million as of 1st January this year.

What it has done, Mr. Speaker, Sir, is that previously (prior to this), we used to receive a lot of calls from families, particularly when their loved one passes away. When they die, especially those who are receiving social protection from the Ministry would call us and ask for help for funeral assistance or to help them in relation to the hardships that they face when a loved one passes away. So this insurance scheme has become a lifeline for most of these families and it is being administered by FijiCare as the underwriter for this and I must say that they are very efficient in the way that they deal with applications. The Ministry's District Officers all around Fiji help these families when the recipient dies and assisting them to fill up the necessary forms and to communicate it to FijiCare. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Salote Radrodro, you have the floor.

HON. S.V. RADRODRO.- Thank you, Honourable Speaker and I thank the Honourable Minister for that enlightenment on the insurance bundle. I did not hear an insurance for health and considering the background of the social welfare recipients, can the Honourable Minister explain why health insurance is not included in that insurance bundle? Thank you, Honourable Speaker.

HON. SPEAKER.- Honourable Minister, you have the floor.

HON. M.R. VUNIWAQA.- Thank you, Mr. Speaker, Sir. This is the reality, this is the first time ever that any Government has considered those who receive social protection under Government programmes to have a package and to cover them for insurance.

In relation to people's health, I had stated that they are covered for accident or injury, up to a tune of \$3,000. This is a new programme, it started in the current financial year - 1st August, 2018 and so far, those are the things that that will cover. Thank you.

HON. SPEAKER.- We move on to the next question, the fifth oral question for today, and I give the floor to the Honourable Ratu Atonio Rabici Lalabalavu to ask Question No. 122/2019.

Kidney Dialysis – Cost Reduction  
(Question No. 122/2019)

HON. RATU A. R. LALABALAVU the Government upon notice:

Can the Minister for Health and Medical Services advise Parliament if the Ministry is considering other options to further reduce the cost of dialysis for kidney patients which is currently being subsidised?

HON. DR. I. WAQAINABETE (Minister for Health and Medical Services).- Thank you, Honourable Speaker, and thank you to the Honourable Member. This is a very good question. I want to begin by saying that kidneys are very important, it is a very complex organ. Its role is to filter the body with organic food that we eat and also from drugs and other unwanted chemicals that the body needs to get rid of, and it also regulates the amount of water and also some of the important chemicals, such as the regulation of calcium and potassium.

The causes of kidney failure, Honourable Speaker, Sir, in Fiji is multifactorial but the most common cause is diabetes. And we have been talking in this august House during the last few Sittings about the challenges that we have with diabetes and Non-Communicable Diseases (NCDs) in Fiji, but also globally.

However, in children, this could be different and one classic example of kidney disease in the younger group is by a condition called lupus and the Honourable Lenora Qereqeretabua and I, on behalf of the Honourable Prime Minister, was at the launch of the Lupus Foundation last Friday. I lost my sister to lupus, so I realised that about 15 years ago, this was indeed a challenge.

Over the years this has actually improved, patients with lupus now have access to a nephrologist, they also have access to kidney dialysis which my sister did not have 15 years ago. Sometimes, kidney failure develops after skin and throat infections and studies have revealed that we have about 300 to 500 patients every year going into some form of kidney failure. They could be early forms of kidney failure, moderate to severe forms of kidney failure, or they reach a stage where they need dialysis or they need renal replacement therapy and that is called end-stage kidney disease. So this is where the dialysis that we are talking about, the question is stemming from.

Honourable Speaker, the FijiFirst Government, through the Ministry of Health and Medical Services, also opened for the first time, kidney dialysis within the Intensive Care Unit. This happened when I was a surgeon and the Honourable Usamate was the Minister for Health. So, what happens with kidney dialysis? There is a need, Honourable Speaker, Sir, for dialysis for those Fijians who are acutely unwell, who may have a very severe injury and are admitted into the Intensive Care Unit because their kidney are shocked and they need dialysis during that interim period to be able to get them better.

On the other side are patients who are chronically ill from diabetes or hypertension or lupus and they need dialysis long term because they have damaged their kidneys over a long period of time. Most of those, Honourable Speaker, Sir, need dialysis in the Intensive Care setting. They

needed this only as a temporary measure until their kidneys actually kick in again and work, and I am happy to say that the FijiFirst Government in 2016 with the Honourable Usamate as the head, agreed at that time to provide acute dialysis in the Intensive Care Unit. This is provided at a minimum cost of about \$300,000 a year and most Fijians have been able to survive, most Fijians have been able to go back to work as normal citizens because they have had acute dialysis.

In contrast to acute dialysis is chronic kidney disease and end-stage renal failure which requires permanent dialysis or replacement therapy. In Australia alone, this is estimated to cost the Australian provider up to AU\$600 for every dialysis. Relative to that, with local dialysis providers in Fiji and also those that have been subsidised, the treatment cost begins at about \$150 to \$250 per session. The reality is that, these are prices which have been held for a period of time to allow Fijians to be able to access it.

Honourable Speaker, the 2018-2019 budgetary allocation of \$3.5 million towards the dialysis subsidy, an additional \$2 million for setting up and equipping a state-of-the-art Kidney Health Facility, the National Kidney and Research Treatment Centre in Nadera and the annual dialysis cost for people has been reduced by as much as 70 percent. Dialysis now costs as little as \$75 per session in facilities affiliated with the Ministry of Health and Medical Services and at the moment it is running in Labasa. We hope that by July, our Nadera Centre will be fully functional and also we have identified a place in Nadi which will hopefully begin by the end of the year.

Honourable Speaker, our efforts to further reduce the cost of dialysis is also through the provision of a new modality which has been happening before, we had haemodialysis which is called peritoneal dialysis. What this means is the opportunity for a Fijian with end-stage renal disease to have dialysis in the home setting by having a tube connected into the tummy and actually dialysing the peritoneal fluid, which is the fluid in between the organs inside the abdominal cavity and the wall of the abdominal cavity. Our nurses and doctors are trained to provide this treatment and this year, we anticipate that there will be more patients using this cheaper treatment option than haemodialysis.

As I have alluded to earlier, in Australia it costs about AU\$600 for one dialysis session. In Fiji, with our providers, we must be thankful that they are from \$150 to \$250, and with the subsidy that Government is giving, it is \$75. The real cost is probably much higher than that.

The Ministry of Health and Medical Services has been committed to getting patients of dialysis by partially funding the Kidney Trust Fund overseas. We partially fund by supporting them in terms of accommodation, transport, et cetera.

In the coming years, we will place a greater emphasis on transplants. We also, as you know, look towards the new partnerships that are being formed with the Ministry of Health and also, for example, the PPP that has already been signed.

Honourable Speaker, sadly one of the things that we have to remember is that, we have to work on the prevention of kidney failure and NCDs, such as diabetes and hypertension which leads to the needs for dialysis.

I thank you, Honourable Speaker, for this opportunity and I also thank the Honourable Member for that question.

HON. SPEAKER.- Honourable Lenora Qereqeretabua, you have the floor.

HON. L.S. QEREQERETABUA.- Thank you very much, Honourable Speaker, and I thank the Honourable Minister for the answer to the question.

Honourable Speaker, may I through you please ask the Honourable Minister for Health and Medical Services to just clarify the point about dialysis and subsidised dialysis. We have a lot of people coming to the office, as you can understand, asking for donations and we have the brother of a patient who needs dialysis coming to us and saying that he has been told that dialysis or subsidised dialysis is currently unavailable at CWM and Lautoka Hospitals, and also that it would only start once a new facility is built at Nadera, could this be clarified by the Honourable Minister? Thank you.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. I. WAQAINABETE.- Thank you, Honourable Speaker. In Labasa at the moment, there is a full subsidy with the \$75 for those Fijians who meet the requirements. In Suva, Labasa and Lautoka, there is dialysis for those who are acutely unwell, who become very, very sick, and is available in the Intensive Care Units at no cost to them. But it is the chronic dialysis that is waiting for the centre to be opened in Nadera come July, that will be available for chronic dialysis.

We have free dialysis for those who are acutely unwell, Government provides for it. That is under the \$300,000 that has been alluded to earlier, Honourable Speaker, but obviously we go above that \$300,000 every year.

HON. SPEAKER.- Thank you. We will move onto the next question.

Fiji Navy Maritime Surveillance Rescue Coordination Centre  
(Question No. 123/2019)

HON. A.A. MAHARAJ asked the Government upon notice:

Can the Honourable Minister for Defence, National Security and Foreign Affairs provide an update on the Republic of Fiji Navy Maritime Surveillance Rescue Coordination Centre in managing maritime security?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Foreign Affairs).- Thank you Honourable Speaker, Sir. I wish to first acknowledge the Honourable Alvick Maharaj for asking this question, something that is very, very critical for our people who do use the sea lanes for their travel.

For background purposes, Honourable Speaker, Sir, Fiji is responsible for coordinating search and rescue, not only within the Fiji Waters, but added to that is Tuvalu and Kiribati and that covers about 6.3 million square kilometres in terms of the area of responsibility under Fiji's care.

That, Honourable Speaker, Sir, is part of Fiji's obligation to the Safety of Life at Sea (SOLAS) Convention and the national responsibility, you would know very well was transferred from the Marine Department way back in 1979 and the Fiji Navy has taken over that responsibility ever since.

The Fiji Navy, Honourable Speaker, Sir, has assets and mainly the Rescue Coordination Centre which is based at Stanley Brown Naval Base and the vessels as well. This allows the Fiji

Navy to respond to incidents at sea and I must say, Honourable Speaker, Sir, that our Rescue Coordination Centre which is based at Stanley Brown Naval Base is internationally recognised.

One of the recent developments as the border agencies come together now based on the security challenges that we face, is the inclusion of what is now called Fusion Centres. That Fusion Centre allows other key agencies to be part of that Regional Coordination Centre, namely; the Fiji Revenue and Customs Service, the Immigration Department and, of course, the Ministry of Fisheries, to name a few.

The Centre, Honourable Speaker, Sir, is manned 24/7 and it does not work in isolation. It coordinates its work with the two regional Search and Rescue Centres. One is based in New Zealand and the other is based in Noumea.

The only major difference between our Centre and Noumea and New Zealand is that they have air assets. But, these air assets are at our disposal as well, but we, in Fiji also have allocation, if it is needed to utilise local planes or helicopters if need be, to help us in our search and rescue operations within the 6.3 million square kilometres that I had mentioned.

Just to give you some idea, Honourable Speaker, Sir, on what has been covered in 2018, there were a total of about 61 cases that were reported and, of course, where our Rescue Coordination Centre also responded and out of these 61 cases, 14 cases are from the region that I have talked about - five in Kiribati, six in Tuvalu and three involved some yachts that were in these waters.

In terms of lives with these 61 cases, about 326 lives were saved as a result of our response. So far in 2019, Honourable Speaker, Sir, we have 63 cases and these involves 20 regional, 11 from Kiribati and 2 from Tuvalu. We also have incidents within these areas involving foreign vessels, including vessels from Vanuatu. We had about four cases; one from Malaysia, one from Hawaii and one from Greece.

Few challenges, Honourable Speaker, Sir, again Fiji is a hub, so the economic growth and development also attracts. But of the ones that I wish to highlight is the non-adherence of our mariners to weather warnings. Despite the warnings, despite the advisories given from the Weather Office in Nadi when we activate the National Disaster Management Office, people still take the risk to travel and this is one of the key challenges we face.

Apart from mechanical problems that they do face at sea and those that are perhaps not certified, meeting the standards, those are some of the challenges that we face that add to the incidences within the waters within our areas of responsibility. Thank you, Honourable Speaker, I am happy to take questions if there are any.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Members, I seek leave of the House that we sit beyond 4.30 p.m. seeing that we still have a few more questions to cover.

Does anyone oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, we will carry on until we finish the Written Questions. We have the seventh Oral Question for today and I give the floor to the Honourable Anare Jale to ask Question No. 124/2019. You have the floor, Sir.

Criteria by Government – Establishing Embassies Abroad  
(Question No. 124/2019)

HON. A. JALE asked the Government, upon notice:

Can the Honourable Minister for Defence, National Security and Foreign Affairs clarify to Parliament the criteria used by the Government to establish an embassy in a foreign country?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Foreign Affairs).- Thank you Honourable Speaker, Sir. I thank the Honourable Member for this question. Let me assure him that not much has changed from his time as a Diplomat in Washington. One, we are guided by Article 2 of the Vienna Convention on Diplomatic Relations where States have to agree and when we intend to establish missions abroad, of course, the host State has to agree.

Honourable Speaker, Sir, the decision to establish diplomatic relations as well is very much guided by the Government's Foreign Policy and governments every now and then when they come into place, they have their foreign policy and that, of course, leads to the establishment of missions abroad. If I may mention, during the Alliance Government, we had seven Missions initially and this was mainly in London and the multilateral organisations and, of course, Canberra. During the SVT and, of course, SDL Government as well, we shifted to China, including the Consular General Office, as it was evident of Fiji's focus during those years in the Asia Pacific Region.

The FijiFirst Government, Honourable Speaker, Sir, has established seven and, of course, is much more within the Asia Pacific and, of course, the multilateral organisations as well. These are the guiding principles to the establishment of our missions abroad. Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Niko Nawaikula, you have the floor, Sir.

HON. N. NAWAIKULA.- Would you explain to the House the Foreign Policy basis of selecting Ethiopia, because I do not know?

HON. SPEAKER.- Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Honourable Speaker, Sir. We are living in a globalised world. Ethiopia, Honourable Speaker, Sir, the African Union is a big block in the United Nations arrangement and we have about 50 plus countries in the African Union, and it is headquartered in Addis Ababa in Ethiopia.

As I have alluded to, this is our Foreign Policy. One of the key drivers of our Foreign Policy is "Friends to all and enemies to none", and we have 57 countries that are there in the African Union that we want to make friends with, and they are very strong advocates of Fiji, particularly now when we come to global issues like climate change, Africa is one of the worst affected regions as well.

On oceans, the Honourable His Excellency the Secretary-General did state that Portugal, but Kenya is also in that list, Honourable Speaker, Sir, so this is why we considered Ethiopia.

HON. SPEAKER.- Thank you. We will move on to the eighth question for today. I give the floor to the Honourable Vijendra Prakash to ask Question 125/2019. You have the floor, Sir.

Master Plans - Suva, Nadi and Lautoka  
(Question No. 125/2019)

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

Can the Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development update the Parliament on the progress of the Master Plans for the greater Suva, Nadi and Lautoka areas which has a budget allocation of \$1.6 million for the 2018 – 2019 fiscal year?

HON. P.D. KUMAR (Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development).- Thank you, Mr. Speaker, Sir. I thank the Honourable Member for his question. Mr. Speaker, Sir, as reported to the House last year, the Fijian Government has partnered with the Singapore Co-operation Enterprise to plan our towns and cities better.

A team from Singapore led by Dr. Liu Thai-Ker, a renowned architect-planner conducted a scoping mission last year, and Dr. Liu is a great gentleman, who has actually planned Singapore, so we are very grateful that we managed to get a very capable person to come and draw up our masterplan.

Following the scoping mission, the Government of Fiji signed an agreement in December with the Singapore Co-operation Enterprise to carry out the master planning exercises for the greater Suva, Nadi and Lautoka areas.

Mr. Speaker, Sir, the current Planning Scheme for Suva, Lautoka and Nadi were prepared more than 30 years ago, and there is an urgent need to review the schemes and policies.

Fiji is, indeed, very fortunate that after such a long period, we have now embarked into modernising our towns and cities through a well-developed masterplan. The masterplan would provide a roadmap for all future development decisions in the cities and towns. It will guide us and it will coordinate the various Government agencies when they are carrying out the various development work.

The work on the masterplan has commenced and this includes the initial scoping exercise and work schedules. What it actually involves at the initial stage is the collection of data. In other words, the Department of Town & Country Planning, all the Municipal Councils have to provide all the information they have in terms of whether industrial approvals or residential approvals were given, et cetera.

It is a collation of all the data and in the first workshop, it was held with the Municipal Councils and Government Departments and discussions was more on collating these information and then developing a schedule as to how they are going to proceed with the next step.

This was already done and I am told that at this stage, the various agencies are putting their information together. Some have already given it to this team from Singapore and they are looking at all the information and collating it. There will be another workshop in June where further information will be given to the stakeholders.

The consultants will first develop a Strategic Spatial Masterplan of Viti Levu, that will determine the location, size and boundary of the urbanised areas of Viti Levu and it will also examine the major transport connectivity on this Island. This will cover highways, expressways, inter-cities, railways, metro systems, et cetera. The plan will also indicate major land-use zones for

the urbanised areas to guide future development. Major zones will include commercial centres, residential areas and industrial clusters.

Mr. Speaker, Sir, in tandem with the above, the plan will also study the location of existing forest, nature reserves, rivers, lakes and other significant water bodies to be preserved, to ensure the new urban environment is sustainable and liveable.

The next part of the scope of work would be to develop the Conceptual Masterplan in detail for the greater Suva, Nadi and Lautoka City. The deliverables for the Conceptual Masterplan will be the:

- Planning Brief and this will be based on the analysis of the data collected and a proposed project brief which will include proportion of mainland uses and initial structure plan.
- Location Plan will be developed which will cover the relationship between the site and the surrounding area in terms of travel, distance and transportation mode.
- Transportation Plan will be developed which will cover the conceptual road and public system, including (as I mentioned earlier on) the various modes of transport system and whether those modes of transport will be applicable to our island or not.
- Zoning Plan will be developed which will cover the zones of major commercial residential and industrial uses; and
- Green and Blue Plan will be developed which will cover the parks and recreation, golf courses, nature reserves, sand dunes, water bodies, any lagoons, lakes or any other water bodies that are on Viti Levu, that needs to be preserved and looked after.
- Once that plan is done, then the last one would be the Phasing Plan which will be towards the big masterplan.

So those are the small concepts that need to be developed for the bigger masterplan.

Mr. Speaker, Sir, as we can see, the work is comprehensive and quite detailed, and my Ministry is working with the Singapore Team in providing that information and the Singapore team is actually training my staff as well in this process. Sir, thank you for the opportunity.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Mitieli Bulanauca, you have the floor.

HON. M. BULANAUCA.- Thank you, Honourable Speaker, Sir. I thank the Honourable Minister for the information that has been given to us. My only question is, whether the formulation of that masterplan takes into account or incorporates various major routes or escape routes for cars in Suva, Nadi and Lautoka to lessen the congestion, the density on the roads, et cetera, so that there is free flow of traffic on our roads? If it is in the plan, how long and how soon and quick can that be done? The sooner, the better. Thank you.

HON. P.D. KUMAR.- I am glad the Honourable Member is eager to see the plan and I want to assure him, it will take only 47 weeks. Thank you.

HON. RATU T.N. NAVURELEVU.- A supplementary question, Honourable Speaker. Can the Honourable Minister advise this House whether there is any initiative on a similar plan for the towns in the Northern Division?

HON. P.D. KUMAR.- Mr. Speaker, Sir, as you have seen, it is going to cost us about \$1.6 million. We want to take one step at a time and definitely the plan is to do a masterplan for the whole of Fiji, but we will take a step-wise approach.

Written Questions

Update – *Mataqali* Land  
(Question No. 126/2019)

HON. M.D. BULITAVU asked the Government, upon notice:

Can the Honourable Prime Minister and Minister for i-Taukei Affairs and Sugar Industry update Parliament on the progress of the allotment of extinct *Mataqali* lands from 2016 to 2019?

HON. J.V. BAINIMARAMA (Prime Minister and the Minister for i-Taukei Affairs and Sugar Industry).- Thank you, Honourable Speaker. I will table my response at a later sitting date as permitted under Standing Order 45(3). *Vinaka*, Sir.

Technical and Financial Assistance for Rural Farmers  
(Question No. 127/2019)

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

Can the Honourable Minister for Agriculture, Rural and Maritime Development, Waterways and Environment inform Parliament on what are some of the technical and financial assistance available to rural farmers that cultivate on unleased communal (*Mataqali*) lands?

HON. DR. M. REDDY (Minister for Agriculture, Rural and Maritime Development, Waterways and Environment).- Mr. Speaker, Sir, I will table my answer now.

(Written Reply handed to the Secretary-General)

HON. SPEAKER.- Did you want to say something, Honourable Kuridrani?

HON. I. KURIDRANI.- I just want to thank the Minister, and can he be given a bonus, please?

(Laughter)

HON. SPEAKER.- Thank you, Honourable Minister.

Honourable Members, question time is now over. We have, in fact, finished the business for the day and I want to thank all Honourable Members for your contribution and your co-operation for today's sitting. We have had a very historic day today and I thank you for your co-operation.

We adjourn and I look forward to meeting everyone tomorrow at 9.30 a.m. We adjourn for the day.

The Parliament adjourned at 4.46 p.m.