Constitution Review Commission

Collated Written Submissions Received from Individuals

(Submitted via Email Attachments, Email Body and Hard Copies)

Prepared by the Legal and Policy Secretariat Team

10 July 2026

Summary

This document contains a compilation of written submissions received from individuals until 30 June 2026 through the following channels:

(a) Email *attachments*;
(b) Submissions contained within the body of emails; and
(c) Hard copy submissions received by the Legal and Policy Secretariat Team.

This compilation does not include submissions presented by individuals in person or virtually during public consultations conducted at Level 9, Suvavou House which will be in a separate folder.

The information contained in this document has been compiled based on submissions received from members of the public and the records available at the time of preparation. While every reasonable effort has been made to ensure the accuracy and completeness of this compilation, there may be instances where a submission has been omitted or where the record does not fully reflect all submissions received.

Should any omissions or discrepancies be identified, a supplementary list where necessary may be prepared to ensure the record is as complete and accurate as practicable.

Written Submissions Received from Individuals

(Via Email Attachments, Email Body and Hard copies)

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Seini Puamau

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24 April 2026

The Constitutional Review Commission
Level 9, Suvavou House,
Victoria Parade,
Suva, FIJI

Re: Constitutional Review Commission – Proposed Constitutional Amendments

I am grateful for the opportunity to submit these proposals for amendment to the 2013 Constitution and to participate thereby in this important process. I respectfully submit the amendments I think ought to be made, along with the reasons I think the changes are necessary, for your consideration.

Due to technical issues following Cyclone Vaianu, I had not been able to send my submissions to the Chief Justice and the Department's Judicial Constitutional Review Team until after they had made their submissions to your Commission.

The Honourable Chief Justice, having learnt of that predicament and having learnt of my desire to make submissions and having read my proposals, has given me permission to participate and submit to the Constitutional Review Commission in my capacity as an individual Magistrate.

Proposed Amendment 1 -Section 4 (3) (d) of the Constitution
The current provision reads: *"(d) no person shall assert any religious belief as a legal reason to disregard this Constitution or any other law."* I propose that that provision be repealed and that the following provision replace it: "*(d) the State shall make no law to establish a religion, or prohibit the free exercise thereof.*"
Reasons
Section 4 (3)(d) of the Constitution as it stands, in my view, contravenes section 17 and section 22 of the Constitution dealing with freedom of speech, expression, thought, opinion and publication; and freedom of religion, conscience and belief respectively. Moreover, this provision strikes me as being impermissibly restrictive. Conscientious objectors and peaceful civil disobedience have moved the gauge in positive ways across the world. In my view, Parliament and the courts should be given the freedom to debate and engage with the idea.

A provision to the effect that *Parliament shall make no law to establish a religion or prohibit the free exercise thereof* is a better fit for a constitutional provision about religious freedom and the separation of church and state.

Proposed Amendment 2 – Section 6 (5) of the Constitution

The current provision reads:

"*(5) The rights and freedoms set out in this Chapter apply according to their tenor and may be limited by –*

(a) limitations expressly prescribed, authorised or permitted (whether by or under a written law) in relation to a particular right or freedom in this Chapter;

(b) limitations prescribed or set out in, or authorised or permitted by, other provisions of this Constitution; or

(c) limitations which are not expressly set out or authorised (whether by or under a written law) in relation to a particular right or freedom in this Chapter, for which are necessary and are prescribed by a law or provided under a law or authorised or permitted by a law or by actions taken under the authority of a law."

I propose that subsections (a), (b) and (c) be repealed in their entirety and that subsection 5 be amended as follows:

"(5) *The rights and freedoms set out in this Chapter apply according to their tenor and may be limited by or under a written law to the extent necessary and reasonable in a democratic society to protect the public good which includes but is not limited to the realization of safe borders, public order and effective government, and the protection of the rights of others."*

Reasons:

Limitation clauses in democratic societies should not be unduly restrictive.
Our current limitation clauses are.
I fear that the limitation clauses in the Constitution, as things stand, fosters rule *by* law as opposed to creating an environment respectful of democratic governance and the rule *of* law.

Proposed Amendment 3 – Section 9 (4) of the Constitution

The current provision reads:

"*(4) At any review of the detention under subsection (3), the court may make such orders as to the continued detention of the person.*"

I recommend that that provision be amended as follows:

"*(4) At any review of the detention under subsection (3), the court may make such orders regarding the continued detention or otherwise of the person as the court deems necessary taking in account the nature of the state of emergency balanced against democratic values and principles."*

Reasons:

Freedom is vital and language governing our freedoms should not be slanted towards the continued deprivation of freedom. Moreover, for reasons which I believe to be self-evident – *see* incidents of death while in Police and Military custody, I recommend that the period

of arbitrary detention be reduced from 1 month to 14 days: *see* section 9 (3)(d) of the **Constitution.**

Proposed Amendment 4 – Section 16 (2) of the Constitution

Currently, that provision reads:

"*(2) The rights mentioned in subsection (1) shall not be exercised against any company registered under a law governing companies.*"

I recommend that that provision be re-examined for utility and language.

Proposed Amendment 5 – Section 24 (2) and Section 25 (3) of the Constitution

Currently, the provisions read:

"*24 (2) To the extent that it is necessary, a law may limit, or may authorise the limitation of, the rights set out in subsection (1).*"

"*25 (3) To the extent that it is necessary, a law may limit, or may authorise the limitation of, the rights set out in subsection (1), and may regulate the procedure under which information held by a public office may be made available.*"

I recommend that both provisions be amended to read:

"*To the extent that is necessary and reasonable in a democratic society...*"

Further provisions that may bear examination:

See also: section 32 (3), section 40 (2), section 42 (3) of the Constitution.

Proposed Amendment 6 – Section 104 (1) of the Constitution

Current provision:

"*104 (1) The Judicial Services Commission established under the Administration of Justice Decree 2009 continues in existence, and shall consist of –*

(a) the Chief Justice, who is to be the chairperson;
(b) the President of the Court of Appeal;
(c) the Permanent Secretary responsible for justice
(d) a legal practitioner to be appointed by the President on the advice of the Chief Justice following consultation by the Chief Justice with the Attorney-General and who -....
(e) a person, not being a legal practitioner, appointed by the President on the advice of the Chief Justice following consultation by the Chief Justice with the Attorney-General.

Proposed amendment:

104 (1) The Judicial Services Commission established under the Administration of Justice Decree 2009 continues in existence, and shall consist of –

(a) the Chief Justice, who is to be the chairperson;

(b) *a judge of the Supreme Court appointed to the Commission by the Chief Justice;*
(c) *the President of the Court of Appeal;*
(d) *a Justice of Appeal appointed to the Commission by the Chief Justice in consultation with the President of the Court of Appeal;*
(e) *two Judges of the High Court to be drawn from different divisions of the High Court as the Chief Justice in consultation with the President of the Court of Appeal shall determine;*
(f) *the Chief Registrar and*
(g) *the Chief Magistrate.*

Reasons:

Cabinet is not made up of a token member from either the legislature or the judiciary.

With the exception of the Speaker of the House of Parliament – and that is something that is part of the democratic tradition, Parliament is not made up of token members from the Judiciary or from the community.

The running of the Judicial Department and oversight over quasi-judicial office holders needs to oversighted by members of the judiciary across the various levels of the judiciary who are eminently qualified, distinguished, learned and principled men and women in order to ensure the independence and integrity of judicial appointments and quasi-judicial appointments in Fiji.

In my respectful view, this is the only way to give proper effect to the commitment and promise of judicial authority and independence set out at section 97 of the Constitution.

There is no need for "external oversight". These will meetings of strong, principled legal minds across the Supreme Court, Court of Appeal, High Court and the Magistracy. That is a whole eco-system of checks and balances guided by convention and a sense of dignity and fairness already built in.

They will each provide a strong check and balance for each other and there are tremendous practical benefits to this, not least of which is that while provision can still be built in for sittings allowances, it is not really necessary and there will be little to no need for extra renumeration to be allocated or paid out as each and every one will already be employed in the judiciary and will have a vested interest in its success and in the success of the institutions that serve it.

Proposed Amendment 7 – Section 104 (7) of the Constitution

Current provision:

"104 (7) *The Commission shall provide regular updates and advice to the Attorney-General on any matter relating to the Judiciary or the administration of justice.*"

Proposed amendment:

"104 (7) *The Commission shall provide annual reports to Parliament on any matter relating to the Judiciary or the administration of justice.*"

Reasons:

Requiring the Judicial Services Commission to update and advise the Executive through their appointee about matters relating to the judiciary or the administration of justice was a step backward in my view.

It would be more aligned to the rule of law & better aligned to democratic values to have the governing body for the third branch of government report to and advise Parliament annually about matters relating to the Judiciary or the administration of justice.

This can take the form of an annual report or an oral report at the opening of Parliament or at the invitation of the Speaker of Parliament bi-annually or quarterly and a wonderful tradition could open up for us as a result.

It has taken the United Kingdom 1000 years to 2009 to become a fully independent branch of government. We should take our cue from those efforts and do away with any reporting and advisory requirements to a political appointee and office holder.

Proposed Amendment 8 – Section 106 of the Constitution

Current provision:

"106. – (1) The Chief Justice and the President of the Court of Appeal are appointed by the President on the advice of the Prime Minister following consultation by the Prime Minister with the Attorney-General.
(2) The Judges of the Supreme Court, the Justices of Appeal and the Judges of the High Court are appointed by the President on the recommendation of the Judicial Services Commission following consultation by it with the Attorney-General.
(3) The President may, on the advice of the Prime Minister following consultation by the Prime Minister with the Attorney-General, appoint a Judge or a person who is qualified for appointment as a Judge to act as the Chief Justice during any period, or during all periods, when the office of the Chief Justice is vacant or when the Chief Justice is absent from duty or from Fiji or is, for any reason, unable to perform the functions of office.
(4) The President may, on the recommendation of the Judicial Services Commission following consultation by it with the Attorney-General, appoint a person to act as a Judge of the High Court during any period or during all periods, when an office of a Judge of the High Court is vacant or when a Judge is absent from duty or from Fiji or is, for any reason, unable to perform the functions of office.
(5) A person is not eligible to be appointed under subsection (4) unless he or she is qualified for appointment as a Judge."

Proposed amendments:

"106. – (1) The Chief Justice is appointed by the President on the advice of the Prime Minister following consultation by him or her with the Leader of the Opposition.
(2) The judges of the Supreme Court, the Justices of Appeal (including the President of the Court of Appeal) and the puisne judges of the High Court are appointed by the President on the recommendation of the Judicial Service Commission.
(3) The President may, on the recommendation of the Judicial Service Commission:
(a) appoint a judge or a person who is qualified for appointment as a judge to act as Chief Justice during any period, or during all periods, when the office of Chief Justice is vacant or when the Chief Justice is absent from duty or from Fiji or is, for any reason, unable to perform the functions of office; and

(b) appoint a person to act as a judge of the High Court during any period, or during all periods, when an office of judge of the High Court is vacant or when a judge is absent from duty or from Fiji or is, for any reason, unable to perform the functions of office.
(4) A person is not eligible to be appointed under paragraph (3)(b) unless he or she is qualified for appointment as a judge.

Reasons:

It is the Prime Minister and the Leader of Opposition who need to be consulted in respect of the appointment of the Chief Justice. That ensures democratic consultation and fosters a sense of objectivity and fair play. There is no need for the Prime Minister to be constitutionally required to consult with the Attorney-General. The Attorney-General is the chief legal adviser to Government – & having been appointed to the Prime Minister is not co-equal to him or her. Having the Prime Minister & the Leader of Opposition involved in the appointment of the Chief Justice brings democratic representation to the appointment of the head of the third branch of Government.

Once the Chief Justice is appointed, there is no need for the Executive or the Legislature to be involved in the appointment processes of the judges of the Supreme Court, justices of appeal, or High Court judges who are appointed to the Judiciary in the same way that the Judiciary and the Legislature are not part of the Prime Minister's prerogative to appoint the members of his or her Cabinet and so on.

It should suffice that a wide-cross section of eminently qualified, distinguished and principled men and woman across multiple levels of the judiciary have arrived at consensus regarding who should be nominated and appointed to these positions based on well-established professional norms and considerations.

We need wise men and women to these positions and no one knows the pool of available candidates better than judges of the Supreme Court, justices of appeal, High Court judges and the Chief Magistrate representing Magistrates – before whose courts collectively all the litigated work of this country flow. That is not taking in account the depth, breadth, and networked experience collectively available to them regarding the viable pool of candidates available across the common law world.

Proposed Amendment 9 – Section 105 of the Constitution

I recommend that section 105 (2) & (3) of the Constitution be amended to read:

"*105 (2) A person is not qualified for appointment as a Judge unless he or she –*

(a) hold, or has held a high judicial officer in Fiji or in another country ***where the qualification requirement for high judicial office as prescribed by law is equivalent to or higher than that required by subsection (2)(b).***

(b) has had not less than ***20*** *years post-admission practice as a legal practitioner in Fiji or in another country* ***(delete prescribed by law),*** *and has not been* ***sanctioned for professional misconduct in any disciplinary proceedings under a law or laws designed to govern legal practice in Fiji or in that other or another country.***

(3) A person is not qualified for appointment as a Magistrate unless he or she –

(a) holds, or has held a judicial office in Fiji or in another country ***where the qualification requirement for that judicial office as prescribed by law is equivalent to or higher than that required by subsection(b).***

(b) *has had not less than **15** years post-admission practice as a legal practitioner in Fiji or in another country (**delete prescribed by law**), and has not been has not been **sanctioned for professional misconduct in any disciplinary proceedings under a law or laws designed to govern legal practice in Fiji or in that other or another country.***

Reasons:

- The pool of legal practitioners in Fiji has increased significantly.
- The quality of legal practice has not increased at the same rate at least not at entry level but that quality grows exponentially and evens out to consistently excellent service at around 10 years – 20 years of practice experience in Fiji.
- In any event, High Court judges are often – and rightly so, drawn from a pool of highly qualified experienced practitioners who have over 20 years of stellar practice experience under their belt.
- It makes sense then that the qualification requirements for High Court judges matches that reality. And that expectations for Magistrates' increase upward to ensure a closer level of competency and excellence and maturity between the two.
- You want someone with extensive practice experience not just in years but in terms of both life experience and exposure to nuanced and complex litigation & practice experience before the Magistrates' Court, High Court, Court of Appeal & Supreme Court.
- That's the only way to ensure consistency and quality across the Magistrates' and High Courts.
- The qualification requirement has to go up in my view to consistency and excellence across the board.
- This way, the elevation track is more naturally and organically drawn from within the current ranks of judicial officers because the pool across the board is consistently made up of seasoned hands.

Proposed Amendment 10 – Delete Section 107 (2) of the Constitution

Current provision:

"(2) In making appointments under subsection (1), the Judicial Services Commission must consult with the Attorney-General."

Recommendation

I recommend that the reference to the Attorney General and the imperative that he or she be consulted be done away with for reasons of independence and professional integrity raised above.

It is perhaps worth noting that the removal process for a broad category of judicial officers per section 112 of the Constitution does not require involvement by the Prime Minister or the Attorney-General. If there is no need for their involvement at the suspension and removal stage – there seems very little reason for their involvement in the appointment, except perhaps a desire for control and influence that could potentially put the independence and integrity of the judicial department at risk.

Proposed Amendment 11 – Section 110 of the Constitution

Current provision:

"110 (1) A person who has not a citizen of Fiji and who is appointed a judge in Fiji serves for a period not exceeding 3 years determined in each case by the Judicial Services Commission at the time of appointment and may be eligible for re-appointment.
(2) Any other appointment as a Judge continues until the Judge reaches retirement age, which is –
(a) for the Chief Justice, President of the Court of Appeal, Judges of the Supreme Court and Justices of Appeal – the age of 75; and
(b) for the Judges of the High Court – the age of 70.
(3) A person who retired as a Judge of the High Court, but has not reached the age of 75, is eligible for appointment as a Judge of the Supreme Court or as a Justice of Appeal.

Proposed amendment:

"110 (1) A person who has not a citizen of Fiji, and who is appointed a judge in Fiji serves for a period not exceeding 3 years determined in each case by the Judicial Services Commission at the time of appointment and may be eligible for re-appointment ***until he or she has attained the age of 70 years in the case of a Judge of the High Court and 80 years in the case of a Judge of the Supreme Court or a Justice of Appeal.***

(2) Any other appointment as a Judge continues until the Judge reaches retirement age, which is –
(a) for the Chief Justice, President of the Court of Appeal, Judges of the Supreme Court and Justices of Appeal – the age of 75; and
(b) for the Judges of the High Court – the age of 70.

(3) A person who retired as a Judge of the High Court, but has not reached the age of 75, is eligible for appointment as a Judge of the Supreme Court or as a Justice of Appeal.

(4) A person who retired as a Judge of the Supreme Court or as a Justice of Appeal at the age of 75 is eligible for reappointment as a Judge of the Supreme Court or as a Justice of Appeal for a period not exceeding five years as determined in each case by the Judicial Services Commission at the time of re-appointment and may be eligible for re-appointment until he or she has attained the age of 80."

Reasons:

As things stand, judges who are not citizens of Fiji are constitutionally limited to terms of three years but may continue in service for as long as the Judicial Services Commission deems fit to extend their contracts.

On the other hand, judges who are citizens of Fiji enjoy security of tenure but that tenure is limited in time to 70 years for High Court Judges and 75 years for a Justice of Appeal and a Supreme Court judge – inclusive of the Chief Justice and the President of the Court of Appeal.

Capping the age for re-appointment for non-Fijian judges to 70 years in the case of Judges of the High Court and 80 years in the case of Judges of the Supreme Court and Justices of Appeal, while permitting the Judicial Services Commission control over the decision to re-appoint and duration of re-appointment gives scope to the Judicial Services Commission to

retain excellent talent who are still in great health and who are sharp in mind and to decline to re-appoint in circumstances where health and mental acuity is in issue.

The same applies to the recommendation at (4) above. Tenure should end at 70 and 75 for judicial officers. I think 70 years is a fair bench mark for High Court judges, particularly in light of pension arrangements. The work of the High Court is more physically demanding relative to the work of the Court of Appeal and the Supreme Court. This recognizes that physicality and mental acuity are separate things altogether and strikes a good balance, between the dual concerns of physical degradation due to age and not loosing the benefit of the great wisdom and mental acuity possessed by those still fit and well and keen to serve.

The Chief Justice and the President of the Court of Appeal should in my view still be required to retire at 75 years of age – there has to be fairness and scope for fresh blood to lead, but as past experience shows in the case of Justice French and Justice Gates – experienced judicial minds still have much to offer to the nation at the highest appellate levels and should be given the opportunity to continue to share that wisdom and experience until 80 if health and energy permit. The examples of Justice Jitoko and Justice Qetaki come strongly to mind in respect of service in the Court of Appeal and Supreme Court.

Proposal Amendment 12 – Section 113 of the Constitution

The Attorney-General is not a finance person and so can realistically offer very little by way of advice concerning the remuneration of judicial officers.

I recommend that in order to ensure fairness and transparency, the person consulted regarding salaries ought to be either the Minister of Finance as a finance person, or the Leader of Opposition for considerations of transparency and democratic engagement.

Proposed Amendment 13 – Section 115 (4) of the Constitution

In Hong Kong, the Independent Commission against Corruption **does not** have power to prosecute offences investigated by it. There is no power provided for in law for ICAC to institute and prosecute criminal action.

And this is correctly touted as an important check and balance against prosecutorial misconduct and abuse.

I recommend that section 4 be repealed in its entirety. This will then allow Parliament to decide on the authority, function and responsibility of the Commission per section 115 (3) of the Constitution. This will then allow for the careful thought and public consultation, and comparison to other jurisdictions by drafters and Parliament that was clearly lacking when the institution was established and these current provisions crafted.

Proposed Amendment 14 – Section 44, Section 98 (3)(c), Section 100 (4) and Section 100 (7) of the Constitution

Current provisions:

Section 44 (1) of the Constitution:

"*If a person considers that any of the provisions of this Chapter has been or is likely to be contravened in relation to him or her (or, in the case of a person who is detained, if another person considers that there has been, or is likely to be, a contravention in relation to the*

detained person), then that person (or the other person) may apply to the High Court for redress."

Section 44 (3) of the Constitution

"The High Court has original jurisdiction –
(a) to hear and determine applications under subsection (1); and
(b) determine questions that are referred to it under subsection (5),
and make such orders and give such directions as it considers appropriate."

Section 98 (3)(c) of the Constitution:

"The Supreme Court – has original jurisdiction to hear and determine constitutional questions referred under section 91 (5)."

Section 100 (4) of the Constitution:

The High Court also has original jurisdiction in any matter arising under this Constitution or involving its interpretation.

Section 100 (7) of the Constitution:

If in any proceedings in a Magistrates Court or a subordinate court, a question arises as to the interpretation of this Constitution, the Magistrates Court or a subordinate court may decide the matter, and its decision may be appealed as of right to the High Court.

Recommendations:

In my view, the enforcement provisions need to be strengthened.

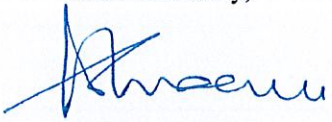
Some models for consideration can be found at section 18, 19, 22, 23, 57, 58, 63 and of the **Constitution of Papua New Guinea.**

Alternatively, I recommend that Section 98 (6) of the **Constitution** should be amended to read:

"*Decisions of the Supreme Court are, subject to subsection (7), binding on all other courts of the State,* ***and is binding on the State.***"

I thank you for your consideration of these submissions, and I thank you for undertaking this important work on behalf of the people of Fiji.

Yours sincerely,



Seini K Puamau

24 April 2026

Melania Baba

Formal Submission to the Constitutional Review Commission

To the Respected Constitutional Review Commissioners,

Ni bula vinaka. I am deeply grateful for the opportunity to present this submission as a private citizen and a proud daughter of Fiji. With a legal background and years of service as a public servant, including experience in the foreign service, I bring perspectives shaped both by professional duty and personal history. As the daughter of a former politician and academics for parents, I witnessed the coups firsthand and the impact they had on our nation.

I offer these reflections and suggestions with the hope of securing a brighter future for our children, one where they are spared the trauma that my generation and those before us have endured due to acts of treason against our Constitution and our people and the successive coups that facilitated this.

Respected Constitutional Review Commissioners,

It is noted that nations such as New Zealand, the United Kingdom, Canada, Israel, and Saudi Arabia operate without a single, codified written constitution, relying instead on statutory laws, precedents, and conventions. Remarkably, these nations have maintained stability without experiencing coups. In contrast, Fiji has seen the repeated dissolution or abrogation of its Constitutions.

This contrast raises a fundamental question, does Fiji truly need a written constitution, or do we need a fundamental shift in our respect for the Rule of Law? Coups have been the primary obstacle to our national development. We can only wonder where Fiji would be today had the momentum of 1987 not been shattered. These acts have not only set us back economically but have deepened communal divisions. For Fiji to progress, coups must be stigmatized as shameful acts of betrayal. When a Constitution is threatened, **all laws** become **optional**, and the foundation of society crumbles.

Previous upheavals have often exploited ethnic, religious, and resource-based anxieties to justify treason. To heal, our Constitution must explicitly honour Fiji's history and its diversity. It should recognise the indigenous Fijians, Fiji Indians, Melanesian Fijians, Rotumans, Banabans, Fiji Chinese, and all others who call Fiji home. To heal, it must acknowledge the founding religion of Christianity and its enduring influence along with all other faiths that is enjoyed and observed in this country because faith is practiced by the majority regardless of affiliation. Our history must be captured succinctly and respectfully and we must ensure, that leaders at all levels, promote this.

Ensuring Constitutional Stability and Deterrence

To prevent future abrogations and its direct and indirect impacts, the revised framework:

- Must include strict entrenchment clauses.

- Should make amendments impossible without an absolute majority and a direct mandate via a national referendum as power belongs to the people.
- Should ensure that all democratically elected governments complete their full terms without interference.
- Reduce the size of the military or review its functions. Fiji's coups have been inextricably linked to the military. We might look to Costa Rica, which abolished its army in 1949 to invest instead in health and education, gaining international credibility as a pacifist nation. Given our size, Fiji should consider the reduction of Fiji's military footprints and redirect those funds toward the Fiji Police Force, correctional services, healthcare, and education. If total abolition is not feasible, the military's mandate must be strictly confined to external threats.
- Penalise coup perpetrators to the fullest extent. Going forward, treasonous acts must carry the highest legal penalties, such as life imprisonment without parole, to serve as a permanent deterrent. Coup perpetrators must be seen to be taken to task, as it undermines public trust and signals impunity.
- Reconsider distribution of powers. The current Constitution grants overreaching discretionary powers to the Prime Minister and the Attorney General. This is an anomaly in any Constitution and must be addressed.
- Ensure strict separation of powers between the Executive, Legislative, and Judicial branches. Legal safeguards must be established for appointments already in place as well as for public service positions to ensure institutional stability and continuity during democratic transitions.

Electoral Systems and Accountability

A robust electoral system is vital for producing accountable leaders:

- Candidates should have a proven record of helping their communities. They must be able to make public submissions or presentations in English, or vernacular to demonstrate their ability to advocate on behalf of their voters.
- We should also move away from a system that relies on the popularity of a single leader. Reintroducing constituency-based elections would be a better way to ensure representatives actually engage with their local areas and are held accountable by their voters.
    - In New Zealand, there are electoral offices in the various constituencies in which members of parliament return to on almost a weekly basis to meet with their voters who bring their issues that need political redress. It is this level of engagement and accountability that Fiji needs to connect the work in parliament with those at the grassroots.

Media Responsibility and Digital Regulation

Responsible journalism is the bedrock of democracy. In a small, interconnected nation like ours, sensationalism can be dangerous. We must hold journalists to higher standards, particularly when reporting on sensitive communal issues. Furthermore, as seen in various developed nations[1], there is an urgent need to regulate social media to protect our citizens, particularly children. We must address the risks of mental health issues, addiction, and cyberbullying by implementing frameworks that balance freedom of speech with the protection of the vulnerable.

Educational Reform

Education is important for the wellbeing of a nation. It may be time that Fiji considers international models of learning in order to evolve with the changing world. I am inspired by the Japanese education system, which prioritises character development and moral education in the early years. By teaching empathy, community responsibility, and self discipline before formal testing begins, they build a highly respectful and orderly society.

It is respectfully suggested that:

- Through its constitution, Fiji recognises the need for a curriculum that bridges the gap between interpersonal maturity and national pride. By mandating lessons in conflict resolution and emotional intelligence, we can ensure the next generation approaches political differences with civility instead of aggression. This should be paired with a comprehensive study of civic duty, that also touches on Fiji's political history, Constitution and the Fiji flag. Teaching the 'why' behind our national symbols, triumphs and struggles is vital to building a proud citizenry that values our shared history and respects the global importance of national identity.
- We must also address the alarming decline in literacy and numeracy. Literacy and Numeracy are the foundational skills needed for individuals to function and effectively participate in society. In the Fiji Multiple Indicator Cluster Survey (2021), data showed that children aged 8 to 14 lack basic reading and math skills expected by the end of Year 2. In 2024, we learnt that Fiji dropped in ranking at sixth in literacy and seventh in numeracy. This should be cause for alarm as Fiji once stood as the leader in the region in both respects.

Respected Constitutional Review Commissioners, I make this humble submission in the hopes that the spirit of my reflections will be seriously considered in the review.

Respectfully submitted,

Melania Baba
melania.baba2@gmail.com
+6799187028

[1] Australia, Austria, Denmark, France, Germany, Greece, Indonesia, Malaysia, Poland, Slovenia, Spain, Türkiye, UK.

Gabiriele Josua

MY NAME IS GABRIELE JOSUA. I HAIL FROM QELEN VILLAGE, IN NAINIKELI, TAVEUNI. I AM A FARMER. I REPRESENT MYSELF. I AM HERE IN SUVA BECAUS MY HOME WAS DESTROYED BY FIRE AND I AM SEEKING HELP.
I HEARD OF THIS CONSTITUTION REVIEW COMMISSION THROUGH THE MEDIA, AND I WANT TO GIVE MY 2 CENTS WORTH OF COMMENT ON IT.

THIS IS FIJI. THE WAY THE WORLD SHOULD BE.
IN WHAT WAY? ONE MAY ASK.
IN EVERY WAY — IS THE ANSWER.

THIS LAND WAS CREATED FOR US. WE WERE GIVEN THIS LAND BY THE CREATOR TO UPHOLD ALL IT LAWS AND EVERYTHING CONCERNING ITS TRADITIONS AND CUSTOMS. WE SHOULD BUILD A GOVERNMENT THAT WOULD BE FOR US, "WE THE PEOPLE." BUT EVERY WHERE ONE GOES AROUN IN FIJI, AND LISTEN TO THE "TALANOA" AROUND THE YAQONA BOWL, OR TWO FRIENDS GOING THE BUSH, OR WOMEN IN THEIR GENERAL DISC IT IS OBVIOUS, THAT DISATISFACTION ABOUT LIFE AND LIVELIHOODS IN FIJI, IS SO FAR, FAR AWA FROM THE FIJI, THAT ONE DARES TO DREAM OF ATAINING, AND OWNING, AND LIVING IN IT, GET MARRIED, AND BRING UP CHILDREN, TO EN THE FRUITS OF ONES LABOUR.

BUT WHAT IS STOPING THESE FROM HAPPENIN THE ANSWER LIES IN THE 2013 CONSTITUTIO THE 2013 CONSTITUTION WAS HIJACKED FR SOMEWHERE AROUND THE WORLD, TO BE USED AS OUR CONSTITUTION. IT WAS NOT ORGANIC. IT WAS NOT BY US. "WE THE PE IT WAS THRUST UPON US.

WHEN MR. FOREDE BAINIMARAMA AND MR. SAIYAD KHAYUM TOOK OVER THE GOVERNMENT IN 2006, THEY THREW AWAY PROFESSOR GHAI'S CONSTITUTION, AND ABROGATED THE 1997 CONSTITUTION. FROM 2006 TO 2013, THEY WERE LOOKING FOR A CONSTITUTION THAT THEIR GOVERNMENT COULD RUN ON. AFTER 8 LONG YEARS, THEY FOUND THIS CONSTITUTION, WHICH WE NOW CALLED THE 2013 CONSTITUTION. THIS WAS NOT OUR CONTITUTION, "WE THE PEOPLE". IT WAS THEIR CONSTITUTION. WHEN THEY LOST THE GOVERNMENT IN THE GENERAL ELECTION OF 2022, THEIR CONSTITUTION SHOULD HAVE GONE OUT WITH THEM. WHY ARE WE KEEPING IT? AND JUST AMEND SOME PARTS THAT WE DO NOT LIKE. ALL SHOULD BE THROWN OUT WITH THEM.

THE THREE WORDS "WE THE PEOPLE" IN THE OPENING OF THE CONSTITUTION ARE VERY IMPORTANT. WE SHOULD STOP AND ASK OURSELV DID "WE THE PEOPLE" TOOK PART IN FORMING THAT CONSTITUTION? IF NOT, THEN WHY ARE WE STILL USING IT AS A GUIDELINE TO SOMETHING THAT WE HOLD DEAR TO OUR HEARTS? WAS IT BECAUSE WE HAVE USED IT IN THE PAST THREE GENERAL ELECTIONS OF 2014, 2018 AND 2022? WAS IT BECAUSE THERE WERE NOT ANY MAJOR PROTEST AGAINST IT?

TO TELL YOU THE TRUTH, PEOPLE WERE AFRA OF THE GUNS. ORDINARY PEOPLE WERE DOING THEIR BUSINESS AS USUAL EVERYDAY. WELL, THAT IS FIJI. THE WAY THE WORLD SHOULD BE. "WE THE PEOPLE" ARE FRIENDL PEOPLE. THAT IS HOW WE LIVE OUR LIVES NO MATTER WHAT DIFFICULTIES WE ARE FACING EACH DAY. WE DO NOT SHOW IT PUBLICLY. WE KEEP IT TO OURSELVES.

THAT IS THE FIJIAN WAY OF LIVING. BUT DEEP DOWN WE ARE STRUGGLING, WE ARE HURTING. WE NEED SOMEONE OR SOMEBODY TO COME AND SAVE US FROM THIS EVIL CONSTITUTION, WHICH IS HOLDING US UNDER RANSOM.

IF YOU LOOK AT IT PROPERLY, MEANING, THE 2013 CONSTITUTION, I THINK THAT THE TWO PERPETRATORS SHOULD BE BEHIND BARS BECAUSE OF THE BIG LIE THAT MADE ALL THIS TO HAPPEN. THERE WERE NO "WE THE PEOPL FORMING THAT HORRIBLE CONSTITUTION. AS I HAVE ALREADY MENTIONED, IT WAS THRUST UPON US. PEOPLE UP IN GOVERNMENT NOW SHOULD UNDERSTAND THAT, THAT IS THE WAY WE LIVE OUR LIVES HERE IN FIJI, AN INDIPENDENT SOVEREIGNTY. EVERYONE AND EVERYBODY SHOULD RESPECT WHAT WE DO HERE IN FIJI, OUR COUNTRY.

WE MAKE OUR LAWS ACCORDING TO THE WAY WE LIVE.

THE WORLD SHOULD NOT DICTATE TO US WHA WE DO HERE IN OUR FIJI. THIS IS OUR COUNTRY. WE LIVE HERE, NOT THEM.

ANY LAWS THAT WE MAKE FOR THE PEOPL OF THIS COUNTRY, SHOULD BE DONE BY THE PEOPLE. ONLY THEN, THAT WE CAN ACCEPT A CONSTITUTION FORMED BY THE PEOPLE, FOR THE PEOPLE. ONLY THEN, THAT THE FIRST "THREE WORDS OF OUR CONSTITUTION, WE THE PEOPLE" WILL HAVE A MEANINGFUL CONOTATION.

AFTER SAYING ALL THESE, IN MY VIEW PARLIMENT SHOULD SIT. THE HEAD OF THE FIJI MILITARY FORCE SHOULD BE CALLED IN, AND SIT WITH THE PRIME MINISTER, AND ALL OF GOVERNMENT, AND DISCUSSION SHOULD BE BASED ON THE ABROGATION OF THE 2013 CONSTITUTION.
ALL OF WHAT I AM SAYING SHOULD BE PASSED IN PARLIMENT BY THE SHOW OF HANDS.
THE HEAD OF THE MILITARY, BY THE POWER OF PARLIMENT, TAKES OVER THE GOVERNMENT FOR ONE MONTH ONLY. ABROGATE THE 2013 CONSTITUTION, AND GIVES THE POWER BACK TO THE GOVERNMENT.
THIS TIME, WE DO IT LEGALLY.

THIS HAS NEVER BEEN DONE BEFORE. BUT IT CAN BE DONE. THE ONLY THING THAT ONE NEEDS, IS GUTS, AND I THINK THAT WE HAVE A LOT OF IT IN ABUNDANCE.

ALL THE LEGAL MINDS SHOULD SIT WITHIN THIS ONE MONTH PERIOD, AND COME OUT WITH A NEW 2026 CONSTITUTION. PROBLEM SOLVE

ONE MIGHT SAY THAT IT CANNOT BE DONE. I SAY IT COULD. THIS IS FIJI. THE WAY THE WORL SHOULD BE. WE DO NOT HAVE TO LISTEN TO FOREIGN POWERS, TO DICTATE TO US WHAT W SHOULD AND SHOULDN'T DO. WE ARE AN INDIPENDENT SOVEREIGNTY, AND WE DICTATE OUR OWN LAWS AND REGULATIONS, AND BY THE POWER OF GOD ALMIGHTY, I SAY, WE CA

THAT IS ALL.
THANK YOU FOR LISTENING.

[No name provided]

Gmail Constitution Review Commission <commissioners2026@gmail.com>

constitution amendment proposal

modyl1992@gmail.com <modyl1992@gmail.com> Sat, May 2, 2026 at 12:31 PM
To: commissioners2026@gmail.com

1. Reintroduce a senate modelled after Australia/USA with each of the 14 provinces plus Rotuma getting 2 elected senators with minimum of 6months residency required by electors for said province & minimum 3yrs residency for a candidate to sit for a particular province & Rotuma
2. Harmonise Supreme Court Advisory opinion with Constitutional text to prevent future challenges to current advisory opinion
3. Remove the Constitutional offices commission with task of appointing constitutional offices done by the senate. The PM & Leader of Opposition can submit list of candidates after which the senate will vote on them
4. Senate should also be permitted to vote on Presidential appointment i.e. current process of nomination remains but should be in a joint session with senate
5. Senate approval of 2/3 for constitutional amendment should be added as this will make amendments bit harder but at the same time won't stagnate the constitution
6. FICAC commissioner to become a Constitutional office rather than a Judicial Services Office to give some sort of independence plus more accountable on appointment
7. Removal of immunity provisions for coup leader
8. Strict secularism
9. Currently iTaukei can't develop their land as they lack capital because they can not get Bank funding due to lack of collateral. Maybe said land could be mortgaged to the State & if landowner goes bankrupt, said land converts to State land & the landowning unit has say 50yrs to repurchase the land or risk losing said land. ILTB could help the landowning units in making strategic decisions & risk management to prevent this from being used to alienate said land but at same time permit development of land & increasing national wealth
10. Reversion of name of the country to Republic of Viti to give it an indigenous name with national identity being Fiji islander
11. Push Back Chief Justice in line of succession for President instead should start with President of the Senate (revive one Senate is revived) followed by Speaker of the House of Rep, Prime Minister then Chief Justice then President of Court of Appeal. Head of Judiciary in a political role is counterintuitive as Judiciary should be apolitical something the Executive & Legislative branch are not bound by.
12. Provincial Councils should include people of all races, ethnicities & religions & not solely iTaukei

Jax Alan Cadriel

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission: Vision for the Future Fiji Flag Design for a Future Ballot

sabrina cadriel <cadrielsabrina@gmail.com> Sun, May 3, 2026 at 5:19 AM
To: pmpa.opmfj@gmail.com
Cc: commissioners2026@gmail.com, tbaravilala@digitalfiji.gov.fj, news@moc.gov.fj, foreignaffairs@govnet.gov.fj

Dear Honorable Prime Minister and the People of Fiji,

I am writing to you today from Katy, Texas, USA, as a designer and a great admirer of the Fijian spirit and its unique place in the world.

I find myself constantly returning to the idea of Fiji as the true 'Hub of the Pacific.' It's that rare place where different island cultures meet, and as a designer, I wanted to see if I could capture that energy in a single image. a nation where the cultures of Melanesia and Polynesia meet to create something truly special. With great respect for Fiji's history and the previous national flag discussions, I would like to submit a "vision for the future" flag design for your consideration and archives.

The Design Logic:

The Field (Fijian Azure): I have retained the iconic sky blue field from the 1970 flag. This honors your independence and represents the boundless Pacific Ocean and the clear skies above your islands.

The Path (Diagonal Bands): A bold white band, bordered by "Pacific Navy" stripes, runs diagonally upward. This symbolizes "The Path of Progress," representing a nation that is moving upward and forward while staying grounded in the strength of its deep-sea heritage.

The Stars (The Pleiades Cluster): The Polynesian Stars are often associated with good luck. Five of these represent the administrative divisions (Central, Eastern, Northern, Western, and Rotuma), while the additional two symbolize the unity of the Melanesian and Polynesian people.):

Heritage: The placement is a tribute to the ancient celestial navigation used by your ancestors to settle the islands.

Technical Excellence & Vexillology:

Beyond the symbolism, this design adheres to the core principles of international flag design. It is intentionally minimalist to ensure:

High Visibility: The bold diagonal and high-contrast colors ensure the flag is recognizable from a great distance, even in low-wind conditions.

Simplicity as a Sacred Tapestry: While modern in its execution, the design acts as a "Sacred Tapestry" distilling Fiji's complex history into a form that is simple enough for a Fijian schoolchild to draw from memory. This fosters a deep, early connection between the youth and their national symbol.

Distinctive Brand: It moves away from complex colonial heraldry toward a clean, modern "icon" that establishes Fiji as a forward-thinking leader in the Pacific, ensuring the nation's story is told clearly on the global stage.

Economic Continuity: By retaining the iconic 1970 sky-blue field, this design ensures a cost-effective transition for existing assets while providing a bold new identity.

National Identity Programme: As Fiji modernizes its digital infrastructure through the National ID Programme, this flag offers a unified, modern icon that is highly scalable for digital passports and e-government platforms

I understand that there is no active competition at this time, but I wanted to offer this design as a gift of creative inspiration. I believe it balances the modern need for a unique national brand with the deep, seafaring roots that make Fiji a leader in the Pacific. I respectfully ask that this vision be held in your archives; it would be an honor to have this proposal considered as a candidate for a future ballot or public vote for a new flag design. If you are open to any changes I am happy to do so for this proud nation and the people of Fiji. This flag is vector-ready for and optimized for mobile screens, favicons, and social media.

Thank you for your time and for the inspiration your beautiful nation provides to the world.

Vinaka Vakalevu,

Jax Alan Cadriel

Katy, TX, USA



Vision2026_ProposalFlag_ForPollSubmission.png
91K

Kinivuwai Nacagilevu

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

re: Constitutional Review

Kinivuwai Nacagilevu <kinivuwai.nacagilevu@fnu.ac.fj> Mon, May 4, 2026 at 3:48 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Kinivuwai Nacagilevu <nacagilevukinivuwai45@gmail.com>

The Constitution Review Commission,

Level 9,

Suvavou House,

Victoria Parade

Suva.

Dear Sir/Madam.

With reference to the email sent in regard to the views of individuals on the constitution review process, I am highlighting few points which may represent the voice of people in the community I am living with at this point in time.

The following are my suggestions;

1. **Fiji to be declared a Christian State:**

Reason: Christian missionaries play very critical part during the times of tribal warfare in the dark ages whereby some Christian missionaries were killed but many managed to influence our tribal leaders and promote peace, love and unity from then on. It is for sure that Christians throughout all 14 provinces have sacrificed their lives locally, and as missionaries to foreign nations preaching the gospel of Christ.

Since then, Fiji has achieved progress in terms of accepting all races live in Fiji as their brothers and sisters in Christ. The concept of Christian teachings lives and all races have witnessed in the past years.

2. **Land and I-Qoliqoli**

   a. All land and Qoliqoli belongs to the iTaukei people should be returned to the owners and not the government.
   b. Lands have been falsely claimed by the so called "Mata Raraba" during the Land Commission should be returned to the true owners as clearly identified in their map at the ITaukei Land Trust Board office record. (I make this claim as there are evidences that can be presented to justify this claim). For example, my Tokatoka is Tokatoka Vusanamu of Village: Naqara Tikina: Ono Yasana: Kadavu. My Tokatoka Number is 468. The statements and decisions recorded in the **Itaukei Land and Fisheries Commission** (ITLFC) creates doubt as the statement was erased and re-handwritten.
   c. In comparing the statement on the ITLFC reports with the map at ITLTB, it clearly says that the land belongs to the Tokatoka Vusanamu with the boundary line of the 60 acres is clearly marked.

3. **Reviewing of Mining and Mineral Acts**

The Constitution must state the amendment of Land Act, Mining Act and Mineral Act to benefit the land owners. Itaukei to receive 99% of the royalties and other 1% to the government.

4. **Fijians**

"***Fijians***" should be addressed to the Itaukei people only and those whose names are registered in the "Vola Ni Kawa Bula" (VKB rights only). Names that do not register in the VKB do not qualify.

Other races shall be called; Indo-Fijian, Indo-Chinese, Chinese-Fijian. This is not discriminations, **This will clearly identify them on their origins**.

5. **Great Council of Chiefs**

   a. **The Great Council of Chiefs to be recognized by the government as it holds the natural land, iqoliqoli, forest reserves, water etc.**
   b. **The Great Council of Chiefs should appoint the Head of State**
   c. **The Head of State should only be appointed by the GCC. The appointee is from one from the THREE main Confederacies, Kubuna, Burebasaga, Tovata and Rotuma.**
   d. **The GCC to lead and top the structure, give the power to the Head of State while the government to administer.**

6. **Restrictions to Change of Constitution**

   a. **Government has no power to change, amend, omit, delete, erase, edit, replace a single word in the content of the constitution.**
   b. **The GCC only reserves the power to make amendments to the constitution with the majority number of votes of 75%.**

Those are few points that may contribute to the review of the constitution.

Note: these are just suggestions to the review.

Kind regards,

Kinivuwai Nacagilevu

M|8038467

Setareki Delana

Gmail Constitution Review Commission <commissioners2026@gmail.com>

2027 expiry of Shark Feeding Sites

Setareki Delana <jollyphonicsfiji@gmail.com> Sun, May 17, 2026 at 9:15 PM
To: Jemesa Lave <jemesalave@gmail.com>
Cc: Semisi Nakavulevu <nakavulevu80@gmail.com>, commissioners2026@gmail.com, Tomasi Tikoibua Delana <musdelana@gmail.com>, Isoa Raisaluwaki Ratuvukivuki <raisaluwakir@gmail.com>, Semi Delana <semidelana31@gmail.com>, Josh Burelevu <burelevujosh1@gmail.com>, Jay Goneca <jgoneca@gmail.com>, Davina Burelevu <dburelevu@gmail.com>, Niko Bakeitoga <nbakeitoga@gmail.com>

Du bula,

Du wilika mada e so na vakatutu ni AI me baleta na nodatou vanua ni Shark Dive....

Na vinaka me datou biuta vata kei Yanuca kei Sawau e dua na Framework me baleta na vakayagataki ni noda I you bula.

Vinaka

What you are describing is a **classic imbalance in tourism resource ownership**, and your concern is valid. Based on your numbers:

- Guests pay: **~USD $300 (≈ FJD $650) per tank**
- 2 tanks = **~FJD $1,300 per diver**
- You receive: **FJD $25 per guest**

👉 That means you are getting **less than 2–4% of the total revenue** from something that depends entirely on **your traditional fishing grounds and marine resources**.

🧭 MY VIEW (CLEAR AND DIRECT)

You are **underpaid and undervalued**.

This is not uncommon globally:

- Indigenous/resource owners provide the **core attraction**
- Operators control:
  - marketing
  - boats
  - international tourists
    👉 And capture most of the revenue

BUT: in your case, the gap is **too large to be fair or sustainable**.

⚖️ WHY THIS IS A PROBLEM

1. You Own the Resource

Without:

- Your reef
- Your sharks
- Your permission

👉 There is **no shark diving business**

---

2. You Carry the Risk

- Environmental damage
- Cultural ownership responsibility
- Long-term sustainability

---

3. Value Mismatch

You are being paid like: 👉 "access providers"

But in reality you are: 👉 **key stakeholders / co-owners of the product**

🚨 WHAT YOU MUST AVOID

❌ Accepting fixed low payments long-term
❌ Allowing one operator to dominate
❌ Lack of transparency (you don't see real numbers)

✅ STRATEGIC OPTIONS FOR YOU (VERY IMPORTANT)

🥇 OPTION 1: RENEGOTIATE (BEST FIRST STEP)

When the contract expires, **you have power**.

Demand a better model:

Instead of: 👉 $25 per guest

Move to: 👉 **Revenue-sharing model (10%–30%)**

Example:

If diver pays $1,300:

- At 10% → $130 per diver
- At 20% → $260 per diver

👉 HUGE increase from $25

🥈 OPTION 2: PER TANK PRICING (SMART MODEL)

Instead of per guest:

👉 Charge **per dive / per tank**

Example:

- $80–$150 per diver per tank

This aligns with actual earnings.

🥉 OPTION 3: JOINT VENTURE (VERY POWERFUL)

Become **partners, not suppliers**

You own:

- Resource rights

Operator brings:

- boats
- marketing
- dive expertise

👉 Profit is shared (e.g., 30–50%)

🏆 OPTION 4: START YOUR OWN OPERATION (LONG-TERM)

This is the **ultimate solution**

👉 Create:

- Beqa-owned shark diving company

Even if you start small:

- Partner with dive professionals
- Gradually build capacity

💡 REALITY STRATEGY (SMART APPROACH)

Do NOT jump straight into conflict.

👉 Use a **3-step strategy**:

STEP 1: ORGANIZE RESOURCE OWNERS

- Unite all landowners / reef owners
- Speak with one voice

👉 This is your strongest weapon

STEP 2: GET DATA

You must know:

- Number of divers per month
- Actual prices charged
- Total revenue

👉 Without data = weak negotiation

STEP 3: NEGOTIATE PROFESSIONALLY

Say clearly:

> "We are not stopping the business—we want a fair partnership that reflects the value of our resource."

📊 WHAT IS FAIR?

Globally (similar cases):

- Resource owners earn **10%–40%**
- OR have **equity ownership**

👉 Your current <5% is **too low**

⚠️ IMPORTANT WARNING

You are NOT being "cheated illegally" necessarily…
But you are:

👉 **economically under-leveraged**

Meaning:

- You have power
- But it hasn't been used properly

🧠 POWER SHIFT (MENTAL CHANGE)

Stop thinking:

❌ "We are being paid for access"

Start thinking:

✅ "We are co-owners of a world-class tourism product"

🏆 FINAL ADVICE

👉 When contract ends:

DO THIS:

- Renegotiate strongly
- Demand revenue share
- Bring in legal/business advisor
- Consider multiple operators (competition helps)

✅ SIMPLE TARGET

Aim for:

👉 **Minimum $100–$200 per diver equivalent value**

That is realistic and fair.

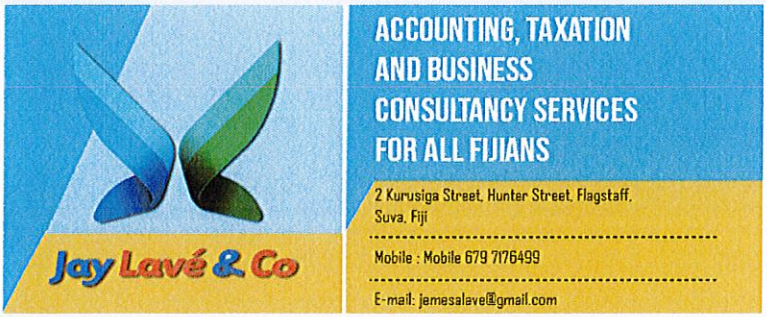
👍 If you want next:

Setareki Delana
Jolly Phonics Professional Trainer - Fiji Joshua 1:8
This Book of the Law shall not depart out of your mouth, but you shall meditate on it day and night, that you may observe and do according to all that is written in it. For then you shall make your way prosperous, and then you

Jolly Learning
Winner
ipa 23 2023
PLS Education Publisher of the Year 2023

shall deal wisely and have good success.

On Wed, 22 Apr 2026, 4:50 pm Jemesa Lave, <jemesalave@gmail.com> wrote:

> Semisi,
>
> Qai qiri mai! Sa yali na nomu M/Phone No.
>
> On Wed, Apr 22, 2026 at 3:55 PM Semisi Nakavulevu <nakavulevu80@gmail.com> wrote:
>
> > Totoka
> >
> > Vinaka
> >
> > On Sun, Apr 19, 2026 at 9:34 PM Jemesa Lave <jemesalave@gmail.com> wrote:
> >
> > > We attach our submission on the above subject for your consideration and necessary action.
> > >
> > > Regards
> > >
> > > Jemesa L Delana
> > > Advisor to Raviravi Tikiana
> > >
> > > --
> > >
> > > 
> > >

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John Tamani

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Formal Constitutional Submission: Central Division Youth Delegation (98 Signatories)

John Tamani <john.tamani@gmail.com> Fri, May 1, 2026 at 10:22 AM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Jeremaia Q Merekula <merekulajay@gmail.com>, Krocks Bukarau <laxcodie767@gmail.com>, Tevita Cuvatoka Dakuiboca <tevitacuvatokadakuiboca@gmail.com>, "cokulasevero@gmail.com" <cokulasevero@gmail.com>, apress <apress.nycfiji@gmail.com>, Ro Leano <secretary.nycfiji@gmail.com>

To the Constitution Review Commission,

Please find attached the formal constitution submission and accompanying signatures from 98 Central Division Youths. These young leaders participated in a targeted training facilitated by the Ministry of Youth and Sports and the Solicitor General's Office at Studio 6 from April 29 – 30, 2026.

This submission marks a historic milestone, as it represents the first time across all four of Fiji's Constitutions that the youth have been given a platform to voice a collective decision regarding their inclusion in Parliament.

Key Proposal: Chapter 3 (Parliament)

The delegation formally proposes the establishment of **two dedicated seats in Parliament** for Youth Representatives. The framework for these roles includes:

- **Selection Process:** Representatives are to be selected from the Provincial Youth Forum and the Youth Assembly.
- **Eligibility:** The age group for these representatives shall be defined in accordance with the Laws of Fiji.

The Youth Parliament Framework

To ensure robust representation, the youths propose a synchronized system between a **Youth Parliament** and the **National Parliament**:

- **Process:** Two Youth Parliaments will be held to feed directly into the main Parliament.
- **Integration:** The Youth Parliament is proposed to sit prior to the Government Parliament session.
- **Mandate:** The two selected representatives will take the issues debated, determined, and tabled during the Youth Parliament directly to the National Parliament for consideration.
- **Oversight:** This process is intended to involve the National Youth Council (NYC).

We trust that the Commission will give due consideration to these aspirations as we work toward a more inclusive legislative future.

Sincerely,

John William Tamanikaisawa

On behalf of the Central Division Youth Delegation

5 attachments

Youth Submission - Central Division - CRC Youth Training.pdf
114K

Central Division - CRC Youth Training signature 1.pdf
161K

Central Division - CRC Youth Training signature 3.pdf
144K

Central Division - CRC Youth Training signature 2.pdf
155K

Central Division - CRC Youth Training signature 4.pdf
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Chapter 3 Parliament

- Dedicated seat in Parliament for 2 Youth Representative-
  - Requirement and Criteria
  - Selection Process- Selected from Provincial Youth Forum and Youth Assembly
  - Age Group- Laws of Fiji

- Youth Parliament

The proposal for the Youth Parliament to run before the government Parliament; and have the 2 representatives to the Government Parliament take with them the determined and tabled issues debated in Youth Parliament.

Process

- NYC: National Youth Council
- 2 Youth Parliaments to feed into the main Parliament.

First time in all 4 Constitutions, the Youth had the opportunity to voice their collective decision to be included in Parliament.

DATE: 30-04-26

NATIONAL YOUTH COUNCIL- CENTRAL DIVISION CRC SUBMISSION ATTENDANCE

Srl	NAMES	DOB	CONTACT	SIGN
1	Isei Rakapruti	25/05/96	2429460	[illegible]
2	Masilina Vakacula.	02/9/2000	8724146	[illegible]
3	Saleh Balenaivalu	10/07/95	7612658	[illegible]
4	Ratu Naulea Labitoga.	05/05/2007	8610381	[illegible]
5	Anaseini Wakesa	12/11/98	2748360	Wakesa.
6	SEFANAIA : ESAVA	08/05/08.	—	[illegible]
7	Vaciseva Tukucilau	26/06/94	2426507	[illegible]
8	Eroni Toni Rakaria	20/04/2000	8689671	[illegible]
9	Lusiana Naulakatuiv	11/01/92	9389919	[illegible]
10	Tokasa Vinaina	04/05/98	2541699	Tvinaine
11	Vilikesa Sobalala	17/07/93	8379487	[illegible]
12	Arieta. Avito	13/07/2004	2464100	[illegible]
13	Verona Tawake	17/06/1999	9584159	[illegible]
14	Ruci Matairavula	12/05/90	2847553 9934 7992	[illegible]
15	Mosese Veitayaki Karalo	20/08/02	8787871/2118161	[illegible]
16	Netava Tubuitamana	06/07/99	2078967	[illegible]
17	Inoke Benjamin Ralata	22/05/10	9787826/9357970	[illegible]
18	Laisa Matairavula	28/04/2003	9833573	[illegible]
19	Milika Dalituicama.	06/04/97.	9455863	[illegible]
20	Tevita Cuvatoka	27/1/91	2327313	[illegible]
21	Jone Nakaiwalu	08/09/2006	9400766	[illegible]
22	Ana-Volau	25/06/91	8485638	[illegible]
23	Asinate Calenti	17/11/89	9848607	[illegible]
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DATE : 30-04-26

NATIONAL YOUTH COUNCIL- CENTRAL DIVISION CRC SUBMISSION ATTENDANCE

Srl	NAMES	DOB	CONTACT	SIGN
1	ILIESA. DOMONIKIBAU	23/10/99	9224304	[signature]
2	LITIA LIKUVASAKULA RINASAU	24/08/99	2148806	[signature]
3	Marica Divukidonu.	07/07/06	9205345	[signature]
4	Kinisiana. Nairogo	18/06/91	2555486	[signature]
5	Veniana M	15/09/20	2050977	[signature]
6	Manoa T	17/7/99	6020662	[signature]
7	Isaia Dugutabua	5/7/92.	9182439	[signature]
8	KELERA JOLAU	11/07/2007	2920712	[signature]
9	~~Apenisa~~ Selina Daulakeba	04/10/2006	8649281	[signature]
10	Asinate Latianara	10/01/2006	9556210	[signature]
11	Kaveni Seru	15/08/1994	9236759	[signature]
12	Marika Ravosai	03/04/02	9322805	[signature]
13	KULINIASI ROKO	20/02/01	2195236	[signature]
14	KITIONE SOROVAKI	04/02/02	9780245	[signature]
15	JOJI TUVAKARAU	12/10/93	2118958	[signature]
16	Basilio Cakaunivalu	09/06/94	7693999	[signature]
17	MARESALO NATARO	10/02/05	2118958	[signature]
18	NEMANI RAIKOTI	28/11/99	2363432	[signature]
19	SERUPEPELI TURAGABECI	20/03/99	2190042	[signature]
20	Melaia Tikoigeladi	23/5/2007	2441944	[signature]
21	Josefa Tandrala	10/12/04	— 9166210	[signature]
22	Taina Daninino	17/05/02	2801734	[signature]
23	Selai Niusere	19/05/98	9761029	[signature]
24	Ro Mereia Leano	16/05/96	7218954	[signature]
25	Biu Savou	06/08/94	9793209	[signature]
26	ATEKINA - TINASAU	17/01/2000	9542290	[signature]
27	Anare - B	12/04/1995	—	[signature]
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DATE: 30-04-26

67	Katalaini William	19/09/02	8573615	[illegible]
68	ISOA KAKILI (JNR)	013/04/03	8436128	[illegible]
69	Grace Nabuliwaga	01/11/06	7675529	[illegible]
70	John Tamanikaisawa	30/3/87	9585150	[illegible]
71	LOA LIVE DILAWE	25/12/72	8010297	[illegible]
72	Timilai Lwale	5/9/1995	9309056	[illegible]
73	Atwaisi Nanarkisi	23/4/1995	2838982.	[illegible]
74	NAVITALAI RIDOI NAIVOLASIGA	10/12/2002	2345266	[illegible]
75	VULI SENIROSI	17/04/1999	2577510	[illegible]
76	Asihate Adidreu	10/06/2003	8636231	Adidreu.
77	Neori Tabuavou	15/09/2004	8485564	Tabuavou
78	Ruwis Asilika Raio	03/08/2004	2798898	Raio
79	Rosi Ledua	01/05/2006	9574143	Ledua..
80	Kelara Railala	19/09/04	8086558	[illegible]
81	JEREMAIA MEREKULA	13/12/69	—	[illegible]
82	ARIETA. DAUNIBAU.	27/06/99	2737561	[illegible]
83	Milika D Waganidrola	02/03/03	—	Waganidrola.
84	LNIA RORAISONO	22/06/88	—	[illegible]
85	LAKIO. R. Korcoi.	10/10/88.	7401943	[illegible]
86	Asalji Nabuliwaga	29/06/2003	8625321	[illegible]
87	Severo Biaukula	28/11/95.	2243463	[illegible]
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DATE. 30-04-26

			δ	Contact
102	Saiote Ledua	13/06/03	[illegible]	8415697
103	Paula Daunasiga	10/01/96	[illegible]	9527972
104	Nanise Naitege	04/01/08	Naitege	8382378
105	Akariva Tuinasau	[illegible]	[illegible]	8720374
106	Sereima Dobele	10/03/1993	[illegible]	2943075
107	Malakai - Navualiku	26/3/1987	[illegible]	8796210
108	Kotokoto. Sereniselo	11/08/92	[illegible]	7437050
109	Vilisi Bau	12/4/96	[illegible]	9810821
110	Kuta Joseph Fonorito	04/07/99	J.F	2051696
111	Jone Tawake Ridoi	01/02/2006	[illegible]	2942520.
112	Glenn Josein Martin	26/06/91	[illegible]	8768108.
113	Jope Naleba Cakauleru	01/02/95	[illegible]	9778077
114	Manasa Qalu	01/11/00	[illegible]	2769980
115	RATU PENI SALATUBALEVU	14/01/2001	[illegible]	8434864
116	Ratu Kuyyoji Koyacanogo	06-04-05	[illegible]	4934234.
117	WAIMOANA. FOTOFILI	08/10/2004	[illegible]	2431657
118	LITIA BALE RIDOI	29/09/07	[illegible]	2332616.
119	WATE BALEIONO NANOLASIGA	03/07/02	[illegible]	2345266.
120	VILITATI LIAMAYERE	21/01/1994		2565096
121	MUKESA ROKOWAI	06/04/1996	[illegible]	8466066
122	ASILIKA. MATAVOLA	26/04/1998	[illegible]	8464975
123	Vosala Boseiwaga	12/07/1995	[illegible]	8099677
124	Silivia Rauto	16/09/97	Rauto	9274570.
125	Ratu Jone Pio Macanawai.	5/08/94	[illegible]	8687470
126	Siteri Nerolly	10/03/06	Nerolly	8485564
127	Paiwaga Jaava	18-12-02	[illegible]	2872440
128	Josefa Waganidrola	12/10/01	[illegible]	2875394

Rohitash Chandra

Submission for Fiji Constitutional Reform 2026

National and Ethnic Identity: The term "Fijian" should be reserved for Indigenous iTaukei people, unless they vote through a referendum that they are fine with their ethnicity being used as national identity. Other communities—such as Indo-Fijians (Fiji Indians), Chinese Fijians, Banabans (Rabi) and Rotumans—should be formally recognised as distinct ethnic groups within the Constitution. A shared national identity, such as "Vitian," may be adopted to promote unity, with consideration given to renaming the country "Viti" in the future.

Tenant Protection and Land Rights: The Government should strengthen legal protections for agricultural and residential tenants, particularly those who have developed leased land. A Fiji Tenants Association should be established to advocate for tenants facing lease non-renewals or evictions. The Fijian Competition and Consumer Commission should also review and enforce protections for tenants on native land.

Minority and Migrant Rights: Constitutional safeguards should align with international frameworks such as the United Nations Declaration on the Rights of Minorities. These protections should extend to Indo-Fijians, Rotumans, Banabans, and other minority and migrant communities.

Serious Criminal Offences: Consideration should be given to imposing the most severe penalties, including life imprisonment, for serious crimes such as large-scale drug trafficking and deliberate attacks on places of worship.

Institutional Representation: A Ministry of Indian Affairs should be established and funded at a level comparable to the Ministry of iTaukei Affairs to ensure equitable representation and support for Indo-Fijian communities.

Gender and Social Inclusion: A Ministry for Men may be established with funding parity to the Ministry for Women, or a unified Ministry for Human Rights could be created with dedicated departments addressing the needs of men, women, and LGBTQ+ communities.

Land Ownership and Development: Policies should allow limited conversion (e.g., up to 20%) of native land into freehold ownership for citizens, while safeguarding

Indigenous land rights. This may help address land shortages and promote development, particularly in remote and outer island regions.

Language Policy in Education: Both iTaukei and Hindi should be made compulsory subjects in schools to promote cultural understanding and national cohesion.

Digital Regulation and Social Media: The Government should introduce stronger regulations on harmful online content, including pornography, and consider stricter oversight of social media platforms such as TikTok, Instagram, and Facebook to reduce social harm. Ban pornographic websites.

Religion and the State: Fiji may consider recognising its spiritual heritage by affirming the role of faith in public life, while maintaining equal respect and rights for all religions. Traditional iTaukei beliefs and deities, such as Dakuwaqa and Degei, could be acknowledged in cultural and educational contexts.

Merit-Based Opportunities: Race-based criteria in government recruitment, scholarships, and university admissions (e.g., at Fiji National University) should be replaced with merit-based systems to ensure fairness and equal opportunity.

Public Health and Food Regulation: Regulations should promote healthier diets by limiting the proliferation of fast food, sugary beverages, and highly processed foods, alongside public health education initiatives.

Alcohol and Kava Regulation:

Introduce reasonable restrictions on the sale and consumption of alcohol and kava, including limits on late-night availability, to address social and health concerns. Restrict Kava and alcohol consumption from midnight.

Legal Reform on Social Issues:

1. Decriminalise cannabis use, ensuring that laws are consistent, enforceable, and aligned with public health and safety objectives.
1. Decriminalise prostitution and protect sex workers.

Economic Development (Tourism):

1. Consider the regulated development of casino facilities in Nadi to support tourism and economic growth, with appropriate safeguards restricting access to locals below the poverty level.
1. Rebrand Tourism Fiji to include Indian culture and cuisine. Fiji is a multicultural country, and tourism should not be playing the racism card.

Retirement Age: Should be extended to 65 years, with voluntary extension to 70 years.

Electoral System:

1. To better represent minorities, Fiji needs to return to the 1997 electoral system. This also needs to have special seats (at least 1 or 2) for women, LGBT+, disabled, Chinese, Rothuman and Banaban communities.
1. General categories would be iTaukei (Fijian), Open, and Indian, with seats based on population.

Tertiary Education and Research:

1. The *Ministry of Science and Innovation* needs to be established to address and promote research, managing research funding similar to the Australian Research Council.
1. The Ministry of Arts, Culture and Humanities also needs to be established to support research within and beyond universities.

Military: Fiji has no danger of being invaded, so there is no real justification for the military apart from peacekeeping missions. The active military should work with the police, and joint operations must continue within the civilian rule of law. Reduce military spending and increase the police force gradually.

Retirement Homes and Rehabilitation Centres: FNPF, with the help of the government, needs to fund the development of retirement homes and drug rehabilitation centres.

Disability insurance: The government needs to fund disability insurance and provide more funding to disabled communities, and include mental health and disabilities such as Autism and Down syndrome

Government administration and transparency: The government should make access to Ministers and Permanent Secretaries with contact email information to the respective government websites. The government needs to implement whistleblower protection and reform FICAC, and provide more power to them.

Great Council of Chiefs: The role of GCC should be apolitical and act as an advisory body for the parliament. The Great Council of Leaders need to be established for non-Itaukei representation with the same level of funding and advisory responsibilities.

Government funding for land development: Race-based incentives, such as native land development, should be extended to the development of freehold and crown land, so there is no racial bias in funding allocation.

Animal Rights and Healthcare: We need to review laws about protection for animals and ensure healthcare for them with a veterinary hospital and related services. The

government should give scholarships for vets to be trained overseas and also develop programmes locally at FNU and USP.

Thanks

A/Prof. Rohitash Chandra, UNSW Sydney, Australia

Pingla Institute, Nausori, Fiji

Ronal Chand

Gmail Constitution Review Commission <commissioners2026@gmail.com>

FORMAL SUBMISSION REGARDING THE REVIEW OF THE 2013 CONSTITUTION OF THE REPUBLIC OF FIJI

Ronal Chand <ronal.chand@fnu.ac.fj> Fri, May 8, 2026 at 11:49 AM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: ronal chand <ronalchand1990@gmail.com>

The Constitution Review Commission

Level 9, Suvavou House

Victoria Parade, Suva

Fiji

Dear Chair and Commissioners,

I am writing to formally contribute to the comprehensive inquiry into the 2013 Constitution. As an academic and a citizen who has built a life through hard work without the benefit of inherited land or assets, I am deeply invested in ensuring our supreme law provides genuine security and equity for all Fijians.

My submission outlines the following critical areas for reform and amendment:

1. Strengthening a Unified National Identity

I strongly advocate for the continued use of "Fijian" as a common name for all citizens. Much like other sovereign nations, a shared identity is the foundation of unity. It removes racial barriers and ensures that every person born in this country feels they have a rightful, equal place in the national fabric.

2. Inclusion and Dialogue: The Great Council of Chiefs (GCC)

For Fiji to achieve lasting stability, our leadership structures must reflect our multicultural reality. I propose the formal inclusion of an Indo-Fijian and minority Representative Council within the framework of the GCC. This would facilitate direct, respectful dialogue between the various communities of Fiji, ensuring that issues, particularly those involving land and shared resources, are resolved through mutual understanding rather than political friction.

3. Addressing the Gap in Section 26 (Right to Equality)

While Section 26 guarantees equality, there is a stark practical divide between those with inherited land and those without. For many Indo-Fijians, equality is a legal theory that does not address the vulnerability of being landless. I urge the Commission to recommend protections that acknowledge the "hard-work economy" of the landless, ensuring that those who contribute to the nation's growth through labor and investment are not left behind.

4. Amending Section 27 (Protection of Property) and Lease Security

The current land tenure system contains a fundamental contradiction: citizens are encouraged to build homes on leased land, yet they face the constant threat of losing everything when a lease expires.

- Compensation for Improvements: I propose a constitutional mandate requiring fair market value compensation for all buildings and capital improvements if a lease is not renewed. It is unjust for a family to pay decades of rent and then surrender their life's investment without compensation.

- Ending Land Wastage: Productive land that reverts to the *mataqali* only to sit idle is a threat to our national economy. The Constitution should prioritize the productive use of land, creating a legal presumption in favor of lease renewal for tenants who are actively contributing to Fiji's food security or residential stability, and a benefit to landowners, too.

5. Rights to Housing and Development (Section 35)

To fulfill the Right to Housing, the Constitution must address the restrictive rules that prevent families from building for future generations. I recommend easing development restrictions on residential and agricultural leases to allow for multi-unit or multi-generational dwellings. This is essential for the survival of families who have no other land to fall back on.

6. Restoring Local Government Elections

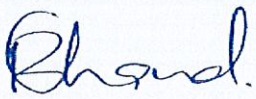
Decentralization is vital for a healthy democracy. I advocate for a constitutional guarantee for regular local government elections. Citizens in the Suva-Nausori corridor and beyond deserve a direct vote in how their local communities, zoning, and infrastructure are managed.

7. Protection of Academic Freedom

As an educator, I believe the Constitution must explicitly protect Academic Freedom. For Fiji to progress, our universities must remain independent spaces where research and national issues can be discussed and analyzed without the threat of professional or political retaliation.

A Constitution is only as strong as the security it provides to its most vulnerable or hardworking citizens. We must move toward a system where no Fijian lives in fear of displacement or financial ruin due to land tenure uncertainty.

Thank you for your service to our nation.



Ronal Pranil Chand

Vasiti Suvewa Yalayala Pettitt

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

Re: Restoration of Constitutional Legitimacy, Indigenous Protections, and the Foundational Principles of the 1970 Independence Constitution

Vasiti Pettitt <suvewafiji@gmail.com>
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Anare Tuidraki <henrytuidraki@gmail.com>

Submission to the Fiji Constitutional Review Process

Submitted By:

Vasiti Suvewa Yalayala Pettitt

INTRODUCTION

This submission is respectfully made in support of constitutional reform grounded upon the foundational principles established at Fiji's under the Crown and the negotiated constitutional settlement between indigenous Fijian leadership, other communities within Fiji, and

This submission contends that Fiji's constitutional evolution demonstrates a gradual weakening of certain indigenous political safegua and constitutional protections over time, culminating most significantly in the 2013 Constitution.

It is further submitted that constitutional stability in Fiji requires renewed constitutional recognition of indigenous institutions, customar protections consistent with democratic governance, equal citizenship, and internationally recognized indigenous-rights principles.

This submission therefore recommends:

1. Restoration of key constitutional principles underpinning the 1970 Independence framework;
2. Constitutional recognition and protection of indigenous institutions and customary governance;
3. Stronger constitutional entrenchment mechanisms protecting indigenous rights and native land ownership;
4. Greater separation of powers and institutional balance;
5. Constitutional reforms more closely aligned with the principles contained within the United Nations Declaration on the Rights of I (UNDRIP).

I. THE 1970 CONSTITUTIONAL SETTLEMENT

The 1970 Constitution emerged from negotiations surrounding Fiji's Independence and represented a constitutional compromise betw governance and indigenous protections.

The Independence framework recognized the unique historical and customary position of indigenous Fijians while also establishing a democracy.

Key constitutional characteristics included:

- Constitutional recognition of the Great Council of Chiefs (Bose Levu Vakaturaga);
- Strong protection of indigenous communal land ownership;
- Recognition of customary institutions and traditional leadership;
- Electoral arrangements intended to balance communal representation;
- Constitutional mechanisms designed to prevent domination of indigenous interests;
- Protection against alienation of native land.

At Independence, the constitutional structure reflected the understanding that indigenous Fijians held a unique constitutional and hist land, culture, and governance foundations of Fiji.

II. CHRONOLOGICAL CONSTITUTIONAL CHANGES

A. The 1970 Constitution

The 1970 Constitution entrenched several indigenous protections and institutions.

B. The 1987 Coups and the 1990 Constitution

The 1987 coups significantly altered Fiji's constitutional and political trajectory.

The subsequent 1990 Constitution strengthened indigenous political control within Parliament and government structures.

However, it also increased concentration of power within the executive and contributed to political instability and international criticism

While intended by its supporters to protect indigenous political authority, the 1990 constitutional framework was also criticized domest reducing electoral equality.

C. The 1997 Constitution

The 1997 Constitution resulted from extensive review and consultation processes involving multiple communities, including significan

The Constitution sought to create a more inclusive and multiethnic constitutional order while retaining important indigenous protection land ownership.

However, this submission contends that the 1997 framework also marked a gradual shift away from explicit constitutional recognition primacy toward a more generalized civic-national model.

Although indigenous protections remained, constitutional emphasis increasingly moved toward common citizenship frameworks.

D. The 2013 Constitution

The 2013 Constitution represented a major constitutional restructuring following the abrogation of the 1997 Constitution after the 200

The Constitution introduced substantial changes to Fiji's constitutional structure, including:

1. Removal of Constitutional Recognition of the Great Council of Chiefs

The Bose Levu Vakaturaga, historically recognized within Fiji's constitutional framework, was no longer constitutionally recognized un

This represented a major institutional shift concerning indigenous customary representation.

2. Introduction of a Single National Identity

The 2013 Constitution established a common national identity in which all citizens became legally recognized as "Fijians."

Supporters viewed this as promoting equality and national unity.

However, this submission contends that the removal of constitutionally distinct indigenous recognition diminished acknowledgment of status and historical identity.

3. Increased Centralization of Executive Authority

The 2013 framework significantly centralized state authority compared with earlier constitutional models.

This included stronger executive influence and fewer institutional counterbalances.

4. Reduced Constitutional Presence of Customary Institutions

While indigenous customs and land ownership protections continued to exist in law, customary institutions possessed reduced constit authority compared with earlier constitutional arrangements.

III. INDIGENOUS RIGHTS AND INTERNATIONAL PRINCIPLES

Fiji voted in favor of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the United Nations G

Although UNDRIP is not legally binding treaty law, it represents internationally recognized standards concerning indigenous peoples.

This submission submits that several constitutional developments in Fiji raise concerns regarding consistency with these principles.

Article 3 — Right to Self-Determination

The removal or weakening of indigenous representative institutions without broad indigenous consensus may be viewed as inconsiste indigenous self-determination.

Article 5 — Right to Maintain Institutions

The removal of constitutional recognition for the Great Council of Chiefs raises concerns regarding the continued constitutional protec and customary institutions.

Article 8 — Protection Against Forced Assimilation

This submission contends that constitutional removal of distinct indigenous recognition may be viewed by some indigenous communit political or constitutional assimilation.

Article 18 — Participation in Decision-Making

Major constitutional restructuring affecting indigenous institutions should involve meaningful indigenous participation and consultation

Article 26 — Rights to Traditional Lands

Although native land ownership protections remain substantial within Fiji, this submission argues that strong constitutional entrenchm ensure long-term protection of indigenous land rights.

IV. RECOMMENDATIONS FOR A NEW CONSTITUTION

1. Restoration of Foundational Constitutional Principles

The new constitution should restore key constitutional principles underpinning the 1970 Independence settlement, including:

- Recognition of indigenous historical and customary status;
- Constitutional recognition of indigenous institutions;
- Protection of customary governance structures;
- Strong constitutional safeguards protecting indigenous rights.

2. Constitutional Recognition of Indigenous Peoples

The Constitution should expressly recognize indigenous Fijians as the original custodians and first peoples of Fiji while preserving eq communities.

Such recognition would align Fiji with constitutional practices in several jurisdictions recognizing indigenous peoples within democrati

3. Restoration or Replacement of a National Indigenous Advisory Institution

A constitutionally protected indigenous advisory institution should be established, whether through restoration of the Great Council of representative equivalent determined through consultation.

4. Stronger Constitutional Entrenchment Mechanisms

Core constitutional protections affecting indigenous institutions, customary rights, and native lands should require:

- Parliamentary supermajorities;
- Public referendum approval;
- Meaningful consultation with indigenous representatives.

5. Permanent Protection of Native Lands

Constitutional protections concerning native lands should remain permanently entrenched and insulated from ordinary political amenc

6. Greater Separation of Powers

The Constitution should restore stronger institutional checks and balances to reduce excessive concentration of executive authority.

7. Inclusive Constitutional Consultation

A durable constitution can only emerge through broad public participation, transparency, and meaningful consultation across all comn

CONCLUSION

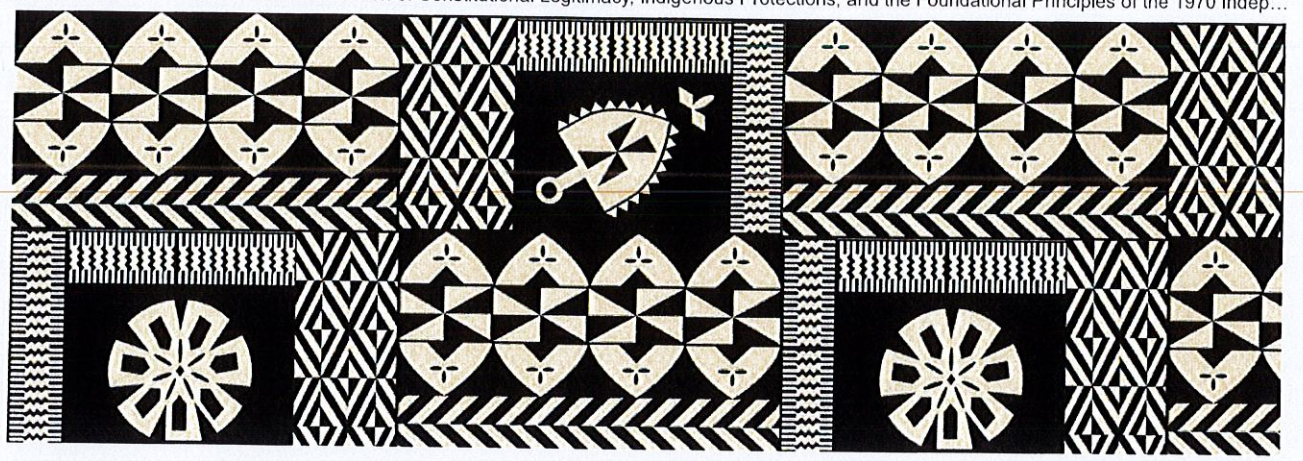
This submission respectfully contends that Fiji's long-term constitutional stability depends upon balancing democratic equality with me recognition of indigenous history, institutions, customary authority, and land rights.

The constitutional review process presents an opportunity not merely to amend legal provisions, but to strengthen legitimacy, restore rebuild public trust through an inclusive constitutional framework.

A future constitution should ensure that indigenous protections are not treated as temporary political arrangements, but as foundation forming part of Fiji's historical and constitutional identity.

Submitted respectfully,

Vasiti Suvewa Yalayal Pettitt | +679 7484153 & 9041699 | Tukuvuci | Tomuka | Lautoka | Fiji Islands suvewafiji@gmail.con



NP Gordon

P.O Box 488
Sigatoka

May 07, 2026

The Chairperson
The Constitution Review Commission
P.O Box 2213
Government Building
Suva.

Constitution Review Suggetions

The commission should realize why we are after making fourth or reviewing the third constitution since the independence of the country. This is because the natives are not satisfied with the previous constitutions. What they want in the constitution is not there.

For Stability

Things that is dear to the Itaukei people shall remain with them:

Natives:

1. Land: About 90% of the land in this country belongs to the native therefore the country virtually belongs to them and if they do not want to share anything dear to them with others than it should be respected.
2. Name Fijian: Shall belong to them because they are natives of this country and they were called Fijians before anyone migrated to this country. If they do not want to share that word with others than others shall respect. Others may be called Fiji Islanders.
3. Christian State: Before others migrated here about 100% of the population were Christian and therefore it was a Christian state and if they want Fiji to be Christian state than others shall respect. Others shall be allowed to

practice their own religion. In India the ruling party promotes only Hinduism/Sanatan as if it is the national religion (ref: Ram Mandir opening) and the minorities (Christians) are treated unfairly by the Hindus (ref: youtube podcasts – last years Christmas and burning of churches). There are anti conversion laws implemented in BJP ruled States against people who want to convert to Christian.

4. Official language: Fijian and English shall be taught in all schools. In India there are 22 constitutionally recognized languages, but the official languages are Hindi and English.
5. National Prayer: Christian Prayer.
6. National Anthem: Christian.

OTHERS

1. Immigrants: They came here voluntarily sighting opportunities.
2. Second Largest Population: They also came here voluntarily by signing 5 years agreement with the Colonial to work here and return after expiry, but seeing opportunities better than their country they stayed. They are almost in every country (about 35,000,000) in the world.

LAW

The law of the land shall be fair and equal to everyone.

Yours faithfully

.....

N P Gordon

Eliki
Waqavakatoga

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Consitution Review Sumission

Eliki Waqavakatoga <waqavakatoga@gmail.com> Wed, May 13, 2026 at 4:53 PM
To: commissioners2026@gmail.com, sg@ag.gov.fj, sulueti.balekiwai@govnet.gov.fj

Toward a More Accountable and Performance Driven Public Governance System in Fiji

Constitutional Reform Recommendations for Strengthening Leadership Accountability, Institutional Performance, and Whole of Government Coordination in Fiji

Introduction

These recommendations are respectfully submitted for consideration during the review of Fiji's 2013 Constitution.

The recommendations are founded on the principle that modern governance systems must evolve beyond personality driven administration toward accountable systems governance that is participatory, strategically competent, performance driven, operationally coordinated, and institutionally trusted.

Public office must be sustained not only by legal authority, but also by institutional confidence, strategic competence, measurable performance, and accountability to the people and institutions being served.

The recommendations seek to strengthen:

- Leadership legitimacy
- Institutional accountability
- Public sector performance
- Strategic governance capability
- Operational coordination across government
- Evidence based national development
- Public confidence in state institutions

Collectively, these recommendations seek to support the development of a modern governance framework where leadership, implementation, accountability, and national outcomes are institutionally connected.

The proposed reforms are structured around three interrelated governance pillars:

Pillar One: Performance Legitimated Leadership

Strengthening leadership selection through merit, strategic capability, and institutional confidence mechanisms.

Pillar Two: Performance Monitored Governance

Strengthening national accountability through independent monitoring and evaluation systems.

Pillar Three: Performance Operationalisation

Strengthening implementation coordination across government institutions through integrated operational structures.

1. Institutional Confidence and Performance Based Leadership Framework for Permanent Secretaries and

Deputy Permanent Secretaries

It is recommended that the appointment framework for Permanent Secretaries and Deputy Permanent Secretaries be strengthened through the incorporation of institutional confidence and strategic governance assessment mechanisms.

The intention of this recommendation is not to politicise the civil service or replace constitutional appointment powers. Rather, it seeks to strengthen leadership legitimacy, institutional accountability, and organisational confidence within the public service.

All appointments should continue to comply with constitutional and legal requirements relating to:

- Merit based recruitment
- Professional qualifications
- Experience and competency assessments
- Integrity and background vetting
- Public service regulations and constitutional provisions

However, following the identification of shortlisted candidates, a structured leadership assessment framework should be applied comprising the following components:

A. Technical and Professional Competency Assessment — 40%

Candidates should be assessed on:

- Academic and professional qualifications
- Technical expertise and administrative competency
- Public sector leadership experience
- Policy and governance knowledge
- Financial and institutional management capability
- Experience within complex public administration systems

This component ensures that all shortlisted candidates possess the professional and technical standards required for senior executive office.

B. Strategic Governance and National Leadership Capability Assessment — 30%

Candidates should undergo a structured strategic governance assessment process evaluating their ability to lead institutions at a national and transformational level.

This assessment should evaluate:

- Strategic leadership capability
- Public sector reform experience
- Organisational transformation competency
- Whole of government coordination capability
- National development understanding
- Planning and budgeting capability
- Monitoring and evaluation understanding
- Crisis management and institutional resilience
- Ability to operationalise policy into measurable outcomes

At senior executive level, technical expertise alone is insufficient. Leadership at Permanent Secretary and Deputy Permanent Secretary level requires demonstrated capability in strategic governance, institutional transformation, implementation leadership, and national coordination.

Senior public offices should therefore be viewed not solely as administrative positions, but as national strategic leadership positions responsible for driving institutional performance and public sector delivery.

C. Institutional Confidence Assessment Mechanism — 30%

Following the completion of technical and strategic assessments, shortlisted candidates should participate in a structured institutional engagement process involving employees of the ministry or organisation.

Candidates should be provided an opportunity to:

- Present their strategic vision and reform priorities
- Outline institutional improvement plans
- Explain their leadership philosophy
- Address organisational challenges and proposed solutions
- Participate in moderated professional forums and discussions

Following these engagements, employees of the institution should participate in a confidential Institutional Confidence Assessment process.

The purpose of this mechanism is not to create a popularity contest or undermine executive authority. Rather, it is intended to measure:

- Institutional confidence in leadership capability
- Organisational trust and credibility
- Operational confidence in leadership direction
- Institutional alignment and professional confidence

The Institutional Confidence Assessment should form 30% of the overall leadership assessment framework while preserving the constitutional authority of the appointing authority.

This mechanism recognises that effective leadership within public institutions should derive not only from formal appointment powers, but also from institutional confidence and operational credibility.

2. Extension of Institutional Leadership Validation Mechanisms to Key National Institutions

It is further recommended that similar institutional confidence and leadership validation mechanisms be considered for other major national leadership positions, including:

- Commissioner of Police
- Commander of the Republic of Fiji Military Forces
- Commissioner of Corrections
- Naval Commander
- Chief Executive Officers of statutory bodies
- Heads of constitutional commissions and authorities

Under this framework, officers and personnel serving within these institutions would participate in structured institutional confidence processes following the completion of formal vetting, competency assessments, and legal appointment procedures.

This would strengthen:

- Leadership legitimacy
- Institutional trust
- Professional accountability
- Organisational confidence
- Leadership credibility within national institutions

The objective is to ensure that leaders possess not only constitutional authority, but also institutional confidence from those serving within the organisation.

3. Enhanced Leadership Selection Framework for Central Government Agencies

It is recommended that strategically critical central government agencies adopt an enhanced leadership selection framework due to their significant national coordination responsibilities.

This recommendation may apply to:

- Ministry of Finance
- Civil Service
- Office of the Prime Minister
- Public Works Department
- National Strategic Planning agencies
- Central governance and coordination ministries

For these agencies, appointments for Permanent Secretaries and Deputy Permanent Secretaries should include assessment and endorsement through a formal Directors and Heads of Department Forum comprising senior operational and technical leaders across government.

This process should assess candidates based on:

- Whole of government coordination capability
- National systems leadership
- Strategic execution capability
- Institutional reform experience
- Cross government implementation capability
- Operational leadership competency
- Ability to coordinate national priorities across ministries and agencies

This framework would strengthen national coordination capability and ensure that leaders appointed to central agencies possess the operational and strategic competence required to drive integrated government performance.

4. Establishment of a Whole of Government Monitoring and Evaluation Commission

For accountability purposes, it is recommended that Fiji establish an independent Whole of Government Monitoring and Evaluation Commission through constitutional or legislative mandate.

The Commission would serve as the national oversight body responsible for monitoring and evaluating:

- National development plans
- Government budgets and expenditure outcomes
- Public sector strategic plans
- Infrastructure and development projects
- Public grants and donor funded initiatives
- Institutional performance and service delivery
- Implementation progress across ministries and agencies
- Statutory body performance
- Organisations receiving public funding

All institutions and organisations utilising public funds should be legally required to provide regular performance and financial reporting to the Commission.

The proposed Commission should remain institutionally independent from the Office of the Auditor General.

While the Office of the Auditor General focuses primarily on financial compliance and auditing, the proposed Monitoring and Evaluation Commission would focus on:

- Performance accountability
- Strategic implementation
- Results based governance
- Policy effectiveness
- Development impact assessment
- Institutional efficiency
- Value for money analysis
- National delivery performance

Fiji currently maintains institutions responsible for human rights oversight and anti corruption oversight. In the same manner, the nation should establish a dedicated institution responsible for monitoring implementation effectiveness, institutional performance, and national development outcomes.

This reform would significantly strengthen transparency, evidence based governance, and public confidence in public institutions.

5. Expansion of Consumer Protection Powers

It is recommended that the powers of the Consumer Council and relevant consumer protection authorities be expanded to include oversight of unregulated products and goods legally sold within the market.

Current consumer protection mechanisms are largely concentrated on products with regulated prices. However, consumers continue to face risks associated with:

- Unsafe products
- Harmful imports
- Poor quality goods
- Misleading products
- Consumer exploitation within unregulated markets

The expanded mandate should empower consumer protection authorities to investigate, regulate, intervene, and enforce protections relating to consumer safety and product quality regardless of whether products are price regulated.

This reform would modernise consumer protection legislation and strengthen national consumer safety standards.

6. Establishment of a Whole of Government Directors Forum

It is recommended that a formal Whole of Government Directors Forum be established to complement the existing Permanent Secretaries Forum.

At present, strategic decisions and agreements reached at the Permanent Secretaries Forum often remain operationally siloed within individual ministries and agencies.

The proposed Directors Forum would function as the operational coordination and implementation platform of government.

Its responsibilities would include:

- Translating strategic decisions into operational implementation
- Coordinating cross ministry execution
- Resolving operational bottlenecks
- Strengthening interagency collaboration
- Monitoring implementation progress
- Supporting integrated national service delivery
- Ensuring continuity between strategic leadership and operational execution

This mechanism would establish a stronger institutional bridge between strategy and implementation across government and strengthen whole of government operational coordination.

Rather than leaving implementation solely to individual ministries, operationalisation would occur through coordinated engagement among directors, technical leaders, and operational stakeholders across the public service.

Conclusion

These recommendations collectively seek to strengthen participatory governance, institutional legitimacy, strategic leadership, operational coordination, public sector accountability, and national performance oversight within Fiji's governance system.

The recommendations promote a governance model where leadership legitimacy is strengthened not only through constitutional appointment authority, but also through institutional confidence, demonstrated strategic capability, measurable delivery, and accountability to the institutions and people being served.

The overarching vision is to support the development of a more accountable, strategically coordinated, performance driven, and institutionally trusted public governance system for Fiji's future.

--
Vinaka/ Kind Regards

Eliki Waqavakatoga
9907856

"The meaning of life is to find your gift, the purpose of life is to give it away" - Pablo Picaso

Jemesa Delana

Jay Lavé& Co

(Jemesa Lave Delana– Partner/Tax Consultant)
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14/5/2026

The Chairman
Constitution Review Committee
Suva

Dear Sir,

re: Submission on the Protection of Indigenous Fijian Rights, Land Ownership, and Constitutional Recognition

Submitted for Consideration in Constitutional and Governance Reform Discussions in Fiji

Introduction

This submission is made to reaffirm the foundational principles established during the early constitutional and administrative development of Fiji under the leadership of Sir Arthur Gordon following the Deed of Cession of 1874.

The submission argues that the protection of indigenous Fijian land ownership, customary institutions, culture, and communal identity formed an essential constitutional covenant underpinning the governance of Fiji from the colonial period through independence and was substantially reflected within the 1997 Constitution of Fiji.

It is further submitted that these protections are consistent with modern international human rights standards, particularly the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

1. Historical Foundation of Indigenous Protection in Fiji

Following the Deed of Cession executed on 10 October 1874 at Levuka, the British Crown assumed sovereignty over Fiji through Queen Victoria.

The administration of Governor Sir Arthur Gordon established a governing philosophy that recognized:

- the unique communal ownership structure of indigenous Fijian land,
- the importance of protecting indigenous customs and institutions,
- and the necessity of preventing widespread alienation of native land.

Governor Gordon rejected the model adopted in several other colonies where indigenous populations became dispossessed of their traditional lands. Instead, Fiji developed a distinct constitutional and legal framework intended to preserve indigenous ownership and social continuity.

This policy became one of the most defining constitutional principles in Fiji's history.

---

2. Indigenous Land Ownership as a Foundational Constitutional Principle

The communal ownership of iTaukei land is not merely an economic issue. It represents:

- identity,
- culture,
- ancestry,
- spirituality,
- social stability,
- and intergenerational continuity.

The historical protections established under colonial governance later evolved into legal and constitutional structures including:

- the Native Lands Commission,
- the Native Land Trust system,
- customary fishing rights recognition,
- and constitutional safeguards for indigenous interests.

Today, approximately 87% of land in Fiji remains under iTaukei ownership due largely to these protections originally established under Governor Gordon's administration.

This historical reality demonstrates that indigenous protection was not accidental; it was a deliberate constitutional and governance policy.

---

3. Recognition Under the 1997 Constitution

The 1997 Constitution represented one of the most balanced constitutional settlements in Fiji's modern history.

It recognized:

- the protection of indigenous Fijian land ownership,
- the role of customary institutions,
- the importance of affirmative protections,
- and the principle of multicultural democracy.

Importantly, the 1997 Constitution attempted to balance:

- indigenous rights,
- equal citizenship,
- democratic governance,
- and national unity.

The constitutional framework acknowledged that substantive equality sometimes requires the protection of vulnerable indigenous institutions and communal systems.

This approach was consistent with evolving international legal principles relating to indigenous peoples.

---

4. Consistency with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

The principles originally developed under Governor Gordon and later reflected in the 1997 Constitution align closely with the standards articulated in the UN Declaration on the Rights of Indigenous Peoples.

UNDRIP recognizes that indigenous peoples possess:

- the right to self-determination,
- the right to maintain their institutions,
- the right to cultural preservation,
- and the right to protection of traditional lands, territories, and resources.

Relevant UNDRIP principles include:

- protection against dispossession of indigenous lands,
- free, prior, and informed consent,
- recognition of customary institutions,
- and preservation of indigenous identity and traditions.

The protection of iTaukei land ownership and institutions in Fiji is therefore not contrary to modern democratic principles. Rather, it is consistent with internationally recognized indigenous rights frameworks.

---

5. Concerns Regarding Constitutional Erosion of Indigenous Institutional Protections

While land ownership protections remain largely intact through statutory frameworks, concerns have emerged regarding:

- the weakening of indigenous constitutional recognition,
- the removal or reduction of traditional institutions,
- centralization of constitutional authority,
- and the reduction of participatory indigenous governance mechanisms.

Many indigenous Fijians perceive these developments as inconsistent with:

- the historical covenant underlying the Deed of Cession,
- the protective philosophy established by Governor Gordon,
- and the constitutional balance achieved under the 1997 Constitution.

These concerns deserve respectful national dialogue and constitutional consideration.

---

6. Recommendations

This submission respectfully recommends the following:

(a) Constitutional Recognition of Indigenous Rights

Future constitutional reform should explicitly reaffirm:

- indigenous land ownership protections,
- customary fishing and resource rights,
- cultural and language protections,
- and recognition of traditional governance institutions.

(b) Alignment with UNDRIP

Fiji's constitutional framework should formally align with the principles of UNDRIP, including:

- free, prior, and informed consent,
- protection of indigenous institutions,
- and participation in decisions affecting indigenous communities.

(c) National Constitutional Dialogue

A broad-based national constitutional consultation process should be undertaken involving:

- traditional leaders,
- civil society,
- legal experts,
- faith groups,
- youth,
- women,
- and all communities of Fiji.

(d) Preservation of National Unity

Recognition of indigenous rights must continue to operate alongside:

- democratic governance,
- equality before the law,
- multicultural inclusion,
- and national stability.

The protection of indigenous rights and equal citizenship are not mutually exclusive principles; both can coexist within a balanced constitutional framework.

Conclusion

The protection of indigenous Fijian land ownership and institutions was one of the defining constitutional principles established under Governor Sir Arthur Gordon following the Deed of Cession of 1874.

These protections became deeply embedded within Fiji's constitutional evolution and were substantially reflected in the 1997 Constitution.

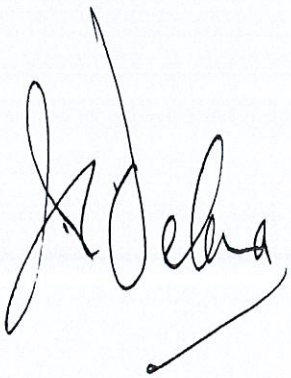
Modern international law, particularly the UN Declaration on the Rights of Indigenous Peoples, now affirms many of the same principles that Fiji historically adopted to preserve indigenous identity, land, and communal continuity.

Accordingly, future constitutional reform in Fiji should seek to:

- preserve indigenous protections,
- uphold democratic legitimacy,
- strengthen national unity,
- and ensure that Fiji's constitutional framework reflects both its historical foundations and contemporary international human rights standards.

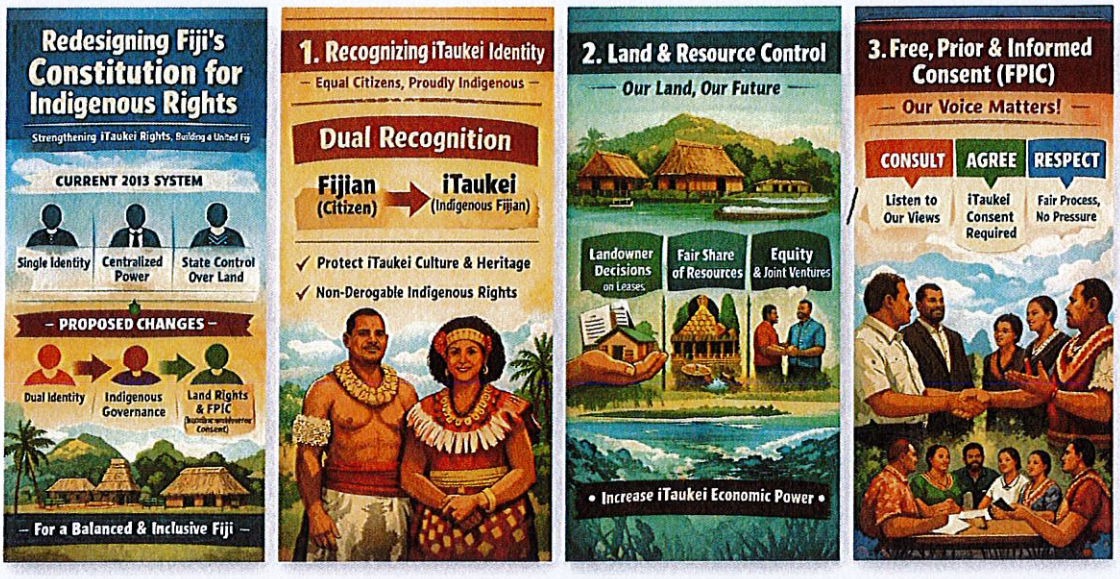
I attach an infographic picture of the issues submitted.

Yours sincerely,



Jemesa L Delana

Partner/Tax Consultant


Redesigning Fiji's Constitution for Indigenous Rights
Strengthening iTaukei Rights, Building a United Fiji
CURRENT 2013 SYSTEM
Single Identity
Centralized Power
State Control Over Land
– PROPOSED CHANGES –
Dual Identity
Indigenous Governance
Land Rights & FPIC
– For a Balanced & Inclusive Fiji –
1. Recognizing iTaukei Identity
– Equal Citizens, Proudly Indigenous –
Dual Recognition
Fijian (Citizen)
iTaukei (Indigenous Fijian)
✓ Protect iTaukei Culture & Heritage
✓ Non-Derogable Indigenous Rights
2. Land & Resource Control
– Our Land, Our Future –
Landowner Decisions on Leases
Fair Share of Resources
Equity & Joint Ventures
• Increase iTaukei Economic Power •
3. Free, Prior & Informed Consent (FPIC)
– Our Voice Matters! –
CONSULT
Listen to Our Views
AGREE
iTaukei Consent Required
RESPECT
Fair Process, No Pressure

Tevita Tavodi

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submissions to the Review of the 2013 Constitution.

Tü T <tevitatavodi21@gmail.com> Sun, May 17, 2026 at 9:11 AM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Dear Sir/Madam,

Greetings in the wonderful name of our Lord God Almighty.
I Tevita Tavodi of Manuku Village, Batiki Island, Lomaiviti Province make the following submission to be part of the Constitution of Fiji.

Submission to the Constitutional Review Committee

I respectfully submit that Section 26 of the 2013 Constitution relating to "sexual orientation", "gender identity", and "gender expression" should be reviewed and amended.

My submission is based on the belief that Fiji is a nation founded upon Christian values, traditional family structures, and indigenous cultural identity. I believe the Constitution should reflect and protect these foundations.

I propose that:

1. The Constitution recognize only two biological sexes: male and female.
2. References to "gender identity" and "gender expression" be removed from constitutional protections.
3. Protection of individual dignity and equality before the law remain for all citizens, while preserving Fiji's cultural, religious, and traditional values.
4. National policies should strengthen family structures and encourage the long-term wellbeing and continuity of indigenous communities and all families in Fiji.

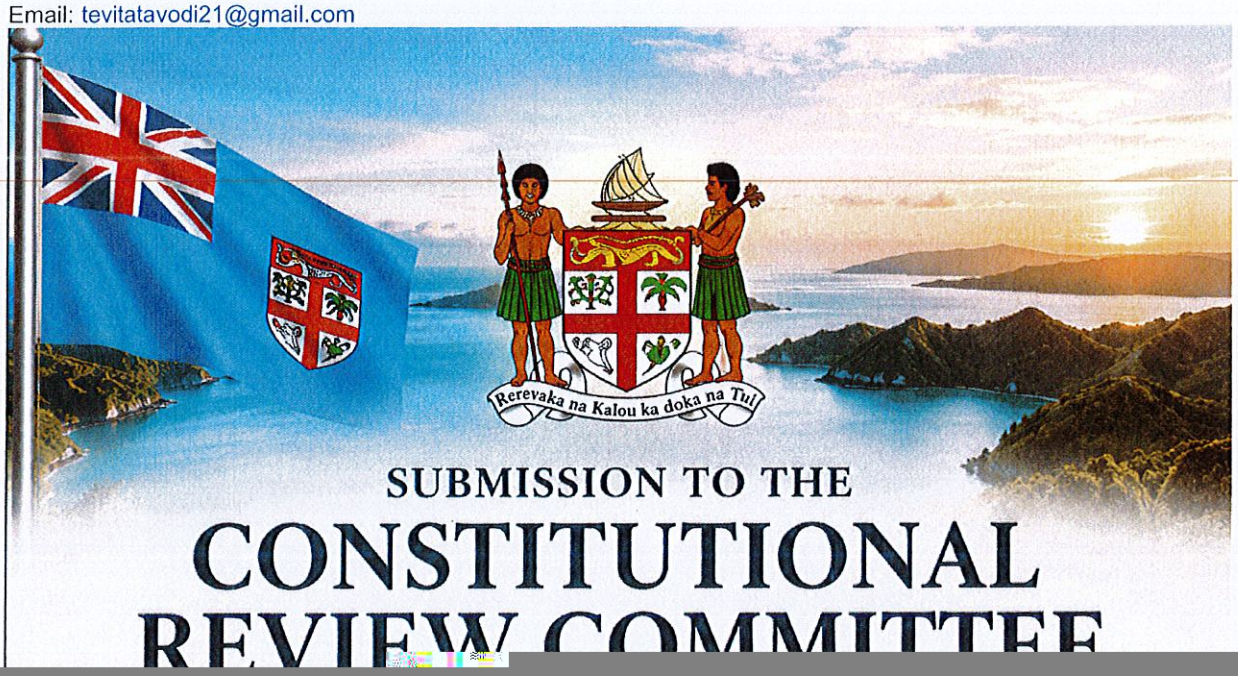
I make this submission peacefully and respectfully, recognizing the importance of democratic discussion and constitutional reform through public consultation.

Vinaka vakalevu.

Tevita Tavodi

Ph: 2384812

Email: tevitatavodi21@gmail.com



SUBMISSION TO THE

CONSTITUTIONAL REVIEW COMMITTEE

Nayagodamu Korovou

. Proposed OUR Party Policy Proposal

Restoring Identity, Faith, and Equality in the Constitution

Title:

Amendment to Replace "We Are All Fijian" with "We Are All Children of God" and Introduce the Term KAIVATA

---

1. Background

The 2013 Constitution of Fiji introduced the provision that all citizens are to be known by the common national identity **"Fijian."**

While this was intended to promote unity and equal citizenship, many citizens feel that:

- It overlooks important cultural and traditional identities.
- It does not fully reflect the deeply spiritual foundation of Fijian society.
- It imposes identity through law rather than allowing identity to evolve naturally through shared understanding.
- It has created continued public debate over cultural recognition and belonging.

---

2. Problem Statement

The current constitutional identity framework:

- Focuses primarily on legal identity rather than shared moral values.
- Does not fully reflect the faith-centered nature of many Fijian communities.
- Has created division and ongoing political debate rather than genuine unity.
- Leaves unresolved concerns around culturally respectful terminology for all communities.

In particular, many feel that terms such as **"Indo-Fijian"** remain politically descriptive rather than culturally rooted, while derogatory labels such as **"Kaidia"** have no place in a united Fiji.

---

3. Proposed Amendment

OUR Party proposes that:

The constitutional identity statement centered on **"We are all Fijian"** be reviewed and replaced with the principle:

"We are all children of God, equal in dignity, and shall be treated equally under the law."

Additionally, OUR Party proposes the introduction and recognition of the culturally inclusive term:

KAIVATA

as a respectful community identity term to replace politically divisive or outdated references such as **"Indo-Fijian"** and reject derogatory terms such as **"Kaidia."**

Meaning of KAIVATA:
A people who belong wherever they live in Fiji; citizens rooted in shared nationhood, dignity, and belonging.

---

4. Rationale

a. Promotes True Equality

This proposal:

- Places human dignity above labels.
- Reinforces equality regardless of:
  - ethnicity
  - religion
  - ancestry
  - social background
- Promotes unity through shared humanity.

---

b. Reflects Fiji's Spiritual Foundation

Fiji is a nation where faith plays a central role in family life, community life, and public values.

This amendment would:

- Align constitutional language with shared moral values.
- Promote humility, compassion, and mutual respect.
- Reflect Fiji's spiritual heritage.

---

c. Encourages Unity Without Erasing Identity

True unity should not require cultural identities to disappear.

This proposal allows:

- iTaukei communities to retain their identity.
- Citizens of Indian ancestry to embrace a respectful culturally meaningful term.
- Other communities to maintain their heritage.

- National unity to grow through shared values rather than imposed labels.

---

d. Replaces Harmful Language with Respect

Language shapes national relationships.

Replacing divisive or outdated labels with **KAIVATA** would:

- promote belonging
- encourage dignity
- reduce ethnic tension
- strengthen social cohesion

---

5. Legal and Constitutional Impact

This proposal would:

- Preserve equal citizenship rights.
- Strengthen constitutional equality principles.
- Require constitutional review of identity language provisions.
- Require public consultation before implementation.
- Maintain existing human rights protections.

---

6. Expected Benefits

- ☑ Stronger national unity based on shared values
- ☑ Greater respect for cultural diversity
- ☑ A faith-based moral framework for equality
- ☑ Reduction in political division over identity labels
- ☑ Encouragement of respectful cultural language
- ☑ Reinforcement of fairness and belonging

---

7. Implementation Steps

1. National consultation with:
    - churches
    - faith groups
    - traditional leaders
    - youth
    - civil society
    - ethnic communities

2. Constitutional review and amendment process
3. Public education and awareness campaign
4. Parliamentary debate and adoption
5. National referendum if constitutionally required

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8. Conclusion

OUR Party believes Fiji's true strength lies not in a single legally imposed identity, but in shared dignity, faith, and belonging.

"We are all children of God" speaks to equality of the human spirit.

KAIVATA speaks to belonging.

Together, they offer a vision of unity that respects both faith and identity.

One constitutional drafting note: replacing identity language with explicitly religious wording ("children of God") would likely generate major public debate in Fiji because the Constitution protects freedom of religion for citizens of many faiths and beliefs.

Proposed OUR party Draft Proposal to the Constitution Review Commission

Proposal on Electoral Threshold and Provincial Ministerial Responsibilities

Submitted to:
Constitution Review Commission

Subject: Amendment to the Electoral System under the 2013 Constitution

---

1. Introduction

This submission proposes targeted reforms to Fiji's electoral and governance framework while preserving the core principles of the 2013 Constitution, particularly:

- proportional representation,
- one person, one vote, one value,
- and the nationwide open-list electoral system.

The proposal seeks to improve democratic inclusiveness, strengthen provincial engagement, and enhance government accountability.

---

2. Proposal to Reduce the Electoral Threshold from 5% to 3%

The current electoral system requires political parties to obtain at least 5% of the national vote to enter Parliament.

It is proposed that this threshold be reduced to **3%**.

Proposed Amendment

\text{Electoral Threshold}=3%\ \text{of valid national votes}

---

3. Reasons for Reducing the Threshold

a. Greater Democratic Representation

A 3% threshold would allow broader representation of smaller political parties and minority viewpoints while still preventing excessive fragmentation.

b. Encouraging Political Participation

Lowering the threshold encourages citizens and emerging political groups to participate in national politics and strengthens confidence in democracy.

c. Maintaining Stability

A 3% threshold remains sufficiently high to avoid an unmanageable number of parties in Parliament while improving inclusiveness.

d. International Practice

Many proportional representation systems worldwide use thresholds between 2% and 5%. A 3% threshold is internationally recognized as balanced and workable.

---

4. Structure of Executive Government

It is proposed that the Constitution formally recognize:

- One Prime Minister
- Two Deputy Prime Ministers
- Fifteen Cabinet Ministers

Proposed Executive Structure

- Prime Minister — Head of Government
- Deputy Prime Minister 1 — Senior Government Coordination
- Deputy Prime Minister 2 — National Development Coordination
- Fifteen Ministers — Cabinet portfolios and provincial responsibilities

---

5. Provincial Responsibilities for Ministers

In addition to their national ministerial portfolios, each of the 15 Ministers should be assigned direct responsibility for engagement and oversight in a province or designated administrative region.

This system would:

- strengthen connections between central government and provinces,
- improve responsiveness to local development needs,
- enhance accountability,
- and ensure regular ministerial presence throughout Fiji.

Suggested Responsibilities

Each assigned Minister would:

- coordinate government projects in the province,
- report provincial concerns to Cabinet,
- oversee implementation of development programs,
- facilitate consultation with local leaders and communities,
- and provide annual provincial progress reports to Parliament.

---

6. Expected Benefits

Stronger National Unity

The proposal preserves the national electoral system while improving local engagement.

Better Representation

Reducing the threshold increases fairness and political inclusion.

Improved Service Delivery

Ministerial provincial assignments create clearer accountability for development outcomes.

More Effective Governance

Defined executive and provincial responsibilities improve coordination between national and local government structures.

---

7. Conclusion

This proposal supports the retention of the core electoral principles of the 2013 Constitution while introducing moderate reforms that improve representation, accountability, and national development coordination.

The proposed reduction of the electoral threshold from 5% to 3% would strengthen democratic participation without undermining stability.

The proposed executive and provincial responsibility framework would improve governance delivery and strengthen the relationship between government and communities across Fiji.

Respectfully submitted,

[Br Nayagodamu Korovou]
[16/5/26]

Proposed OUR PARTY Constitutional Changes (Fiji)

1. Parliament term: 4 years → 5 years

Current (2013 Constitution – Section 58):

- Parliament lasts **4 years** from first sitting.

Proposed:

- Parliament lasts **5 years** from first sitting.

Possible justification:

- More time for governments to implement policies.
- Fewer elections reduce cost.
- Greater policy continuity and long-term planning.

Likely criticism:

- Voters get fewer chances to hold governments accountable.
- Longer terms can reduce responsiveness.

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2. Term limits for Members of Parliament / elected candidates

Proposed rule:

- A person may serve **only two consecutive parliamentary terms**.
- Under a 4-year Parliament = 8 years max consecutively.
- If Parliament becomes 5 years = 10 years max consecutively.

Then:

- Mandatory break period before returning.
- Example: must sit out **8 years** before contesting again.

Example

Those who have served for more than 8 years or ten years will not be eligible to stand in the next election.

- Stops career politicians.
- Encourages fresh leadership.
- Reduces entrenched political power.
- Less patronage politics.

Constitutional sections affected

Would likely require changes to:

- **Section 58** (term of Parliament)
- New eligibility/disqualification provisions for MPs/candidates
- Possibly electoral law changes

Political practicality

This would be highly publicized because Fiji currently has:

- no general term limits for MPs,
- no forced cooling-off period.

One technical note: if you change Parliament to **5 years**, "two consecutive terms" becomes **10 years**, not 8.
If you specifically want an **8-year maximum**, the rule would need to be:

- **maximum 8 consecutive years regardless of parliamentary term length**, or
- keep Parliament at 4 years.

This is a political governance proposal, so debate would focus on representation and constitutional design rather than legal feasibility alone.

Constitution Review Commission Submission Proposal

Proposal to Replace "Secular State" with "Religious Freedom State" in the Constitution of the Republic of Fiji

Submitted to:

Fiji Constitution Review Commission

Submitted by:

[Name of Organisation / Proposed OUR Party

---

1. Proposal Title

Amendment to Replace the Constitutional Term "Secular State" with "Religious Freedom State"

---

2. Purpose of Submission

This submission respectfully proposes that the Constitution of the Republic of Fiji be amended to replace the phrase **"secular state"** with **"religious freedom state."**

The objective is not to reduce religious freedom, nor to establish any official religion, but rather to adopt constitutional language that more clearly reflects Fiji's values while continuing to protect freedom of religion, belief, conscience, and equality for all citizens.

---

3. Background

Section 4 of the 2013 Constitution establishes Fiji as a secular state.

While the intention of this provision was to ensure equality and prevent state discrimination between religions, the term **"secular"** has generated differing interpretations among citizens.

For some:

- secular means fairness and neutrality

For others:

- secular is misunderstood as meaning anti-religion
- exclusion of faith from public life
- removal of Fiji's spiritual identity

This misunderstanding has contributed to ongoing public debate.

Fiji is a nation where faith plays an important role in:

- family life
- community life
- moral teaching
- national values

The Constitution should use language that protects freedom while being clearly understood by ordinary citizens.

---

4. Proposed Constitutional Amendment

Replace the current constitutional concept of **"secular state"** with:

"Fiji is a Religious Freedom State that protects the right of every person to practise, change, or hold no religion, and guarantees equal treatment under the law."

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5. Reasons for the Proposed Change

A. Clearer Public Understanding

The term "secular" is often misunderstood.

"Religious Freedom State" is clearer because it directly explains the constitutional principle:

- freedom of worship
- freedom of belief
- freedom to change religion
- freedom to have no religion

This makes the Constitution easier for citizens to understand.

B. Protects All Faiths Equally

This proposal does not favour any religion.

It protects:

- Christians
- Hindus
- Muslims
- Sikhs
- Bahá'ís
- other faith communities
- people with no religious belief

Equality remains central.

C. Reflects Fiji's National Character

Fiji is a deeply spiritual and faith-conscious nation.

Recognising religious freedom in positive constitutional language better reflects:

- national culture
- shared moral values
- community life

without establishing a state religion.

D. Strengthens Constitutional Rights

This proposal strengthens understanding of rights by making protections more explicit.

It confirms:

- freedom of conscience
- equality before the law
- protection from religious discrimination

6. Legal Impact

This proposal would:

- retain freedom of religion protections
- preserve equality rights
- maintain protection for non-believers
- prevent establishment of an official religion unless otherwise constitutionally amended

The amendment is intended as a wording and constitutional clarity reform, not removal of rights.

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7. Suggested Draft Constitutional Wording

Proposed revised wording for Section 4:

Section 4 – Religious Freedom State

Fiji is a Religious Freedom State.

The State shall protect the freedom of every person to practise, change, or hold no religion, and shall treat all religions and beliefs equally under the law.

No religion shall be established as the official religion of the State.

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8. Expected Benefits

This amendment would:

- ☑ Improve public understanding of constitutional rights
- ☑ Protect all religions equally
- ☑ Protect citizens with no religion
- ☑ Reduce misunderstanding around the term "secular"
- ☑ Reflect Fiji's spiritual and cultural reality
- ☑ Strengthen unity through freedom and equality

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9. Conclusion

This submission respectfully proposes that Fiji move from terminology that many citizens misunderstand toward language that clearly protects freedom, equality, and inclusion.

A **Religious Freedom State** preserves constitutional neutrality while expressing rights in language that is clearer and more accessible to the people of Fiji.

Freedom of religion should be clearly protected, clearly understood, and equally guaranteed for all.

James N Sanday

Submission to the Fiji Constitutional Review Commission

This submission is prepared for consideration by the

Constitutional Review Commission of Fiji.

Subject: **Identity, Citizenship, and the Constitutional Role of the RFMF**

Submitted By: James N. Sanday

Date: 20 April 2026

Email: james.sanday47@gmail.com

James (Jim) Sanday was born and raised in Fiji. He led the Fiji National Security & Defence Review (NSDR) which was completed in June 2024 and co-authored the National Security Strategy (NSS) that was approved by Cabinet in 2025.

Annex: A. Executive Summary

B. Full Submission

C. Pictorial Representation of the Submission

Annex A. Executive Summary

This submission addresses two interrelated constitutional questions fundamental to Fiji's long-term stability:

(1) the proper relationship between indigenous identity and national citizenship.

(2) the constitutional role of the Republic of Fiji Military Forces (RFMF).

At their core, both issues concern a single constitutional imperative:

- the need to restore clarity, reinforce institutional balance, and rebuild public trust in the State.

1. Identity, Nationality, and Unity

The submission proposes a clear constitutional distinction between:

- *i'taukei* identity — an indigenous status grounded in ancestry, culture, customary institutions, and land; and
- Fijian nationality — a civic identity shared equally by all citizens of Fiji.

These categories operate at different constitutional levels and should not be conflated.

Key Proposition

Strong protection of indigenous identity and inclusive national citizenship are not competing objectives—they are mutually reinforcing.

Addressing Current Concerns

It is recognised that concerns have been raised that an inclusive definition of "Fijian" may dilute the status of the *i'taukei* people.

This submission addresses those concerns directly:

- Indigenous identity is not secured through exclusive ownership of national labels or terminology,
- but through clear, entrenched constitutional protections.
- A system that restricts national identity risks exclusion without providing durable safeguards.
- A system that entrenches indigenous rights provides lasting protection.

Proposed Constitutional Approach

The Constitution should adopt a dual and balanced framework:

(a) Entrenched Recognition of the *i'taukei*

- Explicit constitutional recognition as the indigenous people of Fiji
- Permanent protection of land, culture, language, and traditional institutions
- Safeguards against dilution through strong amendment thresholds

(b) Inclusive National Citizenship

- Affirmation that all citizens are "Fijians"
- Equal civic status under the law

(c) Dual-Identity Formula

- The *i'taukei* are recognised as the indigenous people of Fiji, whose identity, culture, land, and institutions are permanently protected; and all citizens of Fiji are Fijians, equal in civic status under the law.

(d) Non-Derogation Principle

- Inclusive citizenship must not be interpreted as diminishing indigenous rights

Strategic Insight

The long-term security of indigenous identity rests not in control of a national label, but in:

- secure ownership of traditional lands,
- protected cultural institutions including language and customs, and
- entrenched constitutional guarantees.

2. The Constitutional Role of the RFMF

Section 131(2) of the 2013 Constitution assigns the RFMF responsibility for the "security, defence and well-being of Fiji."

This formulation is constitutionally problematic.

Key Concern

It creates an open-ended guardianship role that risks positioning the military as:

- an arbiter of the Constitution, and
- a body standing above elected civilian authority.

This is inconsistent with democratic constitutionalism and the principle that sovereignty resides in the people.

Proposed Reform

The Constitution should:

- reaffirm civilian supremacy
- confine the RFMF to a professional defence and security role
- remove any implication of political or supervisory authority

Suggested Replacement

The Republic of Fiji Military Forces shall be a disciplined and professional force responsible for the defence and security of Fiji, operating at all times under the authority of this Constitution, the law, and lawful civilian control.

3. A Unified Constitutional Outcome

These two issues converge on a single outcome:

- A Constitution that protects indigenous identity with strength and permanence
- A State that treats all citizens as equal members of the nation
- Institutions, including the military, that are subservient to civilian authority

Together, these reforms will:

- reduce ambiguity
- strengthen legitimacy
- address the identified "trust deficit"
- reinforce Fiji's democratic and constitutional foundations

Final Principle

A nation is strongest when its identity is secure, its citizenship is inclusive, and its institutions are governed by law.

Annex B. Full Submission

Introduction

This submission addresses two distinct but interrelated constitutional questions: first, the proper articulation of identity, nationality, and unity within the constitutional framework of Fiji; and second, the appropriate constitutional role of the Republic of Fiji Military Forces (RFMF) within a democratic state.

While these issues arise in different parts of the Constitution, they are connected by a common underlying concern: the need to restore conceptual clarity, reinforce constitutional coherence, and rebuild public trust in the institutions of the State.

In addressing identity and nationality, this submission recognises that these questions are not merely legal—they are deeply connected to history, culture, and the lived experience of the *i'taukei* people. Any constitutional settlement must therefore do more than define terms; it must provide assurance that the unique status, identity, and inheritance of the indigenous people of Fiji are permanently protected.

The central proposition advanced in this submission is that strong protection of indigenous identity and inclusive national citizenship are not competing objectives—they are mutually reinforcing pillars of a stable constitutional order.

Issue 1: Constitutional Clarity on Identity, Nationality, and Unity

1. The Constitutional Principle at Stake

At the heart of this issue lies a distinction that is both conceptually clear and internationally recognised:

- *i'taukei* identity reflects an indigenous status grounded in ancestry, culture, customary institutions, and an enduring relationship with land and tradition.
- "Fijian" nationality reflects citizenship—membership in the sovereign state of Fiji, shared equally by all citizens regardless of ethnic or cultural origin.

These are not competing categories. They operate at different constitutional levels — one cultural and indigenous, the other civic and national.

A well-constructed constitution does not collapse these distinctions; it recognises and protects both simultaneously.

Importantly, the preservation of inclusive national citizenship must not be interpreted as diminishing the unique constitutional status of the i*'taukei* as the indigenous people of Fiji.

2. Addressing Contemporary Concerns

It is recognised that concerns have been expressed that the use of the term "Fijian" as a shared national identity may dilute or weaken the status of the *i'taukei* as the indigenous people of Fiji.

These concerns are legitimate and must be addressed directly.

This submission does not dismiss the concerns expressed by the Great Council of Chiefs; it addresses them at their root—by securing indigenous identity through constitutional protection rather than symbolic exclusivity.

However, constitutional experience demonstrates that indigenous identity is not secured through exclusive ownership of a national label or terminology, but through clear, entrenched, and enforceable constitutional protections.

A constitutional framework that relies on restricting national identity risks creating exclusion without providing durable protection. By contrast, a framework that:

- explicitly recognises indigenous status,
- entrenches cultural and land rights, and
- safeguards customary institutions

provides stronger and more enduring protection

The question, therefore, is not who holds the national label, but how securely indigenous identity is protected within the constitutional order.

This approach ensures that recognition of indigenous status is not contingent on political interpretation but secured as a matter of constitutional certainty.

Reassurance to the *I'taukei* People

This submission recognises, without qualification, that the question of identity is not abstract.

For the i'tauk*ei* people, it is inseparable from inheritance, belonging, and the continuity of culture across generations.

It must therefore be stated clearly:

Nothing in this proposal removes, weakens, or transfers ownership of what is uniquely i'taukei.

The land remains i*'taukei* land.

Customary institutions remain *i'taukei* institutions.

Language, culture, and tradition remain under the guardianship of the i*'taukei* people, as they always have been.

What this submission seeks is not change to these foundations—but their permanent protection.

The purpose of constitutional reform, in this respect, is to lock in these protections with greater clarity and stronger safeguards, so that they are not dependent on shifting political arrangements or future reinterpretation.

This is not about sharing away what is inherited.

It is about securing that inheritance—clearly, firmly, and beyond doubt.

The use of the term "Fijian" as a shared national identity does not displace or redefine *i'taukei* identity.

It operates in a different constitutional space—one of citizenship, not ancestry.

The *i'taukei* people are not made less distinct by the inclusion of others in the civic identity of the State.

On the contrary, where indigenous identity is clearly recognised and constitutionally entrenched, it stands on firmer ground—respected, protected, and beyond contest.

This approach reflects a simple but important principle:

What is unique must be protected.

What is shared must be inclusive.

By securing both, the Constitution affirms not only who the i'taukei people are, but also the place they hold—permanently—within the nation of Fiji.

3. Constitutional Design: Recognition Without Insecurity

Modern constitutional systems addressing plural societies adopt a dual approach:

(a) Recognition of Indigenous Peoples

- Explicit acknowledgment of their unique historical status
- Protection of land ownership, culture, language, and customary institutions
- Safeguards against erosion or dilution of these rights

(b) Equality of Citizenship

- Equal civic status for all citizens
- National identity that is inclusive and unifying

This dual framework avoids two risks:

- Erasure, where indigenous identity is diluted; and
- Exclusion, where nationality becomes ethnically bounded.

4. A Constitutionally Coherent Approach for Fiji

In light of these considerations, the Constitution of Fiji should adopt a clear and principled structure:

(a) Entrenched Recognition of Indigenous Status

- Explicit recognition of the i'taukei as the indigenous people of Fiji
- Constitutional protection of land, culture, language, and traditional institutions

Entrenchment provisions ensuring these protections cannot be amended without a supermajority in the GCC (75 %) and Parliament; and, where appropriate, referendum

(b) Preservation of Inclusive Nationality

- Affirmation that "Fijian" denotes citizenship of the Republic of Fiji
- Guarantee that all citizens share equal civic status and protection under the law

(c) A Dual-Identity Constitutional Formula

The Constitution should make clear that:

"The i'taukei are recognised as the indigenous people of Fiji, whose identity, culture, land, and traditional institutions are permanently protected under this Constitution; and all citizens of Fiji are Fijians, equal in civic status under the law."

This formulation:

- preserves indigenous distinctiveness
- affirms equal citizenship
- removes any perception of zero-sum identity

(d) Non-Derogation Principle

The Constitution should further provide that:

"No interpretation of inclusive national identity shall operate to diminish or undermine the recognised rights and status of the i'taukei people".

5. The Real Basis of Security for Indigenous Identity

The long-term security of indigenous identity does not rest on control of terminology, but on:

- secure land ownership
- protected cultural institutions
- recognised traditional authority
- constitutional entrenchment

Symbolic measures alone cannot provide this security.

Only constitutional guarantees can.

6. Nationhood as a Shared Project

Constitutions are statements of national intent.

Fiji's stability depends on a framework that:

- protects what is unique; and
- unites what is shared.

Indigenous identity must be **preserved with strength and permanence.**

National identity must **remain inclusive and unifying**.

These are not competing objectives—they are **mutually reinforcing.**

7. Conclusion – Issue 1

The question before the Commission is not simply definitional. It is foundational.

A constitution that:

- firmly protects i'taukei identity,
- guarantees equal citizenship, and
- clearly distinguishes between the two

will strengthen unity, legitimacy, and trust.

Issue 2: The Constitutional Role of the Republic of Fiji Military Forces

Purpose

This section addresses section 131(2) of the 2013 Constitution and submits that the constitutional role of the Republic of Fiji Military Forces (RFMF) should be clarified and refined so that it accords with the proper role of a professional military within a democratic constitutional order, while recognising the important historical and contemporary role the RFMF has played in the life of the nation.

Recognising the National Context

Any consideration of the constitutional role of the RFMF must acknowledge a central reality:

The RFMF is not merely a state institution. It is widely regarded as a national institution with deep roots in Fijian society, significant contributions to international peacekeeping, and a longstanding presence in moments of national crisis.

For many citizens, the RFMF is seen as:

- a symbol of national service and sacrifice, and
- a stabilising force during periods of uncertainty.

These perceptions are real and must be respected.

However, constitutional design must distinguish between:

- **institutional respect**, and
- **constitutional role**.

The question is not whether the RFMF is valued—it clearly is.

The question is **how its role is defined within a democratic constitutional system**.

Clarifying the Concern

The concern with section 131(2) is not directed at the RFMF as an institution, nor at its personnel.

Rather, it is directed at the constitutional framing of its role.

As currently expressed, the provision assigns to the RFMF an open-ended national responsibility that:

- lacks clear legal boundaries,
- extends beyond professional defence functions, and
- risks placing the military in a position of **implicit constitutional guardianship**.

Addressing Underlying Fears

It is recognised that proposals to redefine the role of the RFMF may give rise to concerns that:

- the military's importance is being diminished; or
- its ability to act in times of national crisis may be constrained.

These concerns are understandable but misplaced.

A clearer constitutional definition does not weaken the RFMF.

It strengthens its legitimacy by clarifying its role.

A military whose role is:

- clearly defined,
- legally grounded, and
- constitutionally anchored

is more effective, more professional, and more trusted.

The Constitutional Principle at Stake

In any democratic constitutional order:

- sovereignty resides in the people who elect and resource the state.
- authority is exercised through elected civilian institutions; and
- the military operates under lawful civilian control.

This is not a limitation—it is the foundation of professional military service.

The role of the armed forces is to:

- defend the State,
- protect its territorial integrity, and
- perform lawful functions as directed by civilian authority.

They are **not constituted as arbiters of political order or guardians of national well-being.**

The Risk of Constitutional Ambiguity

Section 131(2), as presently framed, risks:

- blurring the line between defence and governance.
- creating ambiguity in institutional authority; and
- encouraging perceptions of military exceptionalism.

Such ambiguity does not strengthen the State—it weakens constitutional clarity and public trust.

A Constitutionally Coherent Approach

The Constitution should define the RFMF in a manner that both:

- respects its institutional standing, and
- places it clearly within the constitutional order.

This requires:

(a) Affirmation of Professional Status

- Recognition of the RFMF as a disciplined and professional force
- Acknowledgment of its service to the nation

(b) Clear Subordination to Constitutional Authority

- Explicit affirmation of civilian supremacy
- Operation under the Constitution, the law, and lawful government direction

(c) Functional Clarity

- Primary responsibility for defence and security
- Any domestic role to occur only:
  - under lawful civilian direction, and
  - in accordance with legislation

A Constitutional Assurance Clause

To address concerns, the Constitution may also affirm that:

"Nothing in the clarification of the role of the RFMF shall be taken to diminish its honour, its service to the nation, or its lawful role in supporting the State in times of emergency under civilian authority".

This ensures that reform is understood **as structural clarification, not institutional diminishment.**

Proposed Direction of Reform

Section 131(2) should be revised to:

- remove any suggestion of autonomous guardianship.
- reaffirm civilian authority.

clearly define the RFMF as part of the constitutional system—not above it.

Suggested Replacement Wording

"The Republic of Fiji Military Forces shall be a disciplined and professional force responsible for the defence and security of Fiji, operating at all times under the authority of this Constitution, the law, and lawful civilian control."

Alternative:

"The Republic of Fiji Military Forces shall be responsible for the defence of Fiji and for such other functions as may be prescribed by law and shall at all times be subject to the authority of this Constitution and to lawful civilian control."

Conclusion – Issue 2

The objective of reform is not to weaken the RFMF, but to strengthen its constitutional legitimacy and professional standing.

A military that is:

- clearly defined in law,
- firmly under civilian authority, and
- properly integrated within the constitutional order

is not diminished—it is strengthened.

A nation is not secured by placing its military above the Constitution—

but by ensuring the Constitution governs all, including those entrusted to defend it.

Overall Conclusion

The issues addressed in this submission—identity and nationality on the one hand, and the constitutional role of the military on the other—are not separate questions. They converge on a single constitutional imperative: the restoration of clarity, balance, and public trust in Fiji's governing framework.

At its core, this is not simply a legal debate. It is a question of national stability, and the kind of nation Fiji chooses to be.

The *National Security and Defence Review* (NSDR) made one point unmistakably clear: social cohesion is now a frontline national security issue. A nation uncertain of its identity, or divided in its trust in institutions, is not secure—no matter how capable its security forces may be.

This is where constitutional clarity becomes decisive.

A stable constitutional order rests on two foundational principles. First, that the State belongs equally to all its citizens, while recognising and permanently protecting the unique status of the *i'taukei* people. Second, that power within the State is exercised through lawful and accountable institutions, with the military firmly subordinate to civilian authority.

Where these principles are clearly expressed, they reinforce one another. A constitution that protects indigenous identity while affirming inclusive citizenship strengthens national unity. A constitution that clearly defines and limits the role of the military

strengthens democratic governance. Together, they generate legitimacy—both legal and political.

Where these principles are blurred, risks emerge. Confusion between identity and nationality fosters division. Ambiguity in the role of the military invites institutional overreach. In both cases, the result is the same: erosion of public trust and uncertainty at the heart of the State.

The task before the Constitutional Review Commission is therefore not simply to amend individual provisions, but to ensure that the Constitution speaks with coherence across its entirety. It must answer, clearly and without ambiguity:

- who Fiji is as a nation; and
- how authority within that nation is to be exercised.

The reforms proposed in this submission are directed toward that end. They align Fiji's constitutional framework with widely accepted democratic principles while remaining grounded in its unique historical and cultural context.

The task is not to choose between identity and unity, but to secure both—clearly, permanently, and without ambiguity.

The guiding idea is simple but fundamental:

A nation is strongest when its identity is secure, its citizenship is inclusive, and its institutions are governed by law.

Without these, there can be no lasting trust.

And without trust, there can be no lasting security.

(See next page for pictorial representation of this submission)

Annex C. Pictorial Representation of Submission



Dr Kelepi K Kubunameca

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission to the Constitutional Review Committee .

Kelepi Komaisauvou Kubunameca <revkelepikubunameca@gmail.com>
To: Constitution Review Commission <commissioners2026@gmail.com>

Thu, May 21, 2026 at 1:48 PM

SUBMISSION TO THE CONSTITUTIONAL REVIEW COMMITTEE
AND THE CONSTITUTIONAL OFFICE COMMISSION OF FIJI

From:
Rev. Dr. (Hon.) Kelepi K Kubunameca
General Overseer & Senior Lead Pastor
Alpha and Omega Ministries Australia
Cultural Advisor – Melanesian & Pacific Communities

PROFILE & EXPERIENCE:
I Rev DR (Hon) have not only served in religious and community leadership, but have dedicated many decades of service to the people and Government of Fiji:
✅ Served the Fiji Government for more than 28 years, rising to the senior position of Provincial Administrator;
✅ Also served as Head of Government Ministries at Regional Level for 29 years, overseeing public administration and service delivery across our regions;
✅ Former Senior Trainer with the Public Service Commission, where I trained and developed government officers and leaders in public service values, governance and administration.

This long experience in both public service and spiritual leadership gives me deep understanding of our systems, our people, our culture and what works best for the progress and unity of our nation.

Date: 21 May 2026

Subject: Contribution and Submission on Matters of National Identity, Values, Culture, Governance, Faith, Heritage and Fundamental Rights
INTRODUCTION

I write this submission with deep love, respect and commitment for our beloved Nations of Fiji, Republic of Fiji. Having served our communities for many years in spiritual leadership, cultural advocacy and community service, and having also spent over three decades in senior public service with the Fiji Government, carrying responsibilities at the highest regional and provincial levels, I bring both practical experience and deep insight as I make this contribution to your vital work of reviewing and shaping our supreme law.

Our Constitution is the foundation upon which our nation stands, grows and prospers. It must reflect who we are as a people — our history, our identity, our values, our diversity and our shared destiny as one nation.
KEY CONTRIBUTIONS AND RECOMMENDATIONS

1. NATIONAL IDENTITY, PEOPLES AND HERITAGE

The Constitution shall formally recognise and define the peoples of Fiji as follows:
✅ The Indigenous people, traditional custodians and owners of the land shall be known and recognised as Indigenous Fijians or simply Fijians — as the first people and rightful owners of our beloved land.
✅ The descendants of those who came under the Girmitya system shall be known and recognised as Indo-Fijians — a community that has made Fiji their permanent home, contributed greatly to our nation's growth, and become an inseparable part of our identity and future.

Furthermore, the Constitution shall also formally recognise and respect:
✅ The historic arrival of Christianity — the first light that brought hope, peace and moral foundation to our nation — on 12th October 1835, when Reverend William Cross and the first missionaries arrived and brought the Gospel to Fiji, changing the course of our history forever.
✅ The arrival of the first Girmitya labourers, whose journey, struggles and contributions have shaped our nation, and who have made Fiji their home for generations, building lives, families and prosperity here.

2. NATIONAL VALUES AND BELIEFS

Although the Republic of Fiji functions as a secular state in its governance and administration, it is vital to recognise and declare that our nation is built upon and shall always uphold Christian Values and honour the Ten Commandments as the moral foundation and guiding principles for our laws, our conduct and our way of life. These values are deeply rooted in the hearts of our people and have shaped our nation's character, peace and unity for generations.

3. PROTECTION OF CULTURAL IDENTITY AND HERITAGE

We are a nation of rich and diverse cultures, traditions and ways of life — Fijian, Indian, Chinese, European, Pacific Islander and many more. This diversity is not a burden, but our greatest treasure and strength.
I strongly recommend that the Constitution clearly enshrines:

• The protection, preservation and promotion of all cultural identities, languages, traditions and customs of every community in Fiji.

• Recognition that culture is living and dynamic, and that it plays a central role in the social, spiritual and moral life of our people.

• Provision for equal respect and dignity for all cultures, ensuring no group feels marginalised or less valued than another.

4. FREEDOM OF RELIGION, FAITH AND SPIRITUALITY

Faith and spirituality are deeply woven into the fabric of Fijian society and daily life, guiding our values, ethics and how we treat one another.
I submit that:

• The freedom to practice, manifest and share one's faith, religion or belief, individually or in community, must be fully protected and guaranteed without fear or favour.

• There should be freedom to teach and pass on spiritual and moral values to the next generation, in homes, communities and wherever appropriate.

• While the State remains secular in its governance, it must recognise and respect the positive role that faith and spiritual communities play in building peace, unity, good morals and social harmony.

5. FUNDAMENTAL RIGHTS, GENDER IDENTITY AND MARRIAGE

In considering the Bill of Rights and additional rights for all citizens, it is essential that our laws align with our natural order, our culture and our deeply held values:

✅ Gender Identity: We recognise and affirm that every person shall maintain the gender they were born with. If one is born male, he remains male throughout his life; if one is born female, she remains female throughout her life. This natural identity is established by creation and shall be recognised and protected as such in law.

✅ Marriage and Family: Marriage is recognised solely as a voluntary union between one man and one woman. It is not defined merely as any union of two persons, but specifically as the lifelong partnership between a male and a female, forming the foundation of the family unit and of our society. This definition shall be upheld and protected in the Constitution and all laws of the nation.

6. RECOGNITION AND ROLE OF THE GREAT COUNCIL OF CHIEFS

The Great Council of Chiefs holds a special place in the history, culture and governance of our nation, as the traditional custodians of our land, values and way of life. It is vital that its role is properly recognised and entrenched in the Constitution:

• Recognition: The Great Council of Chiefs shall be formally recognised in the Constitution as an institution of high standing, with a defined role in national life, upholding Fijian culture, traditions and interests for the benefit of all Fiji.

• Representation in the Upper House / Senate:
To ensure proper balance, wisdom and traditional oversight:
✅ 50% of all members of the Senate shall be appointed from or nominated by the Great Council of Chiefs;
✅ The remaining 50% of Senate seats shall be shared equitably among other communities, races, professional groups and national portfolios, to reflect our multi-racial and multi-cultural nation.

• Appointment of the President:
The Head of State shall be appointed in a way that honours our traditions and brings broad acceptance:
✅ The appointment of His Excellency the President shall be made following the formal recommendation of the Great Council of Chiefs, ensuring the office carries the respect and authority of both tradition and the State.

7. PARLIAMENTARY REPRESENTATION

To provide stability and continuity in our governance:
✅ The total number of seats and composition of the House of Representatives shall remain as currently established, ensuring consistency, familiarity and stability in our democratic process.

8. NATIONAL UNITY, RECONCILIATION AND SOCIAL COHESION

Our strength lies in our unity — "One Fiji, One People, One Destiny". We have walked together through many seasons, and we have proven that we can live together in peace and prosperity when we stand united.
I recommend:

• Strong provisions that actively promote national unity, reconciliation, mutual respect and understanding between all communities, races and religions.

• Measures that ensure equal rights, opportunities and justice for every citizen, regardless of background, so that every person feels they truly belong and have a stake in our nation's future.

• Recognition of the importance of Talanoa — our traditional way of dialogue, listening and finding common ground — as a vital part of how we govern and make decisions for the good of all.

9. COMMUNITY WELLBEING AND FAMILY VALUES

The family and community are the basic building blocks of our nation. When families and communities are strong, the nation is strong.
I propose that the Constitution supports and protects:

• The family unit as the foundation of society, and values that nurture healthy, safe and supportive families.

• The role of community leaders, including spiritual and cultural leaders, in working alongside the State to care for people, resolve conflicts and build a caring society.

• Rights and opportunities that enable all people to live with dignity, have access to basic needs, and thrive physically, emotionally and spiritually.

CONCLUSION

Honourable members, the work you do is historic and will shape the lives of generations to come. Drawing on my many years of service in government leadership, public administration, training and spiritual ministry, I offer these recommendations with full knowledge of what is needed for peace, stability, unity and progress in our beloved nation.

My prayer and hope is that the final Constitution will be one that is just, fair, inclusive and true to the heart and soul of our people — a document that we can all be proud of, that unites us rather than divides us, and that guides Fiji to greater peace, prosperity and blessing for all time.

I Rev . Dr (Hon) Kelepi Komaisauvou Kubunameca offer my continued support, prayers and commitment to this process and to our nation's progress.

Thank you for the opportunity to make this contribution.

May God bless Fiji and guide your work.
Submitted by:

Rev. Dr. (Hon.) Kelepi K Kubunameca
Alpha and Omega Ministries Australia
"Serving God, Serving People, Building Community"

Noqu Koro : Nukutocia
Tikina: Lovoni
Yasana : Lomaiviti
Matanitu: Kubuna
Vola Kawa Bula : Tokatoka Number 201 Kutau , Mataqali : Naisogoi, Yavusa : Gavo
Tikina : Lovoni
Lomaiviti

Tutu Vakavanua : MATANIVANUA

Awaiting your favourable reply soon

Nasoni Navrurai

2013 CONSTITUTION CONSULTATION SUBMISSION

KEY AREAS THAT NEED TO BE ADDRESS TO CHANGE IN THE 2013 CONSTITUTIONS

To effectively change or reform the Constitution of Fiji, it is important to focus on key structural, legal, cultural, and governance areas. Below are the **critical areas that need to be addressed**:

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1. Amendment Process (Entrenchment Clauses)

- The Constitution currently requires a **75% majority in Parliament** plus a 75 % **national referendum**.
- This makes reform extremely difficult.
- **Key issue:** Whether this threshold reflects democratic flexibility or restricts necessary change.
- **Action needed:** Review amendment rules to balance stability and adaptability.

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2. Role and Power of the Attorney-General

- The Constitution centralizes significant legal and political influence in the office.
- **Concern:** Potential imbalance of power and limited checks.
- **Action needed:** Strengthen **separation of powers** and ensure greater parliamentary and judicial oversight.
- **Section 44; (Clause 7, 8): Social justice measures/ Control over Legal interventions.** Clause 8- In the context of the bill of right, the AG is given the central role in legal proceeding where he/she can be notified and can intervene in cases where constitutional right are in question, particularly regarding land or the validity of the past decrees, ensuring the State's position is protected.
- **Action needed:**

  I. The AG still had every right and power to activate this bill for the benefit and protection of the State.
  II. This Section shall only then be nullified or abolished after serving of this LEGAL functional power for the removal of 2013 Constitution within it constitutional timeline (10 years).

3. Recognition of Vanua Leadership and Traditional Governance

- The current Constitution emphasizes a **common and equal citizen identity**, but gives limited formal authority to traditional systems.
- **Key issue:** Lack of integration of **iTaukei governance structures** (GCC, Vanua, chiefs).
- **Action needed:**
  - Define the **constitutional role of Vanua leadership**
  - Possibly re-establish or strengthen institutions like the Great Council of Chiefs in governance

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4. Land and Resource Ownership Protections

- While iTaukei land is protected, concerns remain about:
  - Long-term leases
  - Resource control and benefits
- **Action needed:** Strengthen provisions ensuring **community consent**, **fair benefit sharing**, and **resource sovereignty**.

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5. Electoral System Reform

- The current system uses **proportional representation with a single national constituency**.
- **Issues:**
  - Weak connection between MPs and local communities
  - Reduced provincial representation
- **Action needed:** Consider:
  - Constituency-based representation
  - Greater provincial voice in Parliament

- **Candidates with the highest votes from a Constituency wins a parliamentary seat.**

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6. Judicial Independence and Constitutional Interpretation

- Concerns about how independent the judiciary is in constitutional matters.
- **Action needed:**
  - Strengthen judicial appointment processes

- Ensure courts can freely interpret the Constitution without political pressure

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7. Bill of Rights and Cultural Balance

- The Constitution strongly protects individual rights.
- **Issue:** Limited recognition of **collective cultural rights** and traditions.
- **Action needed:** Balance:
  - Individual human rights
  - Communal and cultural rights (Vanua, traditions, customary law)

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8. Decentralization and Provincial Governance

- Power is highly centralized in the national government.
- **Issue:** Provinces and local communities have limited autonomy.
- **Action needed:**
  - Empower provincial councils
  - Establish a clearer **local governance framework**

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9. Military Influence in Governance

- The Republic of Fiji Military Forces has a constitutionally recognized role.
- **Concern:** Potential political influence.
- **Action needed:** Clarify and limit the military's role strictly to **national security**, not political oversight.

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10. Public Participation and Referendum Structure

- Current framework limits how people can influence constitutional change.
- **Issue:** Public voices (especially rural and Vanua communities) may not be fully reflected.
- **Action needed:**
  - Design a more inclusive **referendum process**
  - Strengthen civic education and consultation mechanisms

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11. Transparency and Accountability Mechanisms

- Need stronger systems to hold leaders accountable.
- **Action needed:**
  - Strengthen anti-corruption institutions
  - Improve transparency laws and public access to information

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12. National Identity vs Cultural Identity

- The Constitution promotes a unified national identity.
- **Issue:** Some feel this reduces recognition of indigenous identity and leadership structures.
- **Action needed:**
  - Harmonize **national unity** with **cultural preservation**
  - Recognize the role of Vanua in national development

13. Constitutional Review Every 7 Years

A constitutional provision requiring a review every ten (10) years ensures that the supreme law of the nation remains aligned with the evolving needs, values, and aspirations of its people.

1. Purpose of a 7-Year Review

- **Relevance:** Society, technology, and governance challenges change over time. A periodic review ensures the constitution reflects current realities.
- **Accountability:** It provides an opportunity to assess whether state institutions are operating as intended.
- **Public Participation:** Encourages citizens to engage in shaping their governance framework.
- **Correction of Gaps:** Identifies weaknesses, ambiguities, or overly centralized powers.

2. Key Features of the Review Process

- Establishment of an **independent Constitutional Review Commission**
- Nationwide **public consultations** (including Vanua leadership structures, civil society, youth, and private sector)
- Transparent reporting and publication of findings
- Recommendations subject to **Parliamentary debate and approval**
- Possible **referendum** for major changes

3. Benefits

- Promotes **stability with flexibility**

- Strengthens **democratic legitimacy**
- Supports **good governance and rule of law**
- Aligns national laws with **cultural values and traditions**, including Vanua leadership principles

4. Considerations for Fiji Context

- Must respect the balance between **modern state governance** and **traditional Vanua systems**
- Should ensure inclusivity across all communities in Fiji
- Avoid politicization of the review process
- Maintain constitutional supremacy while allowing meaningful reform

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"The Constitution shall be subject to a comprehensive review every ten (10) years by an independent Constitutional Review Commission appointed in accordance with the law. The Commission shall conduct wide public consultations and submit its recommendations to Parliament, and where necessary, to a national referendum."

14. Presidential Term: 5-Year Turnover

A constitutional provision for the office of the President and the office of the Vice President to serve a fixed term of five (5) years ensures regular leadership renewal, accountability, and stability at the highest level of the State.

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1. Purpose of a 5-Year Presidential Term

- **Leadership Renewal:** Prevents concentration of power over long periods
- **Accountability:** Encourages performance within a defined timeframe
- **Stability:** A fixed term provides predictability in governance
- **Balance of Power:** Limits executive dominance and reinforces constitutional order

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2. Key Features

- The President shall serve a **term of five (5) years**
- Eligibility for **one reappointment or re-election only** (maximum of 2 terms)
- Clear process for **appointment/election and removal**
- Defined **powers and ceremonial vs executive roles** to avoid abuse

3. Considerations for Fiji Context

- Align the role with national unity and cultural respect, including **Vanua leadership values**
- Ensure the appointment process is **independent and transparent** (e.g., involving Parliament and possibly traditional leadership consultation)
- Clarify whether the President remains **ceremonial or gains specific oversight powers**

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4. Example Clause (Draft)

"The President shall be the Head of State and shall serve a term of five (5) years. A person may serve as President for a maximum of two (2) terms, whether consecutive or not. The appointment of the President shall be conducted in a transparent and inclusive manner as prescribed by law."

How It Fits with Your 10-Year Constitutional Review

- The **5-year presidential cycle** allows evaluation of leadership twice within one constitutional review period
- The **10-year constitutional review** then assesses whether the presidential system itself is functioning effectively

15. QOLIQOLI BILL- Constitutional Reform Directions

Key Issues and Challenges

- **Control vs Ownership:** iTaukei communities claim ownership, but the government regulates usage
- **Commercial Exploitation:** Outside fishing licenses may undermine local benefits
- **Environmental Degradation:** Overfishing and climate change impact sustainability
- **Limited Economic Return:** Communities may not fully benefit from their own resources

a. Recognition Clause

"The State shall recognize and protect the customary ownership of land, sea mineral resources and stewardship of qoliqoli by the iTaukei people."

b. Shared Governance

- Co-management between **Government and Vanua leadership**
- Local communities involved in licensing decisions

c. Economic Empowerment

- Ensure **direct benefit-sharing** to customary owners
- Support community-led fisheries and eco-tourism

d. Environmental Protection

- Integrate traditional knowledge with modern conservation laws
- Establish protected areas under Vanua authority

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16. LAND OWNERSHIP
FREEHOLD LAND

Calls for Reform

a. **Limits on foreign ownership** of freehold land
b. Mechanisms to **reconnect freehold land with Vanua interests**
c. Policy to ensure **equitable access** to land for indigenous communities

◆ 1. Targeted Land Restitution

Return of land that:

- Was **clearly unjustly taken**
- Land is:
    - Unused
    - State-owned
    - Under dispute

◆ 2. Co-Ownership / Shared Governance

- Create **joint ownership models**:
    - Freehold owner + original mataqali
- Or require:
    - **Vanua representation in land decisions**

◆ 3. Lease-Back Arrangements

- Encourage or require freehold owners to:
  - Lease land to original communities
- Long-term leases (50–99 years)

◆ 4. Compensation & Benefit Sharing

Where return is impossible:

- Government or landowners provide:
  - Financial compensation
  - Royalties from land use (tourism, agriculture, mining)

Example:

- A resort on former customary land shares revenue with the mataqali who owns the land.

◆ 5. Land Banking System

- Government purchases freehold land when available
- Gradually returns it to:
  - iTaukei ownership
  - Community trusts

☞ Slow but stable restoration method

◆ 6. Legal Reform (Vanua Integration)

Amend laws to:

- Recognise **customary interest in freehold land history**
- Require:
  - Cultural consultation
  - Community impact agreements

☞ Aligns modern law with **vanua values**

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17. BICAMERAL PARLIMENT IN FIJI

Reforming the structure of Parliament offers an opportunity to strengthen democracy, accountability, and representation in Fiji. One such reform is the introduction of a **bicameral parliamentary system**, replacing the current unicameral structure under the 2013 Constitution of Fiji. A bicameral system—consisting of two legislative chambers—can better reflect Fiji's unique social, cultural, and political landscape.

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1. What is a Bicameral Parliament?

A bicameral parliament is a legislative system with **two separate chambers**:

- A **Lower House** (representing the general population)
- An **Upper House** (providing review, oversight, and representation of special interests such as traditional leadership, provinces, or minorities)

This system is used in many democracies worldwide to improve the quality of law-making and ensure checks and balances.

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2. Proposed Structure for Fiji

A. Lower House – House of Representatives

Role:

- Primary law-making body
- Represents the people through democratic elections

Composition:

- Members elected by the public through a fair electoral system
- Representation based on population

Functions:

- Introduce and pass legislation
- Form the government (Prime Minister and Cabinet)

- Represent national interests

B. Upper House – Council of Elders / Senate

Role:

- Review and scrutinize laws passed by the Lower House
- Represent traditional, provincial, and national interests beyond party politics

Composition (Proposed):

- Representatives from provinces (Vanua leadership)
- Nominees from civil society, religious groups, and professional bodies
- Legal and constitutional experts
- A balanced inclusion of women and youth voices

This chamber could revive and modernize the spirit of the former Senate, but with stronger independence and clearer functions.

Functions:

- Review, amend, or delay legislation
- Protect constitutional values and indigenous rights
- Ensure laws align with long-term national interests
- Provide non-partisan oversight

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3. Why Fiji Should Consider Bicameralism

a. Stronger Checks and Balances

A second chamber prevents the concentration of power in one body, improving accountability and transparency.

b. Inclusion of Vanua Leadership

It creates a formal space for traditional leaders to contribute to national governance in a structured and meaningful way.

c. Better Law-Making

Bills are reviewed twice, reducing errors, rushed decisions, and politically driven legislation.

d. Representation of Diverse Interests

Ensures that minority groups, provinces, and cultural institutions have a voice at the national level.

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4. Why It Is Important

a. Balancing Modern Democracy and Tradition

Fiji's identity is rooted in both democratic governance and traditional structures. Bicameralism bridges these two systems.

b. Long-Term Stability

A second chamber provides continuity and stability, especially during political changes.

c. Increased Public Confidence

People are more likely to trust a system where laws are carefully reviewed and widely represented.

d. Protection Against Abuse of Power

Prevents dominance by a single political party or executive authority.

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5. Key Considerations for Implementation

- **Clear constitutional roles** for both chambers to avoid conflict
- **Transparent selection process** for Upper House members
- **Limits on power** (e.g., Upper House can delay but not permanently block legislation)
- **Cost and efficiency balance** to ensure sustainability.

The introduction of a bicameral parliament in Fiji represents a forward-looking reform that respects both democratic principles and traditional governance systems. By combining a people-elected Lower House with a reviewing and advisory Upper House, Fiji can create a more inclusive, balanced, and resilient parliamentary system.

Such reform, if carefully designed and supported by the people, can strengthen governance, restore trust, and align national leadership with the values and aspirations of all Fijians.

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18. SALE OF FAKE OR COUNTERFEIT FIJIAN PRODUCT

"The Government of Fiji and relevant international authorities should take decisive action to ban and eliminate counterfeit and fake Fijian products sold locally and globally. Such products damage the integrity of authentic Fijian craftsmanship, undermine local industries, exploit consumers, and weaken the national identity and economic prosperity of Fiji. Protecting genuine Fijian products is essential to preserving our culture, supporting our people, and safeguarding the reputation of Fiji in the global market."

CONCLUSION

Reforming the Constitution of Fiji is not just a legal process—it is a **national transformation effort**. It must:

- Balance **modern democratic governance** with **traditional Vanua leadership**
- Ensure **inclusive participation**
- Strengthen **accountability and fairness**

VINAKA VAKALEVU

Ratu Meli Q. V. Matanatoto

Ratu Meli Qasevakatini Vasutoga Matanatoto

Sila Village, Tikina o Cuvu, Yasana o Nadroga Navosa,

Republic of Fiji

21 May 2026

The Chairperson

Constitutional Review Committee

Republic of Fiji Suva,

Fiji

RE: WRITTEN SUBMISSION REGARDING THE CONSTITUTIONAL REVIEW OF THE 2013 CONSTITUTION OF FIJI

Dear Chairperson and Honorable Members of the Committee,

I am writing to formally submit my views and recommendations regarding the ongoing review of the 2013 Constitution of the Republic of Fiji. My objective is to contribute toward a governance framework that strengthens national security, optimizes administrative efficiency, promotes institutional integrity, and enshrines the permanent safeguarding of our indigenous heritage.

As a public officer committed to the prosperity of our nation, I have observed that our current constitutional arrangements—while providing a foundation for government—require strategic refinement to meet the evolving demands of our society. The enclosed submissions propose four critical pillars for constitutional reform:

1. National Security and Allegiance (Dual Citizenship)

The current provisions regarding dual citizenship create a precarious environment for national social cohesion and for law enforcement. Dual citizenship weakens social cohesion for the country as there will be dual allegiances for those who have dual citizenships. Removal or renunciation of dual citizenship will strengthen social cohesion. Also Transnational criminal networks—specifically those involved in narcotics—have demonstrated a sophisticated ability to utilize multiple passports to evade domestic prosecution and bypass international extradition treaties. Furthermore, the concept of a sovereign state rests upon the singular, undivided loyalty of its citizens. The removal of dual citizenship is not an act of isolationism, but a necessary measure to ensure that all citizens are fully invested in the legal, security, and economic future of Fiji, thereby mitigating conflicts of interest in governance.

2. Administrative Efficiency and Crisis Response (Devolution)

The centralization of power in Suva has historically created a "bureaucratic bottleneck" that impedes rapid action in the Northern, Eastern, and Western divisions. In the context of climate change and increasingly frequent, severe natural disasters, Fiji cannot afford to wait for centralized directives to repair critical infrastructure. By constitutionally devolving authority to Divisional Commissioners—and mandating their accountability to the Prime Minister and the relevant line ministries—the State will ensure that response times are localized, efficient, and directly aligned with national development goals.

3. Institutional Integrity (The Public Service Commission)

The civil service is the backbone of the State. When the Public Service Commission (PSC) is relegated to a departmental function, it becomes susceptible to political pressure, patronage, and inconsistency in policy. By re-establishing the PSC as an independent constitutional body—modeled on the rigorous protections of the 1970 and 1997 Constitutions—we restore a "meritocratic firewall." This will combat systemic corruption, ensure that public officers are held to a unified standard, and guarantee that public service delivery is responsive to the citizen rather than the political cycle.

4. Sovereignty and Human Resource Development (Education)

A nation that cannot train its own experts is a nation that cannot control its own destiny. The revitalization of PSC and Fijian Affairs Board (FAB) scholarships, combined with dedicated, mandated support for the Fiji National University (FNU), represents a strategic investment in national sovereignty. By aligning these educational investments with the Republic's critical needs—such as healthcare, engineering, and administrative leadership—we ensure that Fiji's public and private sectors are staffed by individuals whose expertise is tailored to our specific national interests and developmental requirements.

5. Indigenous Identity and Security (iTaukei Land and Definition)

The iTaukei landowning system is the bedrock of Fiji's social stability. To ensure this land remains protected for future generations, the constitutional definition of "iTaukei" must be made robust and legally precise. By codifying the *Vola ni Kawa Bula* (VKB) as the definitive administrative record and acknowledging the customary heritage (totems and lineage) as the essential markers of identity, we prevent future legal ambiguity. This "Anti-Challenge" framework ensures that the sanctity of indigenous ownership remains immune to erosion, keeping land in the hands of those to whom it ancestrally belongs.

6. Social Cohesion and National Language

National unity is not achieved through legislation alone, but through shared cultural and linguistic foundations. The promotion of a national language is a primary mechanism for building social cohesion. When citizens communicate through a common linguistic framework, the barriers of cultural isolation are diminished, and a unified national narrative is strengthened. These measures,

combined with the singular allegiance required by the removal of dual citizenship, will forge a more cohesive, resilient, and unified Fijian society.

These proposals are grounded in the belief that the Constitution must function as both a shield for our citizens and an engine for national development. My recommendations draw upon historical constitutional successes in Fiji and established academic principles of governance, aiming to ensure that our administrative and legal systems are resilient, accountable, and uniquely Fijian.

I welcome the opportunity to discuss these points further with the Committee and trust that this submission will assist the Committee in its vital work of shaping the future of our Republic.

Respectfully submit the attached written submissions for review and consideration,

.....

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Sila Village, Tikina o Cuvu, Yasana o Nadroga Navosa,

Republic of Fiji.

21 May 2026.

WRITTEN SUBMISSION TO THE CONSTITUTIONAL REVIEW COMMITTEE

Subject: Proposed Amendments and Revisions to the 2013 Constitution of the Republic of Fiji

1. Removal of Dual Citizenship: National Security and Sovereignty

2.

- Current Provision: Chapter 1, Section 5 outlines citizenship, and legislation allows for dual citizenship.

- **Action Needed:** Amend Section 5 to stipulate that Fijian citizenship is exclusive and that the acquisition of foreign citizenship necessitates the renunciation of Fijian citizenship, except in specific cases defined by an Act of Parliament (e.g., involuntary acquisition).

Amending the Citizenship Section (Chapter 1)

- **Action Needed:** Amend **Section 5 (Citizenship)** by adding a "Purpose Clause."
- **Drafting Suggestion:**

"(X) In the interest of ensuring the undivided allegiance of its people and strengthening the foundations of national and social cohesion, no person who is a citizen of Fiji shall hold the citizenship of another state. The renunciation of foreign citizenship shall be a fundamental condition of maintaining the bond of Fijian citizenship."

4. Why this strategy is legally robust:

- **The "Purpose" Test:** By inserting the *reasoning* (social cohesion) directly into the constitutional text (Sections 3 and 5), you give the judiciary a clear mandate. If someone challenges the removal of dual citizenship in court, the judge will see that the Constitution explicitly states this is done to "strengthen social cohesion," making the law much harder to overturn.

Rationale

The provision for dual citizenship presents complex challenges to national security, law enforcement efficacy, and the sanctity of civic allegiance.

- **Argument for Restriction:**

Dual citizenship creates a "jurisdictional loophole" that can be exploited by individuals to evade domestic criminal proceedings. Specifically, citizens who hold nationality in jurisdictions without extradition treaties with Fiji—or those beyond the reach of Interpol cooperation—can utilize their foreign status to escape justice, particularly in cases involving drug trafficking and transnational organized crime.

- **Allegiance and Conflict of Interest:**

Citizenship is fundamentally a "legal bond" based on a social fact of attachment and mutual duty (see *Nottebohm Case*, ICJ). Allowing multiple citizenships risks creating divided loyalties. Academic discourse, such as that by Helen Irving, notes that historically, states restricted "double nationality" to prevent diplomatic embarrassments and conflicts of interest in governance. To strengthen national cohesion and ensure that the primary loyalty of all citizens remains exclusively to the Republic of Fiji, the Constitution should revert to a framework that prioritizes single citizenship.

- **Rationale for Social Cohesion:**

The existence of dual citizenship creates a fractured civic identity, wherein the primary bond between the individual and the State is diluted by competing international allegiances. To foster deep social cohesion, the Constitution must promote a "singular national identity." When citizens are committed exclusively to the Republic of Fiji, they are more likely to participate in, and feel responsible for, the collective progress of the nation. This exclusivity is the bedrock of national pride; it removes the "escape hatch" mentality and encourages every citizen to invest their full talents, loyalties, and resources into building a stronger, more cohesive Fijian society.

- **Cohesion through Singularity:**

Dual citizenship often creates "transient" citizens—those who maintain a foot in two worlds. By moving toward a model of exclusive citizenship, we transition from a group of people *residing* in Fiji to a *unified body of citizens* committed to its long-term survival. This psychological shift is essential for social cohesion, as it ensures that the destiny of every citizen is tied directly to the destiny of our beloved Republic of Fiji.

- **Academic/Legal References:**
  - *Irving, H. (2008).* "Dual citizenship as a human right." *International Journal of Constitutional Law.*
  - *Brill Reference Works (2017).* "Advantages and Disadvantages of Dual Citizenship." *Collected Courses of the Hague Academy of International Law.*

Below are respectfully suggested clauses based on constitutional best practices and the historical precedents.

1. Dual Citizenship (Restrictive Clause)
Objective: To establish single-nationality as the default and provide a mechanism for renunciation.

Clause [X]: Citizenship

(1.) Every citizen of Fiji shall owe sole and exclusive allegiance to the Republic of Fiji.

(2.) Subject to the exceptions prescribed by Parliament for cases of involuntary acquisition or necessity, a citizen of Fiji who voluntarily acquires the citizenship of another state shall, upon such acquisition, cease to be a citizen of Fiji.

(3.) Any person who holds dual citizenship at the time of the commencement of this Constitution shall, within a period of [twelve] months, provide a formal declaration of allegiance to the Republic of Fiji and formally renounce the citizenship of any other state, failing which they shall be deemed to have relinquished their Fijian citizenship.

2. Devolution of Powers: Regional Governance and Disaster Resilience

- **Current Provision:** The 2013 Constitution is highly centralized; there is no specific constitutional provision empowering Divisional Commissioners with independent executive or budgetary authority.

- **Action Needed:** Create a new section within **Chapter 6 (State Services)** or **Chapter 9 (Emergency Powers)** that formally establishes the office of the Divisional Commissioner and mandates the devolution of specific executive, disaster response, and local infrastructure powers, ensuring their accountability to the Prime Minister and relevant line ministers.

The current centralized administrative model often hinders rapid responses to local crises, such as natural disasters.

- **Proposal:**

Establish a constitutional framework for the devolution of administrative and executive authority to Divisional Commissioners.

- **Rationale:**

Devolution—the statutory delegation of power from the center to subnational levels—is a proven mechanism for improving service delivery. By empowering regional commissioners with greater budgetary autonomy and decision-making power regarding local infrastructure, the government can achieve "quicker reaction on the ground."

This ensures that repairs to schools, clinics, and roads following cyclones are managed by those with direct proximity to the damage, reducing bureaucratic delays typical of a centralized Suva-based procurement system.

One of the reasons that people in the rural and maritime areas are complaining about is the late reaction and late reply to their complaints and enquiries on slow government services.

2. Devolution of Powers (Regional Governance)

Objective: To constitutionalize the authority of Divisional Commissioners/Governors for decentralized administration.

Finalized Clause [Y]: Devolution of Administrative Authority

(1) Appointment and Structure: The Republic of Fiji shall be divided into Administrative Divisions, each headed by a Commissioner/Governor. Every Commissioner/Governor shall be appointed by the President upon the advice of the Public Service Commission, ensuring that the selection of Divisional leadership is based on merit and professional administrative competence.

(2) Devolved Executive Authority: There is hereby devolved to the office of the Divisional Commissioner/Governor the authority to exercise, within their respective jurisdictions:

(a) **Executive Oversight:** The immediate coordination and management of rapid responses to natural disasters and national emergencies;

(b) **Operational Management:** The execution and oversight of local infrastructure development, maintenance, and rehabilitation; and

(c) **Budgetary Authority:** Discretionary budgetary authority for immediate public works, as defined and limited by an Act of Parliament.

(3) Accountability and Performance: Each Divisional Commissioner/Governor shall be strictly accountable for their administrative performance and the exercise of their devolved powers. The Commissioner/Governor shall report directly to:

(a) **The Prime Minister,** regarding matters of national security, disaster coordination, and high-level administrative policy;

(b) **The Minister for Transport and Public Works,** regarding the technical compliance, safety standards, and execution of public infrastructure projects; and

(c) **The Public Service Commission,** regarding adherence to the Code of Conduct, human resource integrity, and institutional performance standards.

(4) National Planning and Non-Bias Mandate: All infrastructure projects and public works undertaken by the Divisional Commissioner/Governor shall be planned, constructed, and maintained in strict accordance with the approved National Development Plan. The Commissioner/Governor shall ensure that all such works are executed without political bias, favoritism, or discrimination, providing services equitably to all Fijian citizens within their respective division.

(5) Resource Allocation: The central government shall ensure that Divisional offices are sufficiently resourced, both financially and technically, to perform these devolved functions independently, effectively, and in compliance with national standards.

3. Re-establishment of the Public Service Commission (PSC) as a Constitutional Ministry

- **Current Provision: Section 125 (Public Service Commission)** and **Section 126 (Functions of the PSC)**. Currently, the PSC Chairperson and members are appointed on the advice of the Prime Minister, and the PSC's powers are limited by the *Public Service Act*.

- **Action Needed:**
  - Amend **Section 125** to move the appointment authority from the Prime Minister to the **Constitutional Offices Commission (COC)**, thereby depoliticizing the appointments.
  - Amend **Section 126** to restore the PSC's independent power to appoint, discipline, and dismiss civil servants, insulating it from the "Permanent Secretary" model currently in place.

Rationale - Explanatory Argument (The "Why")

1. **Curbing Political Interference:**

The current civil service structure has often been criticized for vulnerability to political influence, where senior appointments are sometimes driven by loyalty to the ruling party rather than professional expertise. By restoring the PSC to its status under **Section 104 (1970)** and **Section 141 (1997)**, we reinstate a "constitutional buffer." The PSC acts as an independent arbiter, ensuring that appointments are based on the **Merit Principle**. When the civil service is independent, it is less susceptible to corruption because public servants are accountable to the law and the Commission, not to political masters.

2. **Accountability and Corruption Control:**

Corruption thrives in the shadows of decentralized or weak human resource management. By granting the Commission the explicit constitutional mandate to oversee discipline and conduct, we provide a centralized mechanism to root out malfeasance. The Commission shall serve as the primary organ for internal accountability, ensuring that any public servant who engages in corrupt practices is held to account through standardized, fair, and legally binding disciplinary procedures.

3. **Enhancing Public Responsiveness:**

Modern governance requires a shift from "bureaucratic control" to "service delivery." By empowering the PSC to set performance standards, the Commission transforms from a mere "hiring house" into a "quality control body." It shall ensure that government ministries are reactive

to public needs by tying career progression and departmental funding to the achievement of measurable customer service targets.

4. **Ensuring Institutional Consistency:**

The fragmentation of recruitment and policy across different ministries leads to inconsistency, waste, and a lack of institutional memory. Re-establishing the PSC ensures a uniform national standard. Every citizen, whether in Suva or a remote outer island, shall be entitled to the same standard of service, as the PSC shall mandate consistent operational protocols for all government departments.

The PSC has historically served as a critical pillar of independent, merit-based governance in Fiji.

- **Historical Context:** Under the 1970 and 1997 Constitutions, the PSC was an independent, constitutionally empowered body/Ministry with the authority to make appointments, promotions, and exercise disciplinary control over the civil service (Section 104, 1970 Constitution).

- **Justification for Re-introduction:** Transitioning the PSC from its current status back to an independent constitutional entity is essential to:

    - **Ensure Consistency:** Re-establish standard recruitment policies and codes of conduct across all government sectors.

    - **Protect Meritocracy:** Shield the civil service from political interference, ensuring that professional merit—not political affiliation—remains the basis for public sector employment.

    - **Accountability:** Restoring the PSC's power to conduct independent inquiries and oversee disciplinary actions will improve internal transparency and operational efficiency across the government.

Proposed Constitutional Provision: The Public Service Commission

Clause [Z]: The Public Service Commission

(1) Establishment and Independence: There shall be a Public Service Commission (the "Commission"), which shall be an independent constitutional body. In the exercise of its functions, the Commission shall not be subject to the direction or control of any other person or authority, ensuring the absolute integrity of the civil service against political interference.

(2) Appointment of Members: The members of the Commission, including the Chairperson, shall be appointed by the President on the advice of the Constitutional Offices Commission. The Constitutional Offices Commission shall ensure that all appointees possess the requisite professional qualifications, experience, and integrity to uphold the mandate of the Commission.

(3) Mandate for Integrity and Anti-Corruption: The Commission shall have the power to establish, monitor, and enforce a uniform Code of Conduct for all public officers. The Commission shall investigate allegations of professional misconduct and corruption, and shall exercise disciplinary control over any public officer to ensure that the civil service remains a meritocratic institution free from nepotism, cronyism, and political patronage.

(4) Responsiveness and Public Service Delivery: The Commission shall adopt a "Citizen-First" policy mandate. It shall be responsible for establishing performance benchmarks that require all government ministries to meet defined standards of customer service, operational transparency, and the timely delivery of services to the public. Disciplinary policy and mechanisms for below par performance by Civil Servants. Performance Standards assessment should be conducted bi-annual in a calendar year with salary increments to be based on this performance standards. Audits of these performance assessment should be conducted thoroughly to ensure performance assessments are conducted with integrity and salary increments are awarded fairly and impartiality.

(5) Historical Precedence and Authority: The authority of the Commission shall be modeled upon the frameworks established in Section 104 of the 1970 Constitution and Section 141 of the 1997 Constitution. The Commission shall hold the exclusive power to appoint, confirm, promote, and discipline public officers, ensuring consistency in policy implementation and recruitment standards across the entire machinery of Government.

5. Proposed Constitutional Provision: National Human Resource Development

- **Current Provision:** Education is addressed under the Bill of Rights, but there is no specific constitutional mandate for state-funded scholarships or the strategic funding of tertiary institutions.

- **Action Needed:** Insert a new clause under **Chapter 2 (Bill of Rights)** or **Chapter 6** mandating that the State provide for national human resource development through the PSC and Fijian Affairs Board (FAB) scholarship schemes, and constitutionalizing the state's obligation to fund the Fiji National University (FNU) to meet national strategic interests.

Rationale

i.) Scholarship Re-establishment:

Historically, PSC and Fijian Affairs Board scholarships were instrumental in building Fiji's professional class. Their current consolidation under a generalized loan service model often misses the strategic "human resource planning" aspect that the PSC originally provided.

PSC has always awarded scholarships according to the national interests needs. It has always conducted annual and 5 year national core and scarce skills needs analysis which are fed into the PSC scholarship schemes which led to sustainable, consistent and planned human resource

development of our country. Thus reducing wastage of funds and ensuring pro-activeness in addressing of our country's interests.

Re-establishing these specific schemes—with a focus on "bonded" training for government-critical roles—will ensure the civil service has a steady pipeline of highly trained experts, directly addressing the need for efficiency and consistency within the public sector.

ii.) **FNU Strengthening:**

As a "dual-sector" institution, FNU is uniquely positioned to bridge the gap between academic theory and practical nation-building. By mandating state support, we ensure that:

- **National Interest-Driven Curriculum:** The University shall be insulated from market-only forces, allowing it to focus on essential sectors (e.g., engineering, agriculture, education, nursing/medical and IT/AI/ Data) that are vital to Fiji's resilience, even if they are not the most "profitable" for private institutions.
- **Capacity Building:** Increased, stable funding shall enable the University to maintain international benchmarks, ensuring our doctors, engineers, and administrators are trained to the highest global standards while remaining deeply rooted in the context of the Fijian economy.

1. Proposed Constitutional Provision: National Human Resource Development

Clause [A]: Scholarship Schemes

(1) The State shall re-establish and constitutionally mandate the operation of the Public Service Commission (PSC) Scholarships and the Fijian Affairs Board (FAB) Scholarship schemes.

(2) These schemes shall be administered to prioritize national human resource needs, providing targeted support for disciplines identified as critical to the Republic's economic, medical, and administrative sovereignty.

(3) The allocation of these scholarships shall be managed by an independent body, ensuring transparency, merit, and a direct link to the strategic staffing requirements of the public and private sectors of Fiji.

Clause [B]: Support for the Fiji National University

(1) The Fiji National University (FNU), as a premier dual-sector institution, shall receive dedicated constitutional and statutory protection for its mandate to provide technical, vocational, and higher education.

(2) The State shall provide direct, sustained funding to the University, ensuring that its curriculum is aligned with and responsive to national development goals, including industrial growth, primary health care, and infrastructure management.

(3) The University shall be empowered to prioritize courses that serve the immediate and long-term interests of the Republic of Fiji, and the State shall ensure that graduates of these programs are integrated into the national labor market to maximize public investment.

6. Paramountcy and Safeguarding of iTaukei Land

- **Current Provision: Section 28 (Rights of ownership and protection of iTaukei, Rotuman and Banaban lands).**

- **Action Needed:**

  - Strengthen **Section 28(1)** by adding more rigid "entrenchment" language, requiring a super-majority (e.g., three-quarters majority) in Parliament for any future amendments related to the alienation of native land.
  - Include a new definition clause in the **Interpretation (Chapter 15)** section that defines the *iTaukei* through the *Vola ni Kawa Bula* (VKB) and customary totemism, as will be discussed.

Rationale

The constitutional protection of iTaukei land is a foundational element of Fiji's socio-political stability.

- **Proposed Strengthening:** While the 2013 Constitution currently prohibits the alienation of iTaukei land (other than through specific legal processes), the committee should consider further entrenching these protections to ensure that the "collective life interest" of the iTaukei landowning units remains absolute and inviolable.

- **Rationale:** iTaukei land is not merely a commodity; it is a vital part of indigenous identity and heritage. Safeguarding this land ensures that future generations of iTaukei maintain their ancestral connection and economic base. Any constitutional amendment must explicitly reinforce that the iTaukei Land Trust Board (TLTB) or its successor remains the sole, protected arbiter of this land, preventing any possibility of "swapping" or permanent alienation of native title like what happened with the Momi & Denarau land Swap which sets a dangerous legal precedent.

Objective: To move beyond a statement of intent toward a robust, "entrenched" protection.

Clause [W]: Protection of iTaukei Land

(1) All lands classified as iTaukei land shall remain in the perpetual ownership of the iTaukei landowners.

(2) Notwithstanding any other provision in this Constitution, iTaukei land shall be inalienable, save for acquisition by the State for a defined public purpose, subject to:

(a) Fair, prompt, and adequate compensation; and

(b) The express, written consent of the iTaukei Land Trust Board, acting in accordance with the traditions and customs of the relevant landowning unit.

(3) Any legislation intended to amend or alter the management or status of iTaukei land shall

- **Action Needed:** Strengthen the wording of **Section 122** to mandate that the State **shall** preserve, protect, and promote the identity, culture, and traditional knowledge of the *iTaukei*.
- **Proposed language:**

> "The State shall ensure the integrity of the *iTaukei* identity, including the protection of customary traditional knowledge, totems, and the VKB as the definitive record of indigenous personhood."

Rationale

The iTaukei landowning system is the bedrock of Fiji's social stability. To ensure this land remains protected for future generations, the constitutional definition of "iTaukei" must be made robust and legally precise. By codifying the *Vola ni Kawa Bula* (VKB) as the definitive administrative record and acknowledging the customary heritage (totems and lineage) as the essential markers of identity, we prevent future legal ambiguity. This "Anti-Challenge" framework ensures that the sanctity of indigenous ownership remains immune to erosion, keeping land in the hands of those to whom it ancestrally belongs.

Clause [I]: Comprehensive Definition and Preservation of iTaukei Status

(1) Legal and Administrative Identity: For the purposes of this Constitution and all national legislation, the term **"iTaukei"** shall mean a person of indigenous Fijian descent. The definitive legal verification of such status shall be the registration of that person in the *Vola ni Kawa Bula* (VKB) maintained by the iTaukei Lands and Fisheries Commission, pursuant to the *iTaukei Lands Act*.

(2) Customary and Cultural Integrity: Beyond mere registration, the *iTaukei* identity is inherently defined by a lineage-based connection to a landowning *Mataqali*. This identity is substantiated by the inheritance of: (a) **Customary Totemism:** The inherent right to the identity and heritage of a specific totem animal (*Ika* or *Manumanu*) and a totem plant or food (*Kau* or *Kakana*) that are recognized as the ancestral markers of that individual's *Mataqali*; and (b) **Ancestral Lineage:** An unbroken genealogical history linking the individual to the original landowning unit of their ancestors.

(3) Immunity to External Challenge: To safeguard the integrity of this status, no person who is not a registered member of an indigenous landowning *Mataqali* in the VKB, or who lacks the verified ancestral linkage to such a unit, shall be recognized as *iTaukei* for the purposes of holding native title or exercising indigenous customary rights.

(4) Supremacy of the VKB: The *Vola ni Kawa Bula* (VKB) is hereby declared the primary and authoritative legal record. Any dispute regarding the status of an individual as *iTaukei* shall be adjudicated solely by reference to the VKB and the established customary protocols governing the registration of indigenous Fijians, as recognized by the Ministry of iTaukei Affairs.

7. National Language and Social Cohesion

Clause [L]: National Language and Social Cohesion

(2) To promote national unity and social cohesion, the State shall formally recognize and promote [e.g., all three as official languages - iTaukei, Hindi, or English] as the national language(s) of the Republic of Fiji.

(3) The State shall prioritize the use of these national languages in public administration, educational curricula, and all official government communications to ensure that every citizen, regardless of their cultural background, shares a common linguistic foundation.

(4) All students to learn the three languages from Primary Schools right to Secondary Schools Curricula.

(5) The promotion of a common national language shall serve as a primary mechanism for building social cohesion, facilitating clear communication between the State and its people, and reinforcing a shared national heritage.

3. Integrated Argumentation

- **Linguistic Unity:** A nation's language is its primary instrument of social integration. By constitutionally elevating a language (or languages) that serve as a bridge between all communities, we reduce the silos of cultural and political isolation. This ensures that policy, law, and government information are accessible, fostering a "shared understanding" of the nation's direction.

Respectfully submitted for consideration,

Meli Matanatoto

Mobile Phone: +679 7126218

Email: melimatanatoto@gmail.com

Sila Village, Cuvu, Nadroga Fiji Islands.

21 May 2026

Laisiasa Qabau

FOMU NI VAKATUTU

TALEVI NI YAVU NI VAKAVULEWA NI 2013

Tikini ni siga 23.5.2026

Yaca/Yacamu Laisiasa Ramunu Qaiban
(Yacani soqosoqo, tikotiko se vuvale)

Lewena	Vakatutu
IKAU (Preamble)	Kerea ga me sa veisau na yavu ni vakavulewa 2013.
WASE 1 NA MATANITU	Na lawa o koya vakaduria na matanitu sa oti e vakaduria, e lewa tandna ka mona taka tandna ga constitution sa oti
WASE 2 LAWA NI DODONU	Lawa ni dodonu sa tubu sara ga kina vakadonu koya vakataki koya o ira na gone era sa vavalovu na narana era sa dokadoka na lotu sa vaka me tuluga mai etc
WASE 3 NA PALIMEDI	Na lawa eratou bula me baleti iratou ga na cala me donu na sega me 10

WASE 4 NA VEILIUTAKI VAKAMATANITU	Vakayagataki nai -yau vakaveitadia
WASE 6 VEIQARAVI VAKAMATANITU	Era sa vakarorogo ga veiran na rua - Kaiyum and Ba' me rogoci ga na domodrau me yaco ga na lomadrau
WASE 7 IYAU KEI NA KENA VAKAYAGATAKI	Vakayagataki vakatawadodonu
WASE 8 VEIQARAVI VAKADODONU	
WASE 9 KAUKAUWA ENA GAUNA NI TIKOLEQA	Sivia ga na lega

WASE 10 VEIVAGALALATAKI	Tiko ga na kaukauwa veirau na rau viava cegui dua ga sa cegui caka caka
WASE 11 VEISAUTAKI NI YAVU NI VAKAVULEWA	E dodonu me veisautaki E raton vaduria ga E raton lewa ga
WASE 12 ITEKITEKIVU, IVAKAMACALA, BOKOCI KEI NA KENA IDEWADEWA	Sega ni muri na lawa na kena sega ni vakadrodroi sobu mai na lawa.

VEIKA TALE ESO Veisautaki na lawa ni qele se kua ni caka na veidigidigi me vakasavasava kece na veika kece qai caka na veidigidigi

Raniunni
.....
Saini (tikini ni siga)
23.5.2026

Baleivetau Vany

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Recommendations

Baleivetau Vany <vanybaleivetau@gmail.com> Tue, May 26, 2026 at 4:43 PM
To: commissioners2026@gmail.com

Ni Sa Bula Vinaka

I would also like to contribute to the constitution review that is currently being held in our country.
These are my humble recommendations:
1. Make labor laws stronger and help workers be aware of their legal rights to deter employees from taking advantage of their employees.
I left teaching this year because I havent been paid for 9 weeks in term 3 of 2025. My contract expired and I was asked to continue teaching and it will be renewed and my pay will be reimbursed as soon as my contract is renewed but that never happened.Beginning of this year, my contract still wasn't renewed and was asked again through my head of school to continue going to work until its renewed. For which I refused. Now, are there laws out there that prevents this from happening? What can one do if they are faced with such problems? What legal steps can I take to address this issue about my work?

2. The old system we had in place at the Ministry of Education when I started work in 2010 suited Fijis education system very well. Especially in regards to employment for teachers, postings, accessing salary slips, accessing confirmation letter. Now, everything seems not to work..it takes forever for our contract to be signed and renewed, and overall frustrating.

3. Housing prices
There really needs to be some form of control to the housing markets in our country.

I hope my recommendations will be considered.

Vinaka
Vani S.

Elenoa Kaisau

First of all,I would like to thank the Coalition Government for setting up the Constitution Review Commission to consider our views in the process of formulating to the new Constitution.Thank you for making the process accessible to persons with disabilities.

My name is Elenoa Kaisau and I am a woman who acquired with multiple disabilities -physical impairment, spinal cord injury since 1997 and Bipolar Disorder since 2013.I was working as a Programs/Project Officer for Fiji Disabled People's Federation (FDPF) in 2012/2013 when the 2013 Constitution was designed.FDPF is the umbrella organization of people with disabilities in Fiji.The organization received funding from UNDP to collect nation wide submissions from persons with disabilities which was submitted to Professor Yash Ghai and his team.We were happy to see the Inclusion of Article 42 on the Bill of Rights on the Rights of Person with Disabilities on the Professor Yash Ghai Copy and the 2013 Constitution.FDPF made it's submission based on the fact that Fiji had signed the United Nations Conventions on the Rights of Persons with Disabilities (UN CRPD) in June,2010.

I would like to inform you that I am making my own submissions based on my experience with the 2013 Constitution which I believe needs immediate change.Fiji ratified the UN CRPD in 2017 and we need a Supreme Law that considers Disability as an evolving concept and as a result of interaction between a person with people with impairment and their environment.

Therefore I would like to see that these changes be included as part of Bill of Rights Article 42 on the Rights of Persons with Disabilities.

1. Persons with disabilities include those who have long term physical,mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.(UN CRPD Article 1 Purpose)

2.A person with disability has the right to:

a)all appropriate means and methods of communication including languages, signed languages, display of text,Braille, tactile communication,large print, accessible multimedia as well as written,audio,plain - language,human - reader, augmententative and alternative modes,means and formats of communication including accessible information and communication technology.(Reference - UN CRPD Article 2 Definitions)

b)Universal Design which means the design of products, environment, programmes and services to be usable by all people to the greatest extent possible without the need for adaptation or specialized design."Universal Design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.(Reference: UN CRPD Article 2: Definitions)

3.Discrimination on the basis of Disability means any distinction,exclusion or restrictions on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic,social, cultural,civil or any other field.It includes all forms of discrimination including denial of reasonable accommodation.

b.Reasonable accomodation means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden where needed in a particular case to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms (Reference: UN CRPD - Article 2 : Definitions)

During the last Elections,I have part of a minority group that have not been able to vote because I am a person with Bipolar Disorder/Unsound Mind .I would like to refer to 2013 Constitution Part B - Composition

(2)A person who (b) under a law enforced in Fiji, adjudged or declared to be of unsound mind does not have the right to be registered as a Voter.

(3)A person who is a registered Voter and who after her registration as a Voter (b)is under a law in force in Fiji, adjudged or declared to be of unsound mind ceases to be a registered Voter.

I believe the use of the clause "Unsound Mind"to label people with Mental Health problems or psychosocial disabilities is a direct discrimination on the basis of Disability.

Laitia Tamata

Gmail Constitution Review Commission <commissioners2026@gmail.com>

FW: SUBMISSION TO THE FIJI CONSTITUTION REVIEW COMMISSION (CRC) – 2026 SUBJECT: Contextual Universalism and the Harmonization of Individual Human Rights with the Communal and Family Unit in Fiji

Sevuloni Takele <sevuloni.takele@fnu.ac.fj> Thu, Jun 11, 2026 at 12:38 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Ni Bula Vinaka Chairman Constitution Review Commission,

Forward herewith a submission that was sent to FNU VC, former member of CRC.

Vinaka

Sevuloni Takele
Senior Manager Secretariat | Department of Secretariat | OVC
P.O.Box 7222, Valelevu
Ext. 2700 | Mob: 9920250
www.fnu.ac.fj
"Registered with the Higher Education Commission Fiji as a University under the Higher Education Act 2008. Registration Certificate Number RG 0116.".

The Fiji National University pays its deepest respect to the *Vanua* and acknowledges the traditional owners and custodians of the land on which FNU campuses are located. The University also pays its utmost respect to its leaders, both past and present, and in the future.

From: Laitia Tamata <laitia.tamata@gmail.com>
Sent: Thursday, 28 May 2026 4:24 am
To: Professor Unaisi Baba <unaisi.baba@fnu.ac.fj>; Vice Chancellor <vc@fnu.ac.fj>
Cc: Sevuloni Takele <sevuloni.takele@fnu.ac.fj>; Senior Manager Secretariat <sm-sec@fnu.ac.fj>
Subject: SUBMISSION TO THE FIJI CONSTITUTION REVIEW COMMISSION (CRC) – 2026 SUBJECT: Contextual Universalism and the Harmonization of Individual Human Rights with the Communal and Family Unit in Fiji

Executive Summary

As Fiji navigates its post-2013 constitutional landscape, we face a critical intersection between our international human rights obligations and our indigenous social architecture. On the global stage, Fiji has successfully championed our identity not merely as a vulnerable Small Island Developing State (SIDS), but as a sovereign **Large Ocean State** within the **Blue Continent**. We advocate for the **Ocean of Peace** to secure collective security and environmental stewardship.

However, a diplomatic paradox has emerged. In our readiness to adopt international human rights conventions—specifically those heavily focused on the individual, such as the UN Convention on the Rights of the Child (UNCRC)—we have inadvertently created a legal framework that often bypasses the fundamental protective units of our society: the family and the community.

This submission proposes that the revised Constitution must codify **Contextual Universalism** and the doctrine of **Gradual Attainment**. This will ensure that international human rights are domesticated in a manner that strengthens, rather than fractures, the communal ties (*Vakavanua*) recognized under the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169.

1. The Diplomatic Paradox: Macro-Sovereignty vs. Micro-Sovereignty

Our foreign policy actively promotes collective rights. The concept of the **Pacific Ocean of Peace** relies on communal stewardship and regional solidarity. Yet, our domestic implementation of human rights has increasingly mirrored Western, highly individualized models.

- **The Individual vs. The Collective:** Treaties like the UNCRC position the State as the direct protector of the individual child, sometimes casting the family as a potential adversary. Conversely, UNDRIP (Articles 5 and 18) and ILO 169 recognize that for indigenous peoples, the family, the village, and the *Vanua* are the primary shields of protection.
- **The Risk of Institutional Indigestion:** Applying a rigid, individualistic human rights framework to a communal society leads to social atomization. When state mechanisms intervene directly without consulting traditional governance structures, we risk eroding the very social safety nets that have historically maintained peace and cohesion (*Sautu*).

2. Codifying "Contextual Universalism"

The revised Constitution must move away from the "all-or-nothing" compliance model that has historically pressured developing nations. We must adopt **Contextual Universalism**—the principle that while human rights are universal in their essence, the *mechanisms* for their delivery must be culturally rooted.

To achieve this, the Constitution should reflect that the **fundamental unit of society is the family and the community**. The State's role should be reoriented from a direct intervener to an *enabler*, empowering communities to protect their vulnerable members according to customary values that align with human dignity.

3. Proposed Constitutional Amendments

To operationalize this paradigm shift, the following amendments and interpretive clauses are recommended for the new Constitution:

A. Amendment to the Bill of Rights (Section 41 - Rights of Children)

Section 41 of the 2013 Constitution currently reflects an individualistic interpretation of children's rights. It must be amended to balance the "best interests of the child" with the communal rights of the family.

- **Proposed Addition:** *"The State recognizes that the family and the communal unit are the natural and fundamental group units of society and are entitled to protection by the State. The rights of the child shall be realized primarily through the support and preservation of the family unit, granting appropriate discretion to parents, guardians, and traditional structures in the upbringing and discipline of children, provided such practices do not inflict cruel, inhuman, or degrading treatment."*

B. Interpretive Primacy of Customary Law and ILO 169

The Constitution should mandate that international treaties be interpreted through the lens of local context.

- **Proposed Mechanism:** Establish a constitutional provision stating that individual rights derived from international conventions (e.g., UNCRC) must be harmonized with the collective rights recognized under UNDRIP and ILO Convention 169. Where a conflict arises, the preservation of the indigenous communal fabric shall be a primary consideration of the courts.

4. The Doctrine of Gradual Attainment

We must legally recognize that establishing state-run, individualized welfare systems takes time, resources, and institutional capacity. The Constitution should embed the doctrine of **Gradual Attainment**.

- **Application:** This doctrine asserts that while Fiji aspires to the highest standards of international human rights, the realization of specific, individualized administrative rights will be phased in progressively. In the interim—and as a permanent cultural bedrock—customary guardianship and communal dispute resolution (mediation) remain the default and legally protected mechanisms for securing the well-being of the individual.
- **Strategic Value:** This provides Fiji with a robust legal defense in international forums (such as the Universal Periodic Review), framing our reliance on traditional structures not as a human rights deficit, but as a deliberate, capacity-aware strategy for maintaining social peace while we build state infrastructure.

Conclusion

Fiji's strength in Geneva and New York comes from our authentic voice as a Large Ocean State. To maintain that authenticity, our supreme law at home cannot mirror foreign individualistic paradigms at the expense of our communities. By embedding Contextual Universalism and the Gradual Attainment doctrine into the new Constitution, we will close the gap between our international obligations and our lived reality, ensuring that the Ocean of Peace begins within the Fijian family.

Laitia Tamata

Please find submission One (LRT 1/2026) raising the following issues :

1. ***A Structure Based on Christian Values, Traditional Authority, and Family Stability.***
2. ***The Family as the Core Unit***
3. ***Recognition of Our Christian Heritage and Values***
4. ***Re-enfranchising Traditional Leadership (Aristocracy)***
5. ***Citizen Stewardship (Polity)***
6. ***Alignment with Indigenous Rights***

This submission explores the potential integration of a traditional, Christian-values-based constitutional structure within Fiji, aimed at strengthening social cohesion while aligning with international human rights standards.

Part 1: Analysis of Constitutional Principles

The proposal combines elements of **Monarchy** (sovereignty and continuity), **Aristocracy** (traditional leadership/councils), and **Polity** (broad citizenship participation), structured within a Christian framework where the family is the fundamental unit.

1. The Family as the Fundamental Unit of Society

- **Rationale:** Placing the family at the center, as suggested by Christian social thought, ensures that social policy prioritizes stability, moral education, and social welfare. The family, not the individual, is the primary cell of society, providing a natural base for intergenerational love, care, and duty.
- **Application:** The constitution would protect the sanctity of marriage and family life as foundational to state health.

2. Monarchy and Aristocracy (Traditional Leadership/Vanua)

- **Rationale:** The "three pillars" of Fijian society—*Vanua* (land and tradition), *Lotu* (Church), and *Matanitu* (government)—reflect a hybrid structure. A monarchical or senior leadership element ensures continuity, cultural preservation, and a "covenant" understanding of governance.
- **Application:** Enhancing the role of the Bose Levu Vakaturaga (Great Council of Chiefs) or similar traditional bodies provides aristocratic wisdom, bringing stability and indigenous authority over land and custom.

3. **Polity (Christian Citizen Stewardship)**

- **Rationale:** A "Polity" where citizens are considered stewards or owners of the State implies active duty over passive rights. Christian principles of loving one's neighbor, unconditional forgiveness, and selfless sacrifice for the common good create a cohesive, selfless society.
- **Application:** The constitution would foster a moral framework rather than a purely secular one, emphasizing the duty of "stewardship" and "brotherhood".

4. **Alignment with International Rights & Indigenous Declarations**

- **Indigenous Rights (UNDRIP):** An emphasis on traditional land ownership (Non-alienability of native land) and chiefs aligns directly with indigenous rights and self-determination as mandated by the Deed of Cession.
- **International Law Compatibility:** While promoting Christian values, a constitution based on "love for neighbor" must also uphold the fundamental rights of freedom of religion, speech, and equality of all citizens to remain compatible with modern international treaties.

Part 2: Draft Submission for Fiji Constitutional Review

To: The Constitutional Review Commission of Fiji

From: [Your Name/Organisation]

Date: April 6, 2026

Subject: Submission for the 2026 Constitutional Review – A Structure Based on Christian Values, Traditional Authority, and Family Stability.

1. **Introduction**

We urge the Commission to recognize that a constitution is most effective when it reflects the lived, spiritual, and traditional realities of its people. We submit that a State founded on Christian values—specifically, the love of God and neighbor—combined with traditional Fijian leadership

structures (Aristocracy) and a strong family-centric focus (Monarchy/Polity), will create a more stable, moral, and prosperous Fiji.

2. The Family as the Core Unit

We recommend the constitution explicitly recognize the family as the fundamental unit of society, deserving of special state protection. Policies must be designed to support family cohesion, respect, and economic security.

3. Recognition of Our Christian Heritage and Values

We call for a preamble that acknowledges the sovereignty of God, as established in the 1874 Deed of Cession, which is viewed by many as a covenant. The state should uphold principles of forgiveness, sacrifice, and love, fostering a peaceful society. This does not preclude freedom of religion for others, but recognizes the foundational faith of the majority.

4. Re-enfranchising Traditional Leadership (Aristocracy)

We advocate for the formal integration of the Bose Levu Vakaturaga (Great Council of Chiefs) into the legislative process, particularly regarding land, iTaukei affairs, and national stability. Their role should complement modern democracy, not replace it, ensuring that "Matanitu" (government) works alongside "Vanua" (custom).

5. Citizen Stewardship (Polity)

We submit that citizens are not merely rights-holders but stewards bound by duty. The constitution should emphasize the duty to love one's neighbor, respect the law, protect the environment, and serve the nation selflessly.

6. Alignment with Indigenous Rights

These amendments are consistent with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which supports the retention of indigenous, social, and political institutions.

7. Conclusion

A Fiji that embraces its Christian, traditional, and family-centered roots will be stronger and more united. We urge the commission to move beyond purely secular frameworks and adopt a model that reflects our spiritual and cultural heart.

Laitia Tamata

Ropate Ramacake

Gmail Constitution Review Commission <commissioners2026@gmail.com>

ADDITIONAL CONSTITUTIONAL REFORM PROPOSALS Part 1

Ropate Ramacake <ropate.ramacake@gmail.com> Sat, May 30, 2026 at 10:31 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Roko Tui Cakaudrove <rokotuicakaudrove@yahoo.com>, Laisa Batigai <laisa.batigai@judicial.gov.fj>, Ropate Ramacake <jackalramacake@gmail.com>

Dou Sa Bula Vinaka,

Please find below five additional proposals that were not presented to the Commission during the consultations conducted in Vanua Levu. I intend to submit a further five proposals in a subsequent email.

1. Re-establishment of Counter-Revolutionary Warfare (CRW) Capabilities

I propose the re-establishment of Counter-Revolutionary Warfare (CRW) capabilities, with appropriate authority vested in the Government of Fiji and the Commander of the Republic of Fiji Military Forces (RFMF).

The primary objective would be to strengthen national security by proactively addressing emerging threats such as illicit drug trafficking, human and child trafficking, organised crime, and other activities that may undermine Fiji's future stability and development. Such a unit could operate as a specialised intelligence and security arm working closely with the Government and the RFMF to safeguard national interests.

2. National Military Training and Service Programme for Youths

I propose that all youths undertake a compulsory period of military training upon completing secondary school.

Under this proposal:

- One year would be dedicated to military and leadership training.
- This would be followed by two years of service, either domestically or internationally, before participants pursue their chosen career paths.

Potential benefits include:

- Reducing youth involvement in drugs and crime.
- Instilling discipline, responsibility, and patriotism.
- Developing a stronger work ethic among young citizens.
- Creating a more resilient and capable future workforce.

3. Adoption of Character-Based Education Inspired by the Japanese Model

I propose that Fiji adopt elements of the education system used in Japan, particularly the emphasis placed on character development during the early years of schooling.

Students from Years 1 to 3 should be taught:

- Respect for elders.
- Personal responsibility.
- Good behaviour and discipline.
- Respect for people from different cultural and ethnic backgrounds.
- Civic values and community service.

Embedding these values at an early age could contribute significantly to addressing many of the social challenges currently facing Fiji and help develop responsible future citizens.

4. Compulsory Voting for Citizens Aged 21 and Above

I propose that voting in national elections become compulsory for all eligible citizens aged 21 years and above.

Elections are held only once every four years, yet many eligible citizens choose not to participate despite benefiting from public services and contributing through taxes.

Compulsory voting would:

- Increase democratic participation.
- Ensure governments are elected with broader public support.
- Encourage greater civic responsibility.

To support compliance, consideration could be given to penalties for non-participation, such as a monetary fine or other lawful sanctions, subject to appropriate exemptions and safeguards.

5. Review of Political Party Structures and Representation

I propose that, from 2031 onwards, Fiji consider reviewing its political party framework to encourage stability and improve representation.

One possible model would be to limit the number of registered political parties and establish clear representation mechanisms for:

1. Indigenous iTaukei communities [50% constituencies & parliamentary sittings]
2. Rotuman, Rabi Island, Kioa Island, and Solomon Islands descendant communities [25% constituencies & parliamentary sitting].
3. Indo-Fijian community [25% constituencies & parliamentary sittings].

The objective would be to reduce political fragmentation, promote clearer representation, and strengthen national unity while ensuring all communities continue to have a voice within Fiji's democratic system.

Gmail Constitution Review Commission <commissioners2026@gmail.com>

ADDITIONAL CONSTITUTION REFORM PROPOSAL'S PART 2

Ropate Ramacake <ropate.ramacake@gmail.com> Sat, May 30, 2026 at 11:37 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Laisa Batigai <laisa.batigai@judicial.gov.fj>, Ropate Ramacake <jackalramacake@gmail.com>

6. Re-establishment of a Local Community Policing System

I propose the re-establishment of a local community policing structure similar to the system that existed during the colonial era, where community-based officers worked alongside the national police service.

Under this proposal:

- The Fiji Police Force would continue to investigate and prosecute serious criminal offences, including murder, rape, domestic violence, child abuse, drug trafficking, human trafficking, organised robbery, and other major crimes.
- A Local Police (Ovisa ni Yasana) system would be established to address minor community matters such as neighbourhood disputes, minor theft, public disturbances, and other low-level offences.

For cases handled by the Local Police, restorative justice measures could be encouraged, including:

- Community service.
- Traditional reconciliation processes such as Matanigasau.
- Assistance to vulnerable families and community members.
- Financial penalties where appropriate.

Such a system could strengthen community harmony, reduce pressure on national law enforcement agencies, and encourage local accountability.

7. Leadership Development and Succession Planning for Fiji

I propose that Fiji establish a national leadership development framework to identify, train, and mentor future leaders.

Past leaders such as Ratu Sukuna, Ratu George Cakobau, Ratu Penaia Ganilau, and Ratu Sir Kamisese Mara benefited from structured leadership development and educational opportunities that prepared them for national service.

A modern leadership programme could:

- Identify talented young leaders from all communities.
- Provide education, mentorship, and leadership training.
- Promote values such as integrity, service, respect, and nation-building.
- Develop future leaders for public service, government, and national institutions.

Institutions such as Queen Victoria School and other educational establishments could play an important role in supporting leadership development programmes.

8. Encouraging Retired Citizens to Contribute to Rural Development

I propose that Fiji develop policies that encourage retired citizens to contribute their knowledge and experience to their villages, districts, and communities of origin.

Retired civil servants, private-sector employees, and NGO workers possess valuable skills and expertise that could benefit rural development.

Possible initiatives include:

- Community mentorship programmes.
- Village development advisory committees.
- Skills-transfer programmes for youths.
- Participation in village council meetings and community projects.

Such measures could:

- Strengthen rural development.
- Reduce urban overcrowding.
- Promote knowledge-sharing between generations.
- Preserve traditional community structures and values.

Participation should be encouraged through incentives and support programmes rather than punitive measures.

9. Establishment of a Ministry or National Office for Men's Wellbeing

I propose the establishment of a dedicated government office or ministry responsible for promoting men's wellbeing and addressing issues affecting boys and men throughout Fiji.

Areas of focus could include:

- Mental health support.
- Counselling services.
- Substance abuse rehabilitation.
- Support for fathers and families.
- Welfare services for former military personnel, police officers, and other public servants.
- Assistance for victims of domestic violence and abuse, including male victims.

The establishment of men's crisis centres and counselling facilities could help address social challenges that often remain unreported and improve the wellbeing of families and communities.

10. Strengthening Fiji's Response to Illegal Drugs

I propose stronger national measures to combat the production, trafficking, distribution, and use of illicit drugs such as methamphetamine, cocaine, and other dangerous narcotics.

Potential measures could include:

- Increased border security and surveillance.
- Stronger penalties for large-scale drug trafficking and organised drug crime.
- Expanded rehabilitation and treatment services.
- Community education and prevention programmes.
- Greater cooperation between law enforcement agencies and local communities.

The objective should be to protect Fiji's youth, families, and communities from the harmful effects of illegal drugs while maintaining a justice system that is fair, effective, and consistent with constitutional and human-rights principles

Gmail Constitution Review Commission <commissioners2026@gmail.com>

ADDITIONAL CONSTITUTION REFORM PROPOSAL'S PART 3

Ropate Ramacake <ropate.ramacake@gmail.com> Sun, May 31, 2026 at 12:05 AM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Laisa Batigai <laisa.batigai@judicial.gov.fj>, Ropate Ramacake <jackalramacake@gmail.com>

11. Strengthening the Use of the iTaukei Language Through Education

I propose that the Constitution and national education policies promote the teaching of the iTaukei language throughout Fiji's education system.

Under this proposal:

- Basic iTaukei language instruction would be taught in primary schools.
- Intermediate and advanced levels would be available in secondary schools and tertiary institutions.
- Students from all ethnic and cultural backgrounds, including Indo-Fijians, Rotumans, Banabans (Rabians), Kioans, Solomon Islands descendants, and other communities, would have the opportunity to learn and understand the language.

The objectives of this proposal are to:

- Strengthen national unity and communication.
- Preserve and promote Fiji's indigenous language and cultural heritage.
- Improve understanding between communities.
- Equip future generations with language skills useful for public service, community engagement, and employment within Fiji.

At the same time, English would continue to play an important role as a common language for education, business, international relations, and communication.

12. Regulating the Consumption of Yaqona (Kava)

I propose stronger national measures to encourage responsible consumption of yaqona (kava) and to reduce the social and economic impacts associated with excessive consumption.

Areas for consideration may include:

- Public awareness campaigns on responsible yaqona consumption.
- Workplace policies limiting yaqona consumption during working days where appropriate.
- Community programmes promoting healthy lifestyles and family engagement.
- Research into the health, social, and economic impacts of excessive yaqona use.

The intended benefits include:

- Increased workplace productivity.
- Greater family and community engagement.
- Improved health outcomes.
- More time devoted to education, farming, business development, and community activities.
- Enhanced economic performance.

Yaqona would continue to retain its important role in traditional ceremonies, cultural protocols, and social gatherings while encouraging moderation and responsible use.

13. Review of Alcohol Sales and Consumption Policies

I propose a review of Fiji's alcohol policies with the aim of reducing alcohol-related harm while promoting public health and community wellbeing.

Possible measures for consideration include:

- Stricter age-verification requirements for alcohol purchases and entry into licensed venues.
- Increased public education on the risks associated with alcohol abuse.
- Enhanced support services for individuals and families affected by alcoholism.

- Stronger enforcement against underage drinking.
- Review of alcohol licensing and sales regulations.

The objectives would be to:

- Reduce alcohol-related violence and accidents.
- Improve public health outcomes.
- Promote safer communities.
- Support stronger family relationships.
- Encourage responsible consumption practices.

Any policy reforms should balance public health objectives with personal freedoms, economic considerations, and Fiji's tourism and hospitality industries.

Vinaka saka vakalevu.

Mosese Sereivalu

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Constitutional Submission on Customary Ownership Rights and Economic Justice for iTaukei Landowners

3 messages

Mosese Sereivalu <sereivalu_mo@icloud.com> Tue, Jun 2, 2026 at 10:05 PM
To: commissioners2026@gmail.com

Dear Commissioners,

I respectfully submit the following question and proposal for consideration as part of the 2026 Constitutional Review process.

Constitutional Question for Consideration

Should the Fiji Constitution be amended to grant iTaukei landowners full and complete ownership rights over their customary land; including everything above, below, and surrounding it, such as subterranean resources, minerals, natural resources, and adjacent waters; rather than limiting ownership to a defined surface area and restricting coastal communities to usage rights over their traditional waters and qoliqoli, thereby ensuring that all economic benefits derived from these resources flow equitably back to the rightful customary landowners?

Supporting Submission

One of the greatest challenges facing ordinary Fijians today is the rising cost of living. The prices of food, housing, transportation, utilities, and other essential goods continue to increase, while wage growth has not kept pace with inflation. As a result, many families struggle to maintain a reasonable standard of living despite working hard and contributing to the national economy.

At the same time, significant economic value continues to be generated from resources located on or associated with customary lands and waters. Yet many customary landowners and coastal communities receive only a limited share of the wealth derived from these resources.

I therefore submit that constitutional reform should not only address legal ownership rights but also economic justice. The Constitution should recognize the full customary ownership rights of iTaukei landowners and traditional fishing communities over their lands, resources, minerals, and qoliqoli areas, while establishing mechanisms that ensure a fair and equitable return of benefits from commercial activities conducted within these areas.

Such reforms could help:

1. Increase economic opportunities for customary landowners.
2. Create sustainable sources of income for rural and coastal communities.
3. Reduce dependence on government assistance programs.

4. Strengthen community development through improved access to education, healthcare, infrastructure, and employment opportunities.
5. Help families better cope with inflation and rising living costs through increased participation in the economic benefits generated from their ancestral resources.

In addition, I encourage the Commission to consider broader constitutional and policy measures that support wage growth in line with inflation and the cost of living, including regular wage reviews, skills development, productivity enhancement, and policies that ensure economic growth is shared fairly among all citizens.

The Constitution should provide a framework that protects customary ownership, promotes economic empowerment, and ensures that the wealth generated from Fiji's natural resources contributes directly to improving the livelihoods of the people who have traditionally owned and stewarded those resources for generations.

Thank you for your consideration of this submission.

Yours Faithfully,

Mosese Sereivalu

Wainadoi

9401994

Constitution Review Commission <commissioners2026@gmail.com> Wed, Jun 3, 2026 at 6:02 AM
To: Leah Duru <leahduru94@gmail.com>, Kesaia Balewai <kesaia.balewai@corrections.gov.fj>

Forwarded to you for filing in the appropriate Folder.

Question: Did you also receive this submission before my sending it to you now? Am I duplicating things here?

I note that no one has responded to this and other emails from submitters.

Chair.

Chair.
[Quoted text hidden]

Constitution Review Commission <commissioners2026@gmail.com> Fri, Jun 26, 2026 at 2:08 PM
To: Mosese Sereivalu <sereivalu_mo@icloud.com>
Cc: Sevuloni Ratumaiyale <sratumaiyale55@gmail.com>

Dear Sir,

Thank you for your submission. We acknowledge receipt of your correspondence and appreciate your contribution to the consultation process. Your submission has been duly received and will be taken into consideration as part of the review process.

Kind Regards

Ms. Leah Duru

Research and Policy Team to the CONSTITUTIONAL REVIEW COMMISSION
Level 9 Suvavou House, Victoria Parade Suva.
MOB: 9922748

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[Quoted text hidden]

Paul Betani

Gmail Constitution Review Commission <commissioners2026@gmail.com>

RE: CONSTITUTION REVIEW CONSULTATION

Paul Betani <abbbecca2909@gmail.com> Wed, Jun 3, 2026 at 1:52 PM
To: commissioners2026@gmail.com

Cola vina Sir,

I would like that address a few submissions that needs to included in the new Constitution;

1. All the customary land and fishing ownership rights to given to the customary resource owners of the Yavusa and Mataqali not the Vanua;

2. Our ancestoral ownership rights to be restored with good faith. For example, our Yavutu [ancestoral land] and Burekalou [Spirit-house land] to be returned back to the traditional resources owner;

3. Christian State to be restored;

4. Remove FICAC and TLTB;

5. Bill of rights to be reviewed as parents, law enforcement agencies and teachers to be given the right to discipline their children or people with reasonable force that is lawful;

6. Land owners to have right and power over the distribution of their resources and transaction as a I-Taukei Trust Board to be employed by landowners as government to return all lands, mineral resources and firmament to traditional resources owners;

7. I-Taukei to be known as Kaiviti.
Respectfully submitted Sir.

Vinaka Saka Vakalevu.



Gmail Constitution Review Commission <commissioners2026@gmail.com>

Urgent request for information

3 messages

Rae Bainteiti <pycmfocalpoint@gmail.com> Thu, Jun 18, 2026 at 9:06 PM
To: Jacob Karutake1 <karutakej@gmail.com>
Cc: Kaitama Tawaka <kaitama-t@hotmail.com>, FCOSS Coordination <fcosscoordination@gmail.com>, sepesa sigatokacake rasili <sepesa.sigatokacake@gmail.com>, Juleen Fatiaki <juleen@fatiakilaw.com>, Seforan Fatiaki <seforan@fatiakilaw.com>, Seforan Fatiaki <seforanfatiaki@outlook.com>, selita@fwrm.org.fj, Constitution Review Commission <commissioners2026@gmail.com>, atasa.moceituba@ag.gov.fj

Mauri Iakoba,

Trust this email finds you well. In preparation for your consultation in Uma tomorrow (19 June), can I kindly request that the following reports be made available:

1. The Centrex report. Even if it has been annulled, please provide us with the original contract that Uma village had requested in 2023.
2. A copy of the final MOU between RCL and RonPHOS.
3. The BTF audit reports.

I have been requesting for all this information even after the High Court ruling was delivered on 31 December 2025 but haven't been made available by your office.

In all your consultations since Centrex came about in 2023, you have been referencing that the reason for RCL's interest on Banaban pinnacles is because of the current financial crisis that the Banaban Trust Fund is going through now.

Let me break down why this information is important for the public and for the few of us who do not agree that pinnacle extraction is the solution or quick fix to BTF mismanagement over the years.

Instead of addressing the core issues surrounding the mismanagement of the BTF, you have dedicated the last few years trying to extract pinnacles. How can this fix the mismanagement of BTF?

Funding of the RCL should be the priority of the Fiji Government and should be met by Fiji's recurrent budget as it does for Rotuma and Kioa. It shouldn't be at the expense of losing Banaban pinnacles/Banaban ancestral land once again at the cost of all landowners because of the mismanagement of the BTF that only few Leaders and Council employees caused. You know this better given your many years of experience at the OPM.

In saying this, we urge you to prioritise strengthening RCL's governance. Work with Fiji Government to address abuses of BTF and secure Fiji Government budgets to support and sustain RCL operations and development budgets.

Mining and pinnacle extraction is very colonial, obsolete and is not sustainable. We have learnt its impacts for over a hundred of years; 80 bitter years in Rabi, Fiji caused by forced relocation because of environmental harm on Banaba. There are also overdue reparations that need to be facilitated. Only until you have addressed the core issue of the mismanagement of BTF, reparation and reinstatement of RCL will we support any future plans for our beloved islands.

Again, I kindly request if you can provide BTF audited reports before our consultation tomorrow.

And I will further seek the benefit of public media and legal advice to escalate this further.

Ko rabwa,

Rae Bainteiti
Banaban Human Rights Defenders Network

Disclosure:
I am currently employed by Greenpeace Australia Pacific as the Pacific Political Coordinator. However, the views expressed in this email regarding Banaban advocacy are my own and do not represent the official stance of Greenpeace Australia Pacific, the NGOs I am affiliated with, or any other professional organizations I am a part of. These views reflect my personal perspective as a Banaban Indigenous person, landowner, activist and as an aspiring youth leader dedicated to advocating for my community's rights and addressing the ongoing injustices faced by my people, both for the present and future generations.

Jacob Karutake1 <karutakej@gmail.com> Thu, Jun 25, 2026 at 11:51 AM
To: Rae Bainteiti <pycmfocalpoint@gmail.com>
Cc: Kaitama Tawaka <kaitama-t@hotmail.com>, FCOSS Coordination <fcosscoordination@gmail.com>, sepesa sigatokacake rasili <sepesa.sigatokacake@gmail.com>, Juleen Fatiaki <juleen@fatiakilaw.com>, Seforan Fatiaki <seforan@fatiakilaw.com>, Seforan Fatiaki <seforanfatiaki@outlook.com>, selita@fwrm.org.fj, Constitution Review Commission <commissioners2026@gmail.com>, atasa.moceituba@ag.gov.fj

Mauri Rae

Note the following in regards to your request on 3 issues:

1. There is no Original Contract with Centrex. That has been explained so many times in my meetings in all the villages including Uma. If there is one you provide it to prove what you been saying. Stop misleading the community on the word Original Document.
You and and your group already had a copy of a two page letter to Centrex which your group had used to mislead people signing a petition to the Prime Minister stating that there will be mining when only the exploration on Banaba was requested.

2. There is no Final MoU with RONPHOS. If there is one, provide it. Again misleading the community by using the word Final MoU. We are currently working with RONPHOS and Kiribati on the project on Banaba as this was endorsed and mandated by the Banaban Community. We are still in the negotiation stage and the Final MoU will be finalised after all processes are completed.

3. For BTF audited reports, liaise with the secretary BTFB on banabantrust@connect.com.fj for official request to be recorded in our files.

Thank you.

Iakoba Jacob Karutake
Rabi Administrator
Rabi Council of Leaders.

3.

[Quoted text hidden]

Constitution Review Commission <commissioners2026@gmail.com> Thu, Jun 25, 2026 at 5:03 PM
To: Sevuloni Ratumaiyale <sratumaiyale55@gmail.com>, Constitution Review Commission <commissioners2026@gmail.com>

Deal Chair and Commissioners

With respect to the above correspondence, for the Commission's information, it is worth noting that this was a Constitutional Redress application relating to the constitutional right of access to information. The High Court has since delivered its judgment in this matter, in which our Office represented the Rabi Council of Leaders (where I was the Officer in Carriage).

By way of brief background, the applicant, a Banaban rights activist, sought access to documents held by the Rabi Council of Leaders (**RCL**) concerning proposed phosphate mining on Banaba Island and the administration of the RCL. He alleged that the RCL had breached his constitutional right to access information by refusing to provide the requested records.

In its judgment, the High Court held that the RCL is a public office and is required to provide access to information that it holds. However, the Court also found that it had no jurisdiction over matters concerning Banaba Island, as these fall within the sovereignty of Kiribati. Accordingly, the Court ordered the RCL to disclose only records relating to its own administration and awarded the applicant costs of FJ$2,000.

For the Commission's information, a copy of the judgment is *attached* for ease of reference.

Kind regards
Noleen Narayan
Research & Policy Team

CONSTITUTION REVIEW COMMISSION
Level 9 Suvavou House, Victoria Parade, Suva.
Email: commissioners2026@gmail.com

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31.12.25 - Judgment - HBM 73 OF 2025.pdf
5008K

IN THE HIGH COURT OF FIJI AT SUVA
CIVIL JURISDICTION

CIVIL CASE NO: HBM 73 OF 2025

BETWEEN:

ITINTERUNGA RAE

of Uma Village, Rabi Island in Fiji

APPLICANT

A N D:

RABI COUNCIL OF LEADERS

A body corporate having its registered office on Rabi Island in Fiji

RESPONDENT

Counsel: Mr. S. Fatiaki Law for the Applicant
Mr. V. Filipe for the Respondents
Ms. N. Narayan with Mr. J. Chand for the Attorney General's Office

Date of Hearing: 3rd September 2025

Date of Judgment: 31st December 2025

JUDGMENT

Introduction

1. The Applicant, Itinterunga Rae, issued this Notice of Originating Motion pursuant to Section 44(1)(a) of the Constitution and Rule 3(1) of the High Court (Constitutional Redress) Rules 2015, seeking the following orders:

   i) *A Declaration that the Respondent is a public office as contemplated under Section 25 of the Constitution of the Republic of Fiji,*

ii) *A Declaration that the Applicant is entitled to the right to access information held by the Respondent, as guaranteed under Section 25 of the Constitution of the Republic of Fiji,*

iii) *A Declaration that the Respondent has contravened the Applicant's constitutional right to access information by refusing and/or neglecting to provide the said information without lawful justification, in breach of Section 25(1) of the Constitution of the Republic of Fiji,*

iv) *An Order directing the Respondent to provide the information specified in the table marked as Annexure RB-12 to the Applicant within seven (7) days of this Order,*

v) *An Order that the Respondent pay general and/or punitive damages, as the Court deems fit, for the violation of the Applicant's constitutional rights,*

vi) *An Order that the Respondent pays costs to the Applicant on an indemnity basis,*

vii) *Such further orders as this Honourable Court deems just and appropriate in the circumstances.*

2. The Notice of Originating Motion was supported by an Affidavit of the Applicant setting out the background and material facts of this application. Upon being served with this Notice of Motion, the Respondent and the Attorney General filed their respective affidavits in opposition. Mr Apete Bauleka, a Legal Officer of the Attorney General's Office, filed an affidavit in opposition that was disappointingly unsatisfactory and unhelpful. It was apparent that the Counsel who initially appeared for the Attorney General's Office did not properly appreciate the importance of Rule 5 of the High Court (Constitutional Redress) Rules, as well as Section 44(8) of the Constitution. The Court must express its gratitude to Ms Narayan, the Counsel who replaced the previous Counsel for the Attorney General's Office, for taking the initiative to file, with the leave of the Court, a supplementary affidavit of Mr Filipe Bainimoli, which provided materially essential facts relevant to this application.

3. Subsequently, the Court heard the oral submissions of the learned counsel for the parties and then directed them to file their respective written submissions. Only the Applicant and the

Attorney General's Office filed their respective written submissions as directed; the Respondent did not. Having carefully considered the respective affidavits and oral and written submissions of the parties, I now pronounce the Judgment in this matter.

Background

4. The Applicant, a rights activist for the Banaban people, sought information regarding possible mining activities on Banaba Island from the Respondent, who is the Administrator of the Rabi Council of Leaders, appointed under Section 6C(4) of the Banaban Settlement Act 1970. As deposed in the Applicant's affidavit, the Respondent refused the Applicant access to this information, which the Applicant claims is a breach of his right of access to information as guaranteed under Section 25 of the Constitution.

5. Initiating this application under Section 44(1) of the Constitution, the Applicant seeks, among other relief, an order granting access to information set out under thirteen headings in the annexure marked IR 12 to the affidavit in support, which I reproduce below:

Information relating to Contrex

(1) Any agreement signed between Rabi Council of Leaders (RCL) and Centrex dealing with exploration of phosphates on Banaba Island,

(2) RCL letter to Centrex's Managing Director dated 15 August 2023,

(3) RCL records of its consultations with Banabans regarding the Centrex agreement prior to its execution,

(4) All formal correspondence between RCL and Centrex with respect to the exploration of phosphates on Banaba Island,

(5) Information regarding any form of payments made by Centrex to RCL and/or its associates in respect of the exploration of phosphates on Banaba Island, including accounting records,

Information relating to the RCL

(7) *The Terms of Reference or any document outlining Mr. Iakoba Karutake's engagement as the Rabi Administrator which specifies his roles and responsibilities,*

(8) *Any agreements that the RCL has executed relating to the sale of pinnacles from Banaba to any third parties,*

(9) *RCL's records of consultation and approval provided by the people of Tabwewa and Uma villages as stated in RCL's Facebook Press Release dated 20 November 2024,*

(10) *All village meeting minutes since September 2023 to date,*

(11) *Records of all land leases which RCL have facilitated in 2024,*

(12) *Records and minutes of all discussions on the Banaban Airport includes feasibility studies and Environment Impact Assessment,*

(13) *Records of Banaba Trust Fund audits and information pertaining to mismanagement of this fund that resulted in the dissolution of the RCL in 2013.*

6. In his affidavit in opposition, the Respondent stated that the proposed project by Centrex Limited to recover and restore phosphate reserves on Banaba Island was put on hold due to objections. He further asserted that the Administrator was appointed by and directly answers to the Minister responsible for Rabi Island matters, that is, the Prime Minister; hence, the Applicant must seek access to this information from the office of the Prime Minister.

7. In his supplementary affidavit, Mr Filipe Bainimoli, the Senior Project Planning Officer at the Office of the Prime Minister, deposed that their records do not show any executed agreement between the Rabi Administrator and Centrix Limited. Mr Bainimoli further stated that the Office of the Prime Minister received a proposal from Centrix Limited on or about 12 September 2022 concerning the possibility of re-mining on Banaba Island. The Department of Mineral Resources and the Department of Environment in Fiji sought clarification from Centrix Limited regarding the proposed mining activities, but Centrix provided no such clarification; hence, the matter did not proceed any further.

Section 25 (1) (a) of the Constitution

8. Appraising the factual background of this application and the positions of the parties, I shall now turn to discuss the scope of the right of access to information held by a public office as stipulated under Section 25 of the Constitution. Section 25 (1) (a) of the Constitution states:

"Every person has the right of access to-

a) Information held by any public office;

9. The right of access to information is not an absolute right, as its scope may be limited by law, as set out in Section 25 (3) of the Constitution, which states:

"(3) To the extent that it is necessary, a law may limit, or may authorise the limitation of, the rights set out in subsection (1), and may regulate the procedure under which information held by a public office may be made available.

10. Undoubtedly, the right of access to information is essential in a democratic society and is vital to the full enjoyment of the right to expression. In the context of this application, I do not wish to engage in a detailed discussion of this right; rather, I will focus on the scope and boundaries of the information held by the public office that is available for access under section 25(1)(a) of the Constitution.

11. Section 25(1)(a) of the Constitution does not establish a broad right to access all information. Instead, it concerns 'information held by the public office,' meaning information controlled by, or lawfully accessible to, the public office in the performance of its duties under the law. The section does not cover information outside the custody, control, or statutory responsibility of that office. It also does not require the public office to create, compile, explain, or seek information from third parties.

12. The majority of the information the Applicant seeks concerns the possible exploration and mining of phosphate on land on Banaba Island. Under Section 132 and Schedule 2 of the Constitution of Kiribati, Banaba Island forms part of the territory of the Kiribati Archipelago. The preamble of the Constitution of Kiribati further states that the natural resources of Kiribati

are vested in the people and their Government. Accordingly, it is important to determine whether the information concerning the possible exploration and mining of phosphate on Banaba Island falls within the meaning of "information held by the Rabi Council of Leaders ' as stated under Section 25 (1) (a) of the Constitution.

Historical Background of the relocation of the Banaban People on Rabi Island

13. Accordingly, it is vital to understand the historical background of the Banaban people's relocation from Banaba Island to Rabi Island. The Court must express its gratitude to Mr Fatiaki for providing helpful materials on the historical background of the Banaban relocation to Rabi Island, including two detailed academic articles by Jane McAdam, a Professor of Law at the University of New South Wales, and Gil Marvel Tabucanon of Macquarie University.

14. Banaba Island, also known as Ocean Island, is a small atoll in the North Pacific, approximately 300 kilometres from Nauru, and was originally inhabited by the Banaban people. Following the discovery of high-grade phosphate on the island, Banaba was annexed to the British colony of Gilbert and Ellice Islands. Excessive phosphate mining rendered the island uninhabitable. The British Authorities established the Banaban Fund to purchase another island and, eventually, to relocate the Banabans to the new location. In 1942, the British Authorities purchased the freehold title of Rabi Island in Fiji on behalf of the Banabans. The first relocation of the Banabans to Rabi Island occurred in 1945. The Banaban Settlement Ordinance 1945 and the Banaban Funds Ordinance 1948 provided the legal framework for governing the Banaban community on Rabi Island. Following Fiji's independence, the two principal pieces of legislation governing the affairs of the Banaban community on Rabi Island are the Banaban Settlement Act 1970 and the Banaban Land Act 1965.

The Banaban Settlement Act 1970 and the Banaban Land Act 1965

15. The title of the Banaban Settlement Act 1970 states:

> *"An act to provide for the settlement and government of the banaban community on rabi island and for purposes connected therewith".*

16. Consequently, the purpose of the Banaban Settlement Act is to settle and govern the Banaban community on Rabi Island and to address matters connected with those purposes. Section 3 of the Act established the Rabi Council of Leaders, whereas under Section 5 of the Banaban Settlement Act, stipulated its powers, which are set out as follows:

> *"The Council shall have power to hold land in accordance with the provisions of the Banaban Lands Act 1965, to enter into such contracts as are necessary and incidental to the exercise of their powers under this or any other Act or which are for the benefit of the Banaban community, and to sue and be sued in contract or otherwise in relation to the exercise of any power given by this Act"*

17. Section 2 of the Banaban Land Act defines "Banaban lands" as the land on Rabi Island. Under Section 5 of the Banaban Settlement Act, the Rabi Council of Leaders, with the prior approval of the Minister, has the authority to make regulations for the peace, order and good government of the Banaban community. The Banaban Trust Fund, established under Section 6B of the Banaban Settlement Act, serves as the investment arm of the Banaban Community, and the net income from its investments is transferred to the Rabi Council of Leaders in accordance with the procedure set out in Section 6C of the Banaban Settlement Act.

18. The title of the Banaban Land Act states:

> *"An act to make better provision for the ownership, registration and dealing with land on rabi island and land owned by the banaban community and matters incidental thereto".*

19. Under the Banaban Settlement Act 1970 and the Banaban Land Act 1965, the authority conferred on the Rabi Council of Leaders does not extend to any rights or interests in land on Banaba Island. The Rabi Council of Leaders, under the provisions of the Banaban Settlement Act and the Banaban Land Act, exercises its power and authority over the Banaban community on Rabi Island, taking into account the traditional and customary practices of the Banaban community.

Constitution of Kiribati

20. Having comprehended the legal framework established under the Fiji legal system, I shall now turn to the constitutional mechanism in Kiribati regarding the Banaban community relocated to Rabi Island.

21. Section 119 (1) of the Constitution of Kiribati explicitly states that the right and interest of the Banabans in any land on Banaba Island must not be affected in any way by their residence on Rabi Island in Fiji. Section 119 (1) of the Constitution of Kiribati stipulates:

> *"Where any Banaban possesses any right over or interest in any land in Banaba, such right or interest shall not be affected in any way by reason of the fact that he resides in Rabi Island in Fiji.*

22. The Rabi Council of Leaders has been vested with the authority under Section 117(2) of the Constitution of Kiribati to nominate a member of the Parliament of Kiribati to represent the Banaban Community. As defined under Section 125(a) of the Constitution of Kiribati, the Banabans means the former indigenous inhabitants of Banaba and such other persons whose ancestor was born in Kiribati before 1900. Consequently, the definition set out in Section 125(a) includes the Banaban community on Rabi Island. The nominated member of the Parliament by the Rabi Council of Leaders falls within the meaning of public office as defined under Section 133(1)(b) of the Constitution of Kiribati.

23. A Bill to amend the provisions of Chapter IX of the Constitution, which deals with the Banaba and Banabans, and Chapter III of the Constitution, which covers the rights of citizens and Banabans, cannot be passed in Parliament without the vote of the nominated member appointed by the Rabi Council of Leaders.

24. The legislative authority of the Parliament of Kiribati is set out in Section 66 of the Constitution of Kiribati, which provides that the Parliament has the power to make laws for the peace, order, and good government of Kiribati, including Banaba Island, as provided for in Section 132 and Schedule 2 of the Constitution of Kiribati.

25. Section 12 of the Constitution of Kiribati recognises the right of access to information as part of the right to expression, and Section 17 provides the enforcement mechanism for any breach or contravention of that right.

26. Furthermore, under Section 88(1) of the Kiribati Constitution, the High Court has jurisdiction to issue a declaration or grant relief if it is satisfied that a violation or potential violation of constitutional provisions affects the rights and interests of Banabans or the Rabi Council under Chapter IX or III of the Constitution. An appeal against such High Court orders lies to the Judicial Committee of the Privy Council as of right (*see Section 123 of the Constitution of Kiribati*).

Sovereignty of State & Comity in International Law.

27. Considering Kiribati's constitutional framework regarding the rights and interests of Banabans in the lands on Banaba Island, as well as the legal structure established under the Banaban Settlement Act 1970 and the Banaban Land Act 1965 to settle and govern the Banaban community on Rabi Island, the Court, in this matter, must consider the application of Section 25 (1) (a) of the Constitution, taking into account two essential legal concepts under international law, viz. the sovereignty of the state and comity.

28. Fiji is a sovereign democratic State, and Kiribati is a sovereign democratic republic (see Sections 1 of the Constitutions of Fiji and Kiribati). Accordingly, both States are sovereign. Black's Law Dictionary (10th Edition at p 1611) defines a sovereign State as:

> *"A state that possesses an independent existence, being complete in itself, without being merely part of a larger whole to whose government it is subject.*
>
> *A political community whose members are bound together by the tie of common subjection to some central authority, whose commands those members must obey"*

29. The sovereign State comprises two principal elements, i.e., territorial sovereignty and territorial integrity. The *locus classicus* for defining territorial sovereignty in International Law is the International Arbitral Award in the **Island of Palmas case between the Netherlands and the USA (U.N. Rep. Int' l Arb. Awards 829 (Perm. Ct. Arb. 1928))**, where the Board of International Arbitrators outlined at p. 838:

"Sovereignty in the relations between States signifies independence. Independence in regard to a portion of the globe is the right to exercise therein, to the exclusion of any other State, the functions of a State. The development of the national organisation of States during the last few centuries and, as a corollary, the development of international law, have established this principle of the exclusive competence of the State in regard to its own territory in such a way as to make it the point of departure in settling most questions that concern international relations....."

30. Accordingly, the State's territorial sovereignty is the exclusive legal authority to exercise jurisdiction over persons, property, and activities within its borders. Territorial integrity is closely linked to territorial sovereignty, as the preservation of territorial integrity helps safeguard territorial sovereignty.

31. Territorial integrity safeguards a state's territory against unlawful interference or dismemberment by other States. These principles are fundamental to the international legal framework and are well established in customary international law. Articles 2(1) and 2(4) of the UN Charter explicitly recognise these crucial legal concepts within the international legal system.

32. Black's Law Dictionary (10th Edition, p. 1701) defined territoriality, adopting the three maxims of the famous Dutch jurist Ulrich Huber, as follows:

"Territoriality, Int'l Law. The principle that a country has the right of sovereignty within its borders.

" Three maxim formulated by the seventeenth - century Dutch scholor Ulrich Huber, undersigned the modern concept of territoriality: (1) a state's law have force only within the state's boundaries; (2) anyone found within the state's boundaries is subject to the state's authority; and (3) comity will discipline sovereign exercises of authority so that the territorial effect of each state's law is respected." ***Paul Goldstein, International Copyright: Principles, Law and Practice 64 (2001).***

33. As outlined by Ulrich Huber's first maxim, the territorial scope of the Banaban Settlement Act 1970 and the Banaban Land Act 1965 is limited to the Fiji Islands. In contrast to the second

maxim of Huber, the Kiribati Constitution recognises the rights and interests of Banabans living on the Rabi Islands in the lands on Banaba Island as a special legal and constitutional arrangement, thereby recognising the rights and interests of the relocated Banabans in their traditional home on Banaba Island.

34. The third maxim of Huber introduces another important concept in international law: the principle of "comity". The United States Court of Appeals (District of Columbia Circuit) in **Laker Airways Ltd v Sabena Belgian World Airlines 731 F 2d 909 (DC Cir 1984)** emphasised the importance of comity in the international legal system, observing:

> *"Comity is a necessary outgrowth of our international system of politically independent, socio-economically interdependent nation states. As surely as people, products and problems move freely among adjoining countries, so national interests cross territorial borders. But no nation can expect its laws to reach further than its jurisdiction to prescribe, adjudicate, and enforce. Every nation must often rely on other countries to help it achieve its regulatory expectations. Thus, comity compels national courts to act at all times to increase the international legal ties that advance the rule of law within and among nations" (emphasis added)*

35. In international law, comity is a discretionary practice whereby a State or its courts recognises and honours the legislative, executive, or judicial acts of another State. This recognition is not based on legal obligation but on mutual respect, convenience, and the desire for orderly international relations.

Jurisdiction in relation to the rights and interests in the lands on Banaba Island.

36. Considering the two legal regimes of Fiji and Kiribati in light of the above-outlined principles of international law, it is clear that the authority and power of the Rabi Council of Leaders under the Banaban Settlement Act 1970 and the Banaban Land Act 1965 have not been extended to any right or interest in lands on Banaba Island.

37. However, the Constitution of Kiribati, as outlined above, confers on the Rabi Council of Leaders, created under the Banaban Settlement Act 1970, the authority to appoint a member of Parliament to represent the Banabans, including those residing on the Rabi Islands (*see Sections*

117 and 125 of the Constitution of Kiribati). The member of Parliament nominated by the Rabi Council of Leaders must also represent the Banabans' rights and interests in the lands on Banaba Island, as outlined under Section 119(1) of the Constitution.

38. Accordingly, by nominating a member to the Parliament of Kiribati, the Rabi Council of Leaders has a duty under the Constitution of Kiribati to represent the rights and interests of the Banabans, including those living on Rabi Island in the lands of Banada Island.

39. Hence, if the Rabi Council of Leaders or the Rabi Administrator holds any information pertaining to the possible exploration and mining of phosphate on Banaba Island, it has obtained or ascertained that information in the performance of its duties under the Kiribati constitutional framework. Therefore, if the applicant seeks access to that information, he must do so under the Kiribati legal system, which provides enforcement and remedial procedures if such rights of the applicant as a Banaban are refused or breached (*see: Sections 12, 17, 88, 119 and 123 of the Constitution of Kiribati).*

40. Considering the historical, cultural, traditional and emotional interests of the Banabans on Banaba Island, the court is acutely conscious of the importance of the Applicant's access to any information regarding the possible exploration and mining of the remaining phosphate on Banaba Island. However, having considered the above-outlined legal principles, this court is hesitant and reluctant to venture into a legal domain not provided for under the Fijian legal system and to grant the remedies sought from the court, knowing that the Kiribati constitutional framework has clearly recognised these rights of the applicant, which he can exercise legally, and that Banaba Island falls within the territorial sovereignty of Kiribati.

41. Consequently, the Court lacks jurisdiction to order the Respondent to provide access to the information sought under numbers 1 to 5, 8, 9 and 10 of the annexure marked as IR 12 to the Affidavit in Support.

Leave pursuant to Rule 3 (2) of the High Court (Constitutional Redress) Rules.

42. Rule 3 (2) of the High Court (Constitutional Redress) Rules states:

An application under paragraph (1) must not be admitted or entertained after 60 days from the date when the matter at issue first arose unless a Judge finds there are exceptional circumstances and that it is just to hear the application outside of that period.

43. The Applicant acknowledged that his application was nine days outside the sixty-day time limit, as the breach occurred seven days after service of his request through his lawyer on the 27th of January 2025, seeking access to the information. However, the learned Counsel for the Applicant submitted that he was of the view that this breach does not fall within the sixty-day limitation, as it continues on each day of refusal to grant access to the information.

44. Having considered the length of the delay, which was just nine days, the essential nature of this application to the Applicant, and the absence of substantial prejudice to the Respondent in defending this application, I granted leave to proceed with this application and concluded the hearing.

45. Section 163(1) of the Constitution states that an office established by written law is a public office. The Council of Leaders is established by Section 3 of the Banaban Stellement Act, thereby making the Council of Leaders a public office.

Access to Information regarding the Rabi Council of Leaders.

46. The learned counsel for the Applicant withdrew the Applicant's claim in respect of items 11 and 12 of the annexure marked as IR 12. Under item 7, the Applicant seeks access to the terms of reference or any documents setting out Mr Karutake's appointment as the Rabi Administrator under Section 6C (4) of the Banaban Settlement Act 1970. He further seeks access to the audit report of the Banaba Trust Fund and information regarding the mismanagement of the fund that led to the dissolution of the Rabi Council of Leaders in 2013, under item 13 of the annexure marked as IR12.

47. Neither the Respondent nor the Attorney General's Office contended that any law limits or authorises limiting access to information regarding the terms and conditions of the appointment of the Rabi Administrator under Section 6 C (4) of the Banaban Settlement Act, nor to the audit report of the Banaban Trust Fund in 2013 that eventually led to the dissolution of the Rabi Council of Leaders in 2013.

48. The Applicant, as a member of the Banaban community living on Rabi Island, has the right under Section 3(2) of the Banaban Settlement Act 1970 to vote at the general election, as outlined in regulation 2 of the Banaban Council Regulation 1951, to elect two members from his village to the Rabi Council of Leaders. Therefore, the Applicant has an interest in accessing this information, as outlined in the preceding paragraph.

49. The only concern is that there is no information before the Court regarding whether a criminal investigation into the mismanagement of the Council's affairs, which led to the dissolution of the Council of Leaders in 2013, is underway. However, the public interest in access to this information outweighs any concern about non-disclosure.

50. In conclusion, I make the following orders.

i) That the Rabi Council of Leaders, established under Section 3 of the Banaban Settlement Act 1970, is a public office,

ii) The High Court has no jurisdiction to deal with matters relating to the Banaban People's interests and rights in the lands on Banaba Island, which lies within the territorial boundaries of the Republic of Kiribati.

iii) That the Applicant is entitled under Section 25 (1) (a) of the Constitution to access the information as set out in items 7 and 13 of the annexure marked IR12 to the Affidavit in Support.

iv) That the Respondent had contravened the rights of the Applicant guaranteed under Section 25(1)(a) of the Constitution by refusing and/or neglecting to provide the information set out in items 7 and 13 of the annexure marked IR12 to the Affidavit in Support,

v) The Respondent is ordered to provide the Applicant with access to peruse the information outlined in items 7 and 13 of the annexure marked IR12 to the Affidavit in Support, at the Respondent's office, within four weeks of this order, at a time and date mutually agreed by the parties.

vi) The Respondent is to pay the costs to the Applicant, which I summarily assess at $2000.



.....
Hon. Mr. Justice R. D. R. T. Rajasinghe

At Suva
31ST December 2025

Solicitors:
Fatiaki Law for Applicant
Tikoisuva Law for the Respondent
Attorney Generals Office

Seci Vuniyayawa

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

Constitutional legislation submissions (Sikituru village)

Seci Vuniyayawa <vuniyayawaseci@gmail.com> Thu, Jun 4, 2026 at 1:15 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

1. ***Democratic and Governance Reforms***

A. Require major constitutional changes to be approved by a national referendum.
B. Strengthen the independence of the judiciary and constitutional commissions.
C. Introduce stronger anti-corruption provisions and mandatory asset declarations for senior public officials.
D. Give Parliament greater oversight powers over government spending and appointments.

2. ***Citizen Participation***

A. Allow citizens to petition Parliament on important national issues.
B. Introduce mechanisms for public consultation before major laws are passed.
C. Enable citizens to propose legislation if they collect a sufficient number of signatures.

3. ***Rights and Freedoms***

A. Strengthen protections for freedom of speech, media freedom, and peaceful assembly.
B. Guarantee equal treatment before the law regardless of ethnicity, religion, gender, or disability.
C. Protect privacy rights, including digital privacy and personal data protection.

4. ***Youth and Education***

A.Guarantee access to quality primary and secondary education.
B. Establish a constitutional commitment to youth employment and skills training.
C. Create provisions encouraging merit-based scholarships and educational opportunities.

5. ***Economic Rights***

A. Protect workers' rights to fair wages and safe working conditions.
B. Require transparency in the management of public funds and natural resources.
C. Promote policies that support small businesses and entrepreneurship.

6. ***Environmental Protection***

A. Recognize the right to a clean and healthy environment.
B. Require sustainable management of Fiji's forests, fisheries, and water resources.
C. Protect future generations from environmental degradation and climate change impacts.

7. ***Indigenous Rights and Culture***

A. Continue protecting iTaukei land ownership and customary rights.
B. Promote the preservation of indigenous languages, traditions, and cultural heritage.
C. Ensure that development projects respect traditional landowners and communities.

8. ***Accountability and Transparency***

A. Strengthen the powers and independence of institutions such as the Fiji Independent Commission Against Corruption.
B. Require public access to government information, except where national security genuinely requires confidentiality.
C. Introduce stronger protections for whistleblowers who report corruption or wrongdoing.

9. ***Social Protection***

A. Recognize access to basic healthcare as a constitutional right.
B. Provide constitutional support for persons with disabilities, senior citizens, and vulnerable groups.
C. Encourage policies that reduce poverty and improve living standards.

Ronald Thomas Rickman

Submission to the Constitution Review Commission of Fiji.. Email:commissioners2026@gmail.com
Re: Recommendations on Provisions Relating to Retrospective Legislation, Protection of Acquired Rights, Pension Rights, and Rule of Law Principles in the 2013 Constitution

Submitted by: Ronald Thomas Rickman AKA Rick Rickman D.O.B 25-Nov- 1934. FNPF# EW700
Email: redwinefiji@gmail.com *Telephone +679-7070007*
Date: 04- June 2026.

I submit this as a concerned citizen and pensioner regarding the profound injustice inflicted on thousands of FNPF members, particularly the oldest and most vulnerable pensioners, through the Fiji National Provident Fund reforms introduced in 2012 (via the FNPF Decree 2011) and subsequently shielded and purportedly legalized by provisions in the 2013 Constitution.

The 2012 changes drastically reduced pension conversion rates (e.g., from around 15% to 8% in some descriptions) for existing or transitioning pensioners. This altered long-standing contractual expectations based on contributions made over decades under prior rules.
An Act or constitutional mechanism under the 2013 Constitution then backdated or entrenched these changes, effectively validating actions that many viewed as unlawful at the time.
This was morally indefensible and legally flawed in both principle and application. I urge the Commission to recommend amendments that uphold the rule of law, protect acquired property and contractual rights, and prohibit such retrospective deprivations.

Legal Wrongs in Principle and Application

1. *Violation of Acquired Rights and Contractual Expectations:*
   FNPF contributions were made under a defined scheme with promised pension benefits. Altering these mid-stream for those already retired or near retirement breached the fundamental principle that pension rights, once vested, constitute property rights protected under basic rule of law norms. Retrospective legislation that deprives individuals of benefits they had reasonably relied upon undermines legal certainty (nullum crimen, nulla poena sine lege extended to civil/property contexts) and the prohibition on ex post facto laws that harm individuals.

   The 2013 Constitution's provisions that entrench or backdate the 2012 changes prioritize state/fund "sustainability" over individual rights. This inverts the proper hierarchy: the Constitution should protect citizens from arbitrary state interference in vested rights, not shield past illegal or unfair executive decrees.

2. *Retrospective Legalization of Questionable Actions:*
   If the 2012 Decree was challenged or perceived as illegal (due to lack of proper process, unfairness, or exceeding powers under the then-prevailing framework), using the 2013 Constitution to immunize it retroactively sets a dangerous precedent.
3. *Constitutions should not be tools for validating past wrongs but for establishing enduring protections. Backdating validation deprives affected parties of remedies they might have pursued and erodes public trust in institutions.*

   This contravenes international best practices and common law principles against retrospective laws that divest property or accrued benefits without fair compensation or justification.

4. *Discriminatory Impact on the Oldest Members:*
   The reforms disproportionately harmed older pensioners who had contributed under the old rates, had limited working years left to adjust, and could not benefit from any "sustainability" gains for future generations. This age-based impact raises equality and non-discrimination concerns. Protecting the fund's long-term health is a valid policy goal, but it should not come at the expense of those least able to bear the burden without transitional justice measures (e.g., phased adjustments, government top-ups funded by general revenue, or exemptions for pre-reform retirees).

Moral Wrongs

- *Breach of Trust and Social Contract: Citizens contributed to FNPF in good faith, expecting the state/Fund to honor the terms. Breaking this for the elderly—who often have fixed incomes, health issues, and no recourse— is a profound moral failure. It treats pensioners as adjustable variables in actuarial models rather than people with legitimate expectations and dignity.*

- *Intergenerational Injustice Misapplied: While cross-subsidization from young to old can be unsustainable, abruptly shifting the entire burden onto those already retired is inequitable. True fairness requires balancing sustainability with honoring past promises, perhaps through broader fiscal support rather than raiding individual savings pots.*
- *Undermining Social Cohesion: Such actions foster cynicism toward government and institutions, especially when combined with perceptions of the 2013 Constitution's legitimacy and amendment difficulties. Affected pensioners and families feel betrayed, leading to ongoing calls for reinstatement that the current framework blocks.*

Recent government statements acknowledge the human impact but cite the Constitution and a $582 million backdating cost as barriers. This highlights the problem: the Constitution itself obstructs remedies for an acknowledged injustice.

Recommended Constitutional Amendments:
To prevent recurrence and provide justice, I recommend the Commission propose:

- *Explicit protection for vested pension and retirement benefits as property rights, immune from retrospective diminution without compelling justification and fair compensation.*
- *Stronger prohibitions on retrospective laws that adversely affect accrued rights.*
- *Provisions requiring transitional fairness in any fund reforms (e.g., grandfathering clauses for existing pensioners).*
- *Mechanisms for independent oversight of FNPF governance and reforms to ensure member interests are prioritized.*
- *Easier, people-driven amendment processes so future generations can correct entrenched injustices without undue barriers.*

These changes would align the Constitution with principles of justice, human rights, and good governance.

Conclusion:
The backdating or entrenchment via the 2013 Constitution of the 2012 FNPF changes was <u>legally wrong</u> because it violated rule of law fundamentals, property rights, and non-retrospectivity.

It was morally wrong because it deprived vulnerable elderly citizens of contracted security after a lifetime of contributions.
The Constitution must be amended to remedy this specific injustice (where feasible) and safeguard against similar future actions.
Failure to do so perpetuates harm and erodes the Constitution's moral authority.

I urge the Commission to consider the voices of affected pensioners during nationwide consultations and recommend changes that restore faith in Fiji's constitutional framework.

Thank you for considering this submission.
R T. Rickman Vuda Fiji. 04 June 2026

Tevita Bukarau

22/06/2026

Acknowledged & received
CRC Team (2)

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FOMU NI VAKATUTU
TALEVI NI YAVU NI VAKAULEWA NI 2013

FOMU NI VAKATUTU
TALEVI NI YAVU NI VAKAULEWA NI 2013

Tiki ni Siga – 22 Jun 2026

Yaca / Yacamu: .....DREKETI TIKINA COUNCIL .....
Yasana – Rewa ..... Vanua – **Burebasaga: .....**Matanitu – **Burebasaga** .....

#	LEWENA (SUBJECT)	VAKATUTU (SUBMISSIONS)
1	IKAU (Preamble)	a. The current preamble of 2013 Constitution acknowledges the existence of the following including their rights of ownership, culture, customs, traditions and language; 1) iTaukei, 2) Rotuman, 3) descendants of indentured labourers & (*Predominantly persons of Indian origin*) 4) descendants of settlers & immigrants to Fiji. (*Predominantly persons of White (Caucasian) Origin*) b. 2013 preamble does not state from where these races came from, c. Even though it acknowledges the existence of the above races including their rights of ownership, culture, customs, traditions and language. It still does not make allowance for their protection

			d. The Preamble as drafted is devoid any historical genesis that explains how the races mentioned in sub-para a above came to Fiji. A draft may read as follows: ***"PREAMBLE*** ***WE, THE PEOPLE OF THE FIJI ISLANDS,*** ***SEEKING*** *the blessing of God who has always watched over these islands:* ***RECALLING*** *the events in our history that have made us what we are, especially the settlement of these islands by the ancestors of the indigenous Fijian and Rotuman people; the arrival of forebears of subsequent settlers, including Pacific Islanders, Europeans, Indians, Chinese* and other races*; the conversion of the indigenous inhabitants of these islands from heathenism to Christianity through the power of the name of Jesus Christ; the enduring influence of Christianity in these islands and its contribution, along with that of other faiths, to the spiritual life of Fiji:* ***ACKNOWLEDGING*** *our unique constitutional history:* *(a) Colonial governance began with the Deed of Cession of 10 October 1874 when Ratu Seru Cakobau, styled Tui Viti and Vunivalu, together with other High Chiefs, signifying their loyalty and devotion to Her Majesty, Queen Victoria, and their acceptance of the divine guidance of God and the rule of law, ceded Fiji to Great Britain, which cession was followed in November 1879 by the cession to Great Britain of Rotuma by the Chiefs of Rotuma; hence sovereignty on proprietary interest of the itaukei passed from itaukei chiefs to the British.* *(b) Sovereignty passed from the British to the government of the day when Her Majesty Queen Elizabeth II promulgated the Fiji Independence Order of 1970 making Fiji an Independent Sovereign State under which the Fiji Constitution of 1970 came into being;*

		(c) That political turmoil in Fiji deteriorated culminating in the following events: *(1) the abrogation of the 1970 Constitution on 1987 by the Constitution Abrogation Decree 1987;* *(2) the giving to Fiji of the 1990 Constitution on by then President, Ratu Sir Penaia Ganilau, with the blessings and approval of the Great Council of Chiefs;* *(3) the review of 1990 Constitution undertaken by the Reeves Commission under its provisions; whereupon the High Chiefs of Fiji in their abundant wisdom and blessings, approved 1997 Constitution;* *(4) the latest Constitution of Fiji was promulgated in **2013**, when it was signed into law by President, Ratu Epeli Nailatikau.* ***RECOGNISING** that the descendants of all those who chose to make their homes in these islands form our multicultural society:* ***RECOGNIZING** the rights of iTaukei and Rotumans to their inalienable rights to the property in these islands; and further recognizing the rights of others to own property in Fiji.* ***AFFIRMING** the contributions of all communities to the well-being of the Fijian society, and the rich variety of their faiths, traditions, languages and cultures:* ***TAKING PRIDE** in our common citizenship and in the development of our economy and political institutions:* ***COMMITTING** ourselves anew to living in harmony and unity, promoting social justice and the economic and social advancement of all communities, respecting their rights and interests and strengthening our institutions of government:*

		REAFFIRMING *our recognition of the human rights and fundamental freedoms of all individuals and groups, safeguarded by adherence to the rule of law, and our respect for human dignity and for the importance of the family,* *WITH GOD AS OUR WITNESS, GIVE OURSELVES THIS CONSTITUTION"*
	WASE 1 – NA MATANITU **(Chapter 1 - The State)** 1. The Republic of Fiji 2. Supremacy of the Constitution 3. Principles of constitutional interpretation 4. Secular State 5. Citizenship	Section 1 – "The Republic of Fiji is a sovereign democratic State" • The Sovereignty derived from gift of chiefs to British which is summarized from Preamble F and Clause 1 of the Deed of Cession as follows: ✓ See below **Secular State - *S4 - Secular State in 2013 to be repealed*** 1) It is the desire of Tikina Dreketi to restore back to our individual and communities their faith in God of Christianity as may be seen in Preamble C of the Deed of Cession. The preference of our chiefs. 2) The inclusion of secular state in the Constitution is an intrusion to the right that individuals possess to voluntarily practise a religion of one's own choice. 3) It also a denial of hardship that the country has come since formal governance began in 1874; and the immense contribution of church elders of this country in maintaining the faith in God over and during our trying times until today. 4) Section to be deleted. The Bill of Rights aptly mentions the practice to be adopted.
	WASE 2 – LAWA NI DODONU **(Chapter 2 – Bill of Rights)**	

	26. Right to equality and freedom from discrimination	**Section 26(3)(a) – Right to equality and freedom from discrimination based "sexual orientation" and "gender identity and expression" to be deleted.**
		
		• *Sex & Gender are same*
		
		• *Falling in the cavity of hook, line & sinker acceptance of practices that have wide acceptance. Problem with this is we accept values that a foreign and, in most times, contrary the good that our faith stands for. Eg*
		  • *Muslims chopping limbs for theft &other offences*
		  • *Homosexuality is contrary t Christian faith. I am sure with other faiths practices in Fiji.*
		
		• *We have much more local issues that are more pressing than having to waste valuable time on issues that we create havoc in this country.*
		
		• *Leaders whom we send to parliament have a duty to us not to accepts these trends.*
		
		• *As a parent we owe a duty to our generations of tomorrow NOT to accept practices that will break our cohesiveness or ridicule it*
		
		Section 28 - To Amend Section as prescribed re Rights of ownership and Protection of iTaukei, Rotuman and Banaban Lands
		a. Discrimination on the grounds of *"sexual orientation"* or "*gender identity and expression"* is a misguided theory of biology that leads to transgenderism and it needs to be deleted from the Constitution.
		
		b. This trend gives birth to
		1) use of pronoun issues,

		2) sex changes & medical operations, 3) definition of a woman problems, 4) male competing in female sports and vice versa, 5) confusion in males wanting to use female latrines & showers, transgender toilets in the work place, schools and public spaces etc. c. Fiji and its communities are not ready for these archaic changes. The reason for this is not only because it is an immoral practice even, if practiced by consenting adults are engaged in this practice, it is counter counter-productive to the order of nature; and it impairs or stunts reproductive system in concerned individuals. The reproductive system is what the chiefs want to protect from this invasion because the stunting of this system will have a potential ill-effect on the steady increase and continued existence of Fijian race. d. *The explanatory notes on the reasons for deletions are explained in sub-para a above.* e. *In respect of this provision, we firstly say that:* (1) *The 2nd line of sub-section 26 (3)(a) below has the words; "sex" and "gender". We submit that these two terms mean one and the same thing. Either one of them can be deleted. I have deleted "gender" and included "sex" in the above draft.* (2) The second and more important amendment is to delete the terms that form the basis of this this purported discriminating grounds of *"sexual orientation"* or *"gender identity and expression"* *"Right to equality and freedom from discrimination* *D.—(1) Every person is equal before the law and has the right to equal protection, treatment and benefit of the law.*

	28. Rights of ownership and protection of *iTaukei*, Rotuman and Banaban lands	*(2) Equality includes the full and equal enjoyment of all rights and freedoms recognised in this Chapter or any other written law;* *(2) A person must not be unfairly discriminated against, directly or indirectly on the grounds of his or her—* *(a) actual or supposed personal characteristics or circumstances, including race, culture, ethnic or social origin, colour, place of origin, sex, ~~gender~~, **~~sexual orientation~~**, **~~gender identity and expression~~**, birth, primary language, economic or social or health status, disability, age, religion, conscience, marital status or pregnancy; or* *(b) opinions or beliefs, except to the extent that those opinions or beliefs involve harm to others or the diminution of the rights or freedoms of others, or on any other ground prohibited by this Constitution.* **New Section 28A - *State to Recognize and Protects iTaukei Proprietary and Economic Rights*** a. This section protects the proprietary and economic rights of the iTaukei people over their lands, waters, and natural resources *State to Recognize and Protects iTaukei Proprietary and Economic Rights* ***"28A (1)** The State recognizes and protects the proprietary and economic rights of the iTaukei people over their lands, waters, and natural resources.*

		(2) The use of iTaukei resources for commercial, governmental, or industrial purposes shall be conducted at current market rates, ensuring equitable benefit-sharing with the iTaukei landowners. *(3) The State shall enact laws to ensure the preservation, promotion, and protection of iTaukei cultural heritage, traditional knowledge, and intellectual property, including folklore, traditional designs, and practices."* **New Section 28B - *Development Involving Extraction Affecting iTaukei Land and Water Resources*** **<u>Right of Landowners to Fair Share of Royalties for Extraction of Minerals</u>**
	30. Right of landowners to fair share of royalties for extraction of minerals	*Now re-asserts the ownership of minerals in the Act* in or under any land or water, are owned by the State as asserted in the Mining Act 1960. Currently mining Act is reviewed and it will need to re-looked at with Constitution.
	41. Rights of children	***Section 41 (1)(d) – Rights of Children – Protection from Punishment.*** a. Firstly section 41 prescribes – "*Rights of children*". See section below to note the impact of sections 41(1)(d) -" *On disciplining of children in schools. Trite iTaukei teaching that is consistent with scripture is ":O koya e lomana na luvena me kuita taka". This trite old itaukei cliche which reflects the conduct of custom is reinforced in the advent of Christianity by scripture*[1] *- Prov 13:24: "He who spares the rod hates his*

[1] *Prov 13:24. "He who spares the rod hates his son but He who loves him disciplines him diligently".*

		son but He who loves him disciplines him diligently". The bulk of the iTaukei supports this position. Some fathers have been imprisoned because this matter has intervened their exercising their customary rights over his children. Chiefs through the BLV will lend their weight to support this amendment to allow itaukei to discipline their children in a way that is in keeping with their culture. b. A majority of the itaukei supports this position. BLV submissions in this Review is for an amendment to remove the repugnant portions that will allow parents and teachers to punish our children or students for better behaviour. This is consistent with our duty to look after the Welfare or well being of the itaukei people in an area so crucial as family discipline. c. Some trite scripture that reinforces the iTaukei culture of disciplining children are below: (1) *Prov 3:11-12: "My son, do not despise the Lord's discipline, and do not recent his rebuke, because the Lord disciplines those he loves, as a father the son he loves".* (2) *Heb 12:8 "If you do not experience discipline like everyone else, then you are illegitimate children and are not true sons".* (3) *Heb 12:6: "The Lord disciplines him whom He loves".* *Rights of children* *E.—(1) Every child has the right—* *(a) to be registered at or soon after birth, and to have a name and nationality;*

		(b) to basic nutrition, clothing, shelter, sanitation and health care; *(c) to family care, protection and guidance, which includes the equal responsibility of the child's parents to provide for the child—* i *whether or not the parents are, or have ever been, married to each other; and* ii *whether or not the parents are living together, have lived together, or are separated;* *(d) to be protected from abuse, neglect, harmful cultural practices, any form of violence, inhumane treatment and ~~punishment, and hazardous or exploitative labour~~; and* *(e) not to be detained, except as a measure of last resort, and when detained, to be held—* i *only for such period of time as is necessary; and* ii *separate from adults, and in conditions that take account of the child's sex and age.* *(3) The best interests of a child are the primary consideration in every matter concerning the child.*
	WASE 3 – NA PALIMEDI **(Chapter 3 – The Parliament)** Part A—**Legislative Authority**	Dreketi submission hear focuses on the derivative of the **Sovereignty** exercised by the State in successive Constitutions since independence. Sovereignty originally comes from the Chiefs who now sit as part of the BLV or GCC as shown in the illustration below: **Deed of Cession Preamble F**

	Legislative authority and power of Parliament 46.—(1) The authority and power to make laws for the State is vested in Parliament consisting of the members of Parliament and the President, and is exercised through the enactment of Bills passed by Parliament and assented to by the President. (2) No person or body other than Parliament has authority to make any law in Fiji, except under authority conferred by this Constitution or by a written law. Part B—Composition Part C—Institution & Offices	***"And Whereas in order to the establishment of British government within the said islands the said Tui Viti and other the several high chiefs thereof for themselves and their respective tribes have agreed to cede the possession of and the dominion and sovereignty over the whole of the said islands and over the inhabitants thereof and have requested Her said Majesty to accept such cession,- which cession the said Cakobau styled Tui Viti and other high chiefs****, relying upon the justice and generosity of Her said Majesty, have determined to **tender unconditionally**,- and which cession on the part of the said Tui Viti and other high chiefs is witnessed by their execution of these presents and by the formal surrender of the said territory to Her said Majesty; "* **Deed of Cession Clause 1** ***"That*** *the possession of and full sovereignty and dominion over the whole of the group of islands in the South Pacific Ocean known as the Fijis (and lying between the parallels of latitude of fifteen degrees South and twenty two degrees South of the Equator and between the Meridians of longitude of one hundred and seventy seven degrees West and one hundred and seventy five degrees East of the meridian of Greenwich) and over the inhabitants thereof, together with the possession of and sovereignty over the waters adjacent thereto and of and over all ports harbours havens roadsteads rivers estuaries and other waters and all reefs and foreshores within or adjacent thereto, are hereby ceded to and accepted on behalf of Her said Majesty the Queen of Great Britain and Ireland her heirs and successors, to the intent that from this time forth the said islands and the waters reefs and other places as aforesaid lying within or adjacent thereto may be annexed to and be a possession and dependency of the British Crown."* At independence this was given in the Fiji Independence Order by Queen Elizabeth of 30th Sep 1970 bringing to existence the in the Schedule to the Order the 1970 Constitution which stipulates by section 1: *"Fiji shall be a sovereign democratic State."* Now translates in the 2013 Constitution as:

Preamble 8th & Last Para

"DECLARE our commitment to justice, national sovereignty and security, social and economic wellbeing, and safeguarding our environment,"

The Republic of Fiji

"1. The Republic of Fiji is a sovereign democratic State founded on the values of—

(a) common and equal citizenry and national unity;
(b) respect for human rights, freedom and the rule of law;
(c) an independent, impartial, competent and accessible system of justice;
(d) equality for all and care for the less fortunate based on the values inherent in this section and in the Bill of Rights contained in Chapter 2;
(e) human dignity, respect for the individual, personal integrity and responsibility, civic involvement and mutual support;
(f) good governance, including the limitation and separation of powers;
(g) transparency and accountability; and
(h) a prudent, efficient and sustainable relationship with nature."

This above provisions will show how sovereignty passed from chiefs to British (in the Deed of Cession) and from the British to an existing government in 1970 and now through successive governments by their Constitutions until now.

The chiefs & their peoples have somehow been forgotten as the grantor of the original power over their proprietary interests.

In the exercise of this Sovereignty successive government who are elected to power need to remember the genesis of this power and be responsible about its use.

75% of Fijians are now below the poverty line. Governments must now look and the institutionalised poverty forced upon the Fijians by the laws that have provisions that are archaic and institute changes that will bring about an equitable distribution of wealth. Some examples of such laws are:

		a) Mining Act, 1966, Cap 146. b) Native Lands Act 1905, Cap 133; c) Native Land Trust Act 1940, Cap 134; d) Fisheries Act 1942, sections 14 – 20, Cap 158 e) Agricultural Landlord & Tenants Act 1967, Cap 270 f) Crown (State) Lands Act, 1946, Cap 131 – deals with gravel etc g) Rivers & Streams Act 1883, Cap 136 - Ownership of spoils in river beds. h) Crown (State) Acquisition of Lands Act, 1946, Cap 131 - Compensation i) Forests Act, 1953 Cap 150 j) Petroleum (Exploration and Exploitation) Act, 1978, Cap 148 Laws need to now be amended to support a move towards an equilibrium that supports equitable sharing between resource owners and investors.
	WASE 4 – NA VEILIUTAKI VAKAMATANITU **(Chapter 4 – The Executive)** Part A—The President Part B—Cabinet	***Section 84 – Amend to make BLV the Appointing Authority of President and Vice President.*** a. This brief acknowledges that all 4 past constitutions nominated different authorities that was responsible for appointing the Head of State: (1) 1970 Constitution – Appointment of Head of State (Governor General) made by the Queen of Fiji being a dominion. (2) 1990 Constitution –prescribes that a President and Commander-in-Chief of Fiji who shall be appointed by the Bose Levu Vakaturaga and who shall hold office for a period of five years. (3) 1997 Constitution – prescribes that a The President and Vice-President are appointed by the Bose Levu Vakaturaga after consultation by the Bose Levu Vakaturaga with the Prime Minister.

		(4) 2013 Constitution – prescribes that the President shall be appointed by Parliament in accordance with the prescribed section. b. In reading the above provision there is merit in the provisions of the 1990 & 1997 Constitutions because it takes the appointment of the Head of State out of political influence and vests it with BLV. With the appointment put in the hands of an apolitical entity like the BLV it will avoid the situation akin to the one involving the stalemate between the changeover of the last governments where the election results were close. c. *We have considered the wordings in all the 4 constitutions since 1970 until to date. We favour 1990 and 1997 versions as suitable to the posture currently adopted the BLV in it dealings with government and other principal authorities.* d. *The proposed draft provision is stipulated below:* *Appointment of President and Vice-President* *B (1). There shall be a President and Commander-in-Chief of Fiji and his Vice-President who shall be appointed by the Bose Levu Vakaturaga after consultation with the Prime Minister;* *(2) The persons who hold these offices shall be for a period of five years.*
	WASE 5 – JUDICIARY (Chapter 5 – Tabana ni Lawa)	

	Part A—Courts & Judicial Officers Part B—Independent Judicial & Legal Institutions	
	WASE 6 – NA VEIQARAVI VAKAMATANITU **(Chapter 6 – State Services)** Part A—Public Service Part B—Disciplined Force **131. Republic of Fiji Military Forces** Part C—Constitutional Offices Commission Part D—General Provisions Relating To Public Offices	*"Republic of Fiji Military Forces* *131.—(1) The Republic of Fiji Military Forces established under the State Services Decree 2009 continues in existence.* *(2) It shall be the overall responsibility of the Republic of Fiji Military Forces to ensure at all times the security, defence and well-being of Fiji and all Fijians.* *(3) The Commander of the Republic of Fiji Military Forces shall be responsible for exercising military executive command of the Republic of Fiji Military Forces.* *(4) The Commander of the Republic of Fiji Military Forces is appointed by the President, on the advice of the Constitutional Offices Commission, following consultation with the Minister responsible for the Republic of Fiji Military Forces.* *(5) The Commander of the Republic of Fiji Military Forces has the following powers in relation to the Republic of Fiji Military Forces for all ranks, members and other employees of the Republic of Fiji Military Forces—* *(a) to appoint persons to the Republic of Fiji Military Forces;* *(b) to remove persons from the Republic of Fiji Military Forces; and* *(c) to take disciplinary action against persons in the Republic of Fiji Military Forces, and all written laws governing the Republic of Fiji Military Forces shall be construed accordingly.* *(6) The Commander of the Republic of Fiji Military Forces, with the agreement of the Minister responsible for the Republic of Fiji Military Forces, has the authority to determine all matters pertaining to the employment of all staff in the Republic of Fiji Military Forces, including—* *(a) the terms and conditions of employment;* *(b) the qualification requirements for appointment and the process to be followed for appointment, which must be an open, transparent and competitive selection process based on merit;* *(c) the salaries, benefits and allowances payable, in accordance with its budget as approved by Parliament; and*

		(d) the total establishment or the total number of staff that are required to be appointed, in accordance with the budget as approved by Parliament. *(7) A written law may prescribe provisions relating to the Republic of Fiji Military Forces."* • General criticism of this provision like the 2013 Constitution is verbosity. The bulk of this provision should have been in the RFMF Act under the Ministry responsible for the Military. • Section 131(2) is too wide a power to given to an arm of the State unchecked. This needs to be re-drafted to state unequivocally the responsibility of the RFMF. *"(2) It shall be the overall responsibility of the Republic of Fiji Military Forces to ensure at all times the security, defence and well-being of Fiji and all Fijians."*
	WASE 7 – IYAU KEI NA KENA VAKAYAGATAKI (Chapter 7 – Revenue and Expenditure)	
	WASE 8 – VEQARAVI VAKADODONU (Chapter 2 – Accountability) Part A—CODE OF CONDUCT Part B—FREEDOM OF INFORMATION Part C—AUDITOR-GENERAL Part D—RESERVE BANK OF FIJI	

	WASE 9 – KAUKAUWA ENA GAUNA NI LEQA (Chapter 9 – Emergency Powers) 154. State of emergency	
	WASE 10 – VEIVEGALALATAKI (Chapter 10 – Immunity) 155. Immunity granted under the Constitution of 1990 continues 156. Immunity granted under the Limitation of Liability for Prescribed Political Events Decree 2010 continues 157. Further immunity 158. **Immunity entrenched**	On Immunity: - the Tikina of Dreketi does not favour the granting of immunity to anyone for acts omissions in pursuance of an unlawful end.
	WASE 11 – VEISAUTAKI NI YAVU NI VAKAVULEWA (Chapter 11 – Amendment of the Constitution) 159. Amendment of Constitution 160. Procedure for amendment 161. Amendments before 31 December 2013	Tikina Dreketi accepts the decision of the Supreme Court and is thankful that the Constitution can be amended through 2/3 majority and not ¾ of the members of the House. This may allow citizen to continue amend the Constitution as and when the need arises and further enhances the democratic status of the Constitution,

	WASE 12 – ITEKITEKIVU, IVAKAMACALA, (Chapter 12 – Commencement, Interpretation, Repeals & Transitional) Part A—Short Title & Commencement Part B—Interpretation Part C—Repeals Part D—Transitional	

ISSUES NOT COVERED IN THE IN THE 2013 CONSTITUTION		
1.	**DEED OF CESSION** ***Deed of Cession to be included to import our unique History into the Constitution***	***<u>Deed of Cession to be included to import our unique History into the Constitution</u>*** *(Whether through Preamble or by a separate new section)* a) Unique place of the Deed of cession in Fiji's constitutional history needs to be recognised in the any Constitution of this country. b) Secondly, the relevance of this Legal Instrument in reflecting the dealing of the proprietary interest of the itaukei is a prominent and live issue. Because Deed explains: 1) The Deed explains the gift of itaukei proprietary interest to Queen to assist governance. 2) the history of whom it was given to, & what was given. 3) How it was dealt with by Colonial Government 4) History of Independence explains where gift is at. i.e. to whom it was returned to, 5) Where gift are currently held; 6) How are they are dealt with between independence and now. 7) the live issue of its return of what was gifted to the original owners - the iTaukei is a matter for this house to deliberate upon at appropriate time; on that the government and the itaukei will need to address 8) In respect of iTaukei proprietary rights, the Deed of Cession of 1874, is the legal instrument that keeps these issues alive and preserves the original intent that mirrors the goodwill of the chiefs to (colonial) government in the governance of their country.

		Because the BLV was undone during the term of the former administration, the entity's existence was also deleted in the 2013 Constitution. It is felt that we should use the principal wording in the 1970, 1990 and 1997 Constitution as a basis for a draft to inclusion in this proposed amendment to the 2013 Constitution. A draft may read as follows:
3	**ENTRENCHED PROVISIONS** **Protection in Alteration of Laws Affecting iTaukei Proprietary Rights.**	This provision was not incl in the current Constitution. Have to re-insert. ..... *New Alteration of certain Acts* *X.--- (1) A Bill that alters any of the following Acts, namely:* *(a) Native Lands Act 1905, Cap 133;* *(b) Rotuma Act 1927, Cap 122;* *(c) Native Land Trust Act 1940, Cap 134;* *(d) Fisheries Act 1942, sections 14 – 20, Cap 158* *(e) Fijian Affairs Act 1945, Cap 120;* *(f) Rotuman Lands Act 1959, Cap 138;* *(g) Banaban Lands Act 1965, Cap 124;* *(h) Fijian Development Fund Act 1966 Cap 121;* *(i) Agricultural Landlord & Tenants Act 1967, Cap 270* *(j) Banaban Settlement Act 1970, Cap 123;* *(k) Itaukei Trust Funds Act 2004;* *(l) Indigenous Rights Act 2025; and (Currently Bill)* *(m) Bose Levu Vakaturaga Act 1925 (Currently Bill)* *including a Bill prepared in consequence of the enactment of this Constitution:* *(n) must be expressed as a Bill for an Act to alter the Act concerned:* *(o) must not be presented for the President's assent unless it has been read 3 times the House and motions for the second and third readings are carried in the House of Representative; and*

		(p) is deemed not to have been passed at its third reading in the House of Representative- *(2) A Bill that alters the Agricultural Landlord and Tenant Act:* *(a) must be expressed as a Bill for an Act to alter that Act; and* *(b) must not be presented for the President's assent unless:* i *it has been read 3 times in House of Representatives and motions for the second and third readings are carried in the House of Representative; and* ii *at its third reading it is supported by the votes of at least two-thirds of the members of the House of Representatives.* iii *The President must not assent to a Bill referred to in this section unless it is accompanied by a certificate of the Speaker to Parliament certifying that, in relation to the House of Representatives, the approval required by this section has been given.*
4	***CUSTOMARY LAWS & CUSTOMARY RIGHTS.***	This provision was not incl in the current Constitution. Have to re-insert. *All references to Customary Laws and Customary Rights were taken out by the 2013 Constitution, this proposal recommends that section 186 of the 1997 constitution be reinstated.* *This is a Tikina proposal because the iTaukei and all other communities in Fiji are cultured and governed by customs of old that have formed the basis for conduct within these communities.* *History educates us that as regards itaukei their conduct is regulated by customs eg:* *(a) Land tenure;* *(b) Practices of Marriage, Deaths, Births, reconciliation etc*

	Proposal Recommends that section 186 1997 Constitution	*Even though the preamble of 2013 Constitution* recognizes the existence of rights of ownership, culture, customs, traditions and language. *The 2013 Constitution does not facilitate all that in the constitution proper* *Customary laws and customary rights* ***G.**-(1) The Parliament must make provision for the application of customary laws and for dispute resolution in accordance with traditional Fijian processes.* *(2) In doing so, the Parliament must have regard to the customs, traditions, usages, values and aspirations of the Fijian and Rotuman and other communities that forms Fiji's populace.* *(3) The Parliament must make provision granting to the owners of land or of registered customary fishing rights an equitable share of royalties or other moneys paid to the State in respect of the grant by the State of rights to extract minerals from the land or the seabed.* *(4) A law fixing amounts under subsection (3) must require that account be taken of:* *(a) any benefits that the owners are likely to receive as a result of the mineral exploitation;* *(b) the risk of environmental damage;* *(c) any legal obligation of the State to contribute to a fund to meet the cost of preventing, repairing or compensating for any environmental damage;* *(d) the cost to the State of administering exploitation rights; and* *(e) the appropriate contribution to the general revenue of the State to be made by the person granted exploitation rights.*
	BOSE LEVU VAKATURAGA ***Bose Levu Vakaturaga to be included in the 2013 Constitutional Amendments.***	This provision was not incl in the current Constitution. Have to re-insert. a. *The Bose Levu Vakaturaga (BLV), as the most senior of all leadership institutions in Fiji, somehow still finds its place in the Regulations of the iTaukei Affairs Act 1945, Cap 120.*

		b. *It did get constitutional recognition when elevated in the 1997 Constitution. It was soon replaced and relegated back to its former position after the promulgation of the 2013 Constitution.* c. *The entity having suffered suspension and disestablishment during the former administrations, it is now the desire of the Chiefs to have this forum reside in the Superior Law of this country so that its seniority is not only acknowledged but also its contribution to the welfare and well being of the State & its component peoples.* d. *Further and more importantly, its pendency will not be tampered with by successive governments.* e. *Having regard to wording of section 166 of the 1997 Constitution 1997 proposed as amendments as follows:* *Bose Levu Vakaturaga* *116.-(1) The Bose Levu Vakaturaga continues in existence and its membership, functions, operations and procedures are as prescribed from time to time by or under that Act.* *(2) The Bose Levu Vakaturaga has, in addition to the functions set out in the Fijian Affairs Act, in addition to functions conferred on it by this Act or under this Constitution.*

	1. ***BLV the Appointing Authority of President and Vice President.***	This brief acknowledges that all 4 past constitutions nominated different authorities that was responsible for appointing the Head of State: 1) 1970 Constitution – Appointment of Head of State (Governor General) made by the Queen of Fiji being a dominion. 2) 1990 Constitution –prescribes that a President and Commander-in-Chief of Fiji who shall be appointed by the Bose Levu Vakaturaga and who shall hold office for a period of five years. 3) 1997 Constitution – prescribes that a The President and Vice-President are appointed by the Bose Levu Vakaturaga after consultation by the Bose Levu Vakaturaga with the Prime Minister. 4) 2013 Constitution – prescribes that the President shall be appointed by Parliament in accordance with the prescribed section. a) In reading the above provision there is merit in the provisions of the 1990 & 1997 Constitutions because it takes the appointment of the Head of State out of political influence and vests it with BLV. With the appointment put in the hands of an apolitical entity like the BLV it will avoid the situation akin to the one involving the stalemate between the changeover of the last governments where the election results were close. b) *We have considered the wordings in all the 4 constitutions since 1970 until to date. We favour 1990 and 1997 versions as suitable to the posture currently adopted the BLV in it dealings with government and other principal authorities. The proposed draft provision is stipulated below:*

	Section 84 to be Amended	*Appointment of President and Vice-President* *B (1). There shall be a President and Commander-in-Chief of Fiji and his Vice-President who shall be appointed by the Bose Levu Vakaturaga after consultation with the Prime Minister;* *(2) The persons who hold these offices shall be for a period of five years.*

Rt Tevita V. Q. Bukarau Liuliu ni Yavusa Roko Tui Naduguca	**Rt Sairusi Korodrau** Liuliu ni Yavusa Tui Nabuli	**Maratino Sarau** Liuliu ni Yavusa Matanivanua Wailumu	**Vilikesa Bavai** Liuliu ni Yavusa Matanadoria	**Naibuka Bola** Liuliu ni Yavusa Tui Waina

	Section 84 to be Amended	

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Monish Singh

Gmail Constitution Review Commission <commissioners2026@gmail.com>

(no subject)

Monish Singh <smonish382@gmail.com> Sat, Jun 6, 2026 at 10:53 AM
To: commissioners2026@gmail.com

CONSTITUTIONAL SUBMISSION FOR FIJI

I respectfully submit the following recommendations for consideration during the constitutional review process.

EDUCATION

Remove the scaling of examination marks. Students should receive results based on their actual performance so that grades accurately reflect their knowledge and abilities.

Reintroduce reasonable disciplinary measures in schools. Schools should be empowered to maintain discipline and respect while ensuring that students' rights and safety are protected. Any disciplinary measures should be carefully regulated and non-abusive.

Improve technical and vocational education. Greater investment should be made in trade schools and vocational training to prepare young people for employment and entrepreneurship.
Introduce financial literacy in schools. Students should learn budgeting, savings, investments, and basic business skills from an early age.

LAND AND LEASES

Review and reduce excessive lease costs. Lease arrangements should be affordable for farmers, businesses, and ordinary citizens while still providing fair returns to landowners.

Improve direct engagement with the TLTB. Leaseholders should have a more transparent and efficient process when dealing with the iTaukei Land Trust Board.
Provide longer and more secure lease terms. Long-term lease security will encourage investment, business growth, and agricultural development.

ELECTORAL REFORM

Political parties should be held accountable for manifesto commitments. Political parties should regularly report to the public on the progress of promises made during election campaigns.

Strengthen transparency in government. Citizens should have easier access to information regarding government spending, projects, and decision-making.
Strengthen anti-corruption measures. Independent institutions should have sufficient powers to investigate corruption and misuse of public funds.

FUTURE OF FIJI

Environmental protection. The Constitution should recognize the right of every citizen to a clean and healthy environment and support climate change adaptation.

Youth representation. Young people should have greater opportunities to participate in national decision-making processes.

Job creation and economic development. Government policies should support local businesses, agriculture, tourism, and innovation to create employment opportunities.

Equal opportunities for all citizens. Every citizen should have equal access to education, healthcare, employment, and public services regardless of background.
These recommendations aim to promote accountability, economic growth, educational excellence, and a stronger future for Fiji and its people.

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Monish singh
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CONSTITUTIONAL SUBMISSION FOR FIJI

SUBMITTED BY

MR. MONISH SINGH

President – Ba Sanatan Sports Wing
Advisory Councillor



Mr. Monish Singh, President of Ba Sanatan Sports Wing and Advisory Councillor, has formally submitted recommendations for consideration during Fiji's constitutional review process. His submission focuses on strengthening education, governance, economic opportunities, and sustainable development for a stronger, fairer and more prosperous Fiji.

> *A Constitution should reflect the hopes and aspirations of the people. These recommendations aim to promote accountability, opportunity, and equal rights for all citizens.*

EDUCATION REFORM

- Remove scaling of examination marks to ensure fair and accurate results.
- Reintroduce reasonable, non-abusive disciplinary measures to promote respect and responsibility.
- Invest in technical and vocational education to equip youth with practical skills.
- Introduce financial literacy in schools – budgeting, savings, investments, and basic business skills.

LAND & LEASE REFORMS

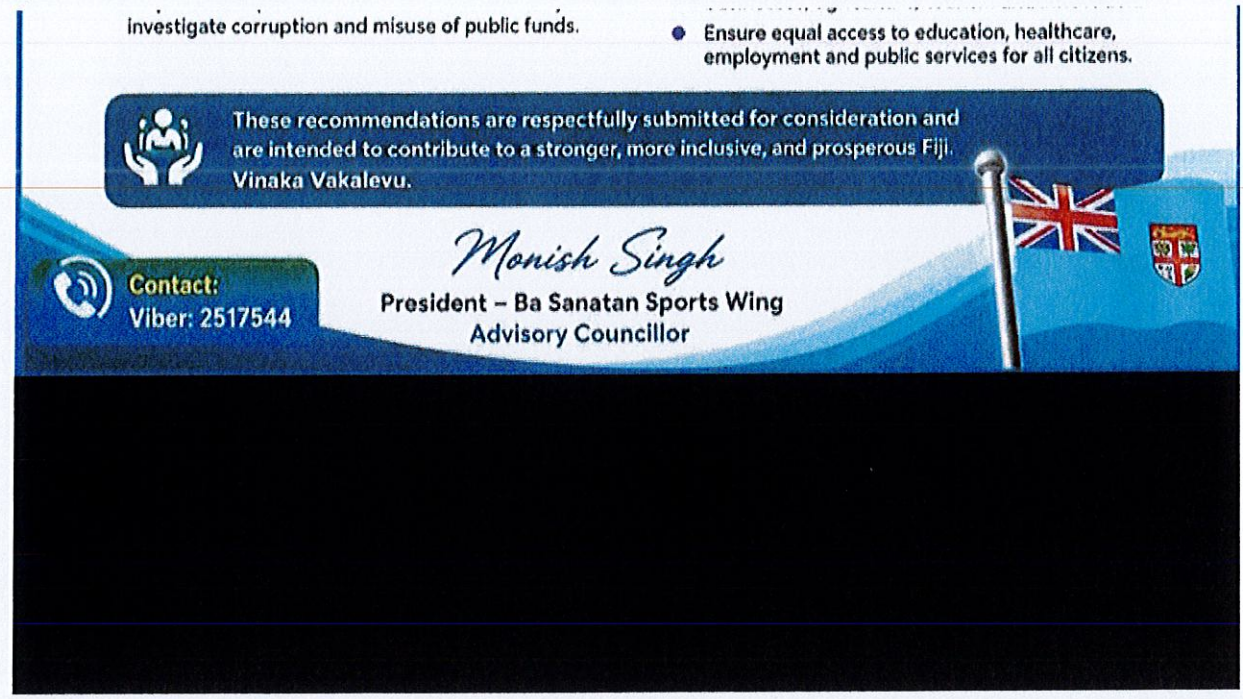
- Review and reduce excessive lease costs to make land more accessible for all.
- Improve transparency and efficiency in dealings with the iTaukei Land Trust Board (TLTB).
- Provide longer and more secure lease terms to encourage investment, agricultural development and business growth.

ELECTORAL & GOVERNANCE REFORMS

- Hold political parties accountable for manifesto commitments with regular public reporting.
- Strengthen transparency in government spending, projects and decision-making.
- Empower independent institutions to effectively

BUILDING A STRONGER FUTURE FOR FIJI

- Recognize the right to a clean and healthy environment and support climate change adaptation.
- Increase youth participation in national decision-making.
- Promote job creation through support for businesses, agriculture, tourism and innovation.


investigate corruption and misuse of public funds.
Ensure equal access to education, healthcare, employment and public services for all citizens.
These recommendations are respectfully submitted for consideration and are intended to contribute to a stronger, more inclusive, and prosperous Fiji.
Vinaka Vakalevu.
Contact:
Viber: 2517544
Monish Singh
President – Ba Sanatan Sports Wing
Advisory Councillor

Shaheen Ali

SUBMISSION TO THE CONSTITUTION REVIEW COMMISSION

On the Review of the 2013 Constitution of the Republic of Fiji

To: The Chairperson and Members of the Constitution Review Commission —
Mr Sevuloni Valenitabua (Chairperson), Mr Ami Kohli, Professor Unaisi Nabobo-Baba, Dr Neelesh Gounder, Ms Merewalesi Nailatikau, Dr John Fatiaki, and Mr Conway Beg.
Level 9, Suvavou House, Suva, Fiji
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From: Shaheen Ali, for and on behalf of the Ali family
(Shahban Ali, Zefeel Ali and Shamir Ali)
P.O. Box 992, Suva
ps.mcttt@gmail.com / axeshane@gmail.com
+679 990 5898

Statement of standing

This submission is made by the Ali family of Fiji, whose roots in this country reach back four generations to the indenture. It is signed by Shaheen Ali, who writes both as a member of this family and as a Fijian who has served the country's public institutions across successive governments for nearly three decades, including fourteen years as a Permanent Secretary. He writes not on behalf of any government, but out of a long commitment to the integrity of Fiji's institutions — a commitment that has outlasted the governments he has served under.

We make this submission because the Commission's task is not to write on a blank page, but to review an existing text in light of what the people of Fiji have lived. Our family has lived a great deal of it. We offer our experience, and the principles we have drawn from it, in the hope that they assist the Commission in its work.

1. Our place in Fiji

Our family's place in Fiji begins with the girmit — the indenture under which our great-grandparents were brought to these islands from North India in the early years of the last century. On our paternal side, Jahur Alam. On our maternal side, Salamat. They came as labourers, part of the system that carried tens of thousands of Indians to the Fijian cane belt between 1879 and 1916. Like so many girmitiya families, ours began in the cane districts and, after indenture ended, moved into town — into trade, work, and eventually the service of the State.

Four generations later, we remain. We did not arrive at belonging in Fiji; we were born to it. We have built our lives here, raised our children here, and buried our elders in this soil. We have no surviving connection to India. We do not know the village our ancestors left. There is no return address. Fiji is not where our family ended up — it is the only home our family has ever known.

We say this plainly because it is the foundation of everything that follows. When a citizen has nowhere else on earth to belong, the question of whether the Constitution treats that citizen as a full and equal member of the nation is not abstract. It is the whole of their security.

2. The constitutional context

In fifty-five years of independence, Fiji has had four constitutions — 1970, 1990, 1997, and 2013 — interspersed with the abrogation of constitutional order on more than one occasion. Each new text has been, in essence, an attempt to settle the same unfinished question: on what terms the different communities of these islands share one country.

The 1970 independence constitution sought a multicultural compromise but entrenched ethnic division through communal representation. The 1990 Constitution, imposed rather than negotiated after the events of 1987, institutionalised the political paramountcy of one community over the others. The 1997 Constitution, negotiated between iTaukei and Indo-Fijian leaders, sought to restore multi-ethnic foundations — and was strong enough that the courts ordered its reinstatement after the upheaval of 2000. The 2013 Constitution, whatever its origins, did something no previous text had done: it established a single common roll, a common name for all citizens, and an extensive Bill of Rights.

The pattern is one of rupture and rewrite — each settlement reaching for a stability that the next disruption took away. This review, following the 2025 Supreme Court opinion that reopened the path to constitutional change, is the first broadly participatory opportunity since 1997 to settle what earlier texts left unfinished, and to preserve what the 2013 text got right. We ask the Commission to approach it in that spirit: keeping what works, strengthening what is fragile, and amending only what experience has shown to be wrong.

3. What our family lived

We do not recount the following as grievance. We recount it because the principles we ask the Commission to protect were purchased at the price of these experiences, and because a Constitution that does not understand what it is guarding against cannot guard against it.

1987

In 1987, our home was raided. I was a young boy, in middle school. We were fortunate — beyond the fear and the intimidation, nothing worse befell us. But the message was unmistakable: in our own country, in our own home, our safety had become conditional on the goodwill of armed men who had decided that people like us did not fully belong.

That raid took place against a documented backdrop. In May 1987, the elected government of Prime Minister Timoci Bavadra was overthrown in a military coup; a second coup in September of the same year declared Fiji a republic and abrogated the constitutional order. The coup leadership proclaimed its intention to make Fiji a Christian state and described Indo-Fijians, in religious terms, as people to be converted. A decree forbade ordinary activity on Sundays for the better part of a year. Hindu temples and Muslim mosques were desecrated and, in places, burned. These events are part of the public record — in the contemporary press, in the work of religious and human-rights bodies of the time, and in the constitutional review that followed. For a community that had been in Fiji for a century, the message of those months was that this was not our home and our faith was not welcome in it.

2000

In 2000, the country's first Indo-Fijian Prime Minister and his government were seized in Parliament and held hostage for fifty-six days. The centre of Suva was looted and burned; some two hundred Indo-Fijian and Chinese-owned businesses were destroyed. In the farming settlements inland of Nausori — Muaniweni, Baulevu and beyond — Indo-Fijian families were robbed, beaten, their homes burned and their crops and livestock destroyed, with some forced to hide in the surrounding forests. Months later, in November of that year, members of the army's Counter Revolutionary Warfare unit — soldiers who had taken part in Speight's coup in May — mutinied at Queen Elizabeth Barracks in an attempt to kill the military commander and complete by assassination what the coup had failed to achieve at the negotiating table. Several loyal soldiers were killed in the fighting that followed, and several captured mutineers were subsequently beaten to death. The violence of 2000 was not confined to one community or to one side; the wider truth is that the unconstitutional acts of that year set in motion further wrongs whose responsibility belongs to those who began them, and whose accounting was incomplete. Our family was not directly caught in that violence, but it fell upon people who were our neighbours, our community, our kin in every sense that matters.

It is part of the documented record of both 1987 and 2000 that Indo-Fijian women were subjected to grave abuse, including sexual violence. We state this with restraint and without elaboration, because it requires none. It is among the things a Constitution exists to make impossible.

In both 1987 and 2000, the constitutional order was broken by force, and in both, those responsible were ultimately shielded from accountability. The overthrow of an elected government, ending not in justice but in amnesty, is itself a lesson this review must absorb.

There is another cost to those years that appears in no record of property destroyed or order broken. After 1987, and again after 2000, many thousands of Indo-Fijians left — not because they had stopped loving this country, but because they could no longer be sure it would have them. Among them were cousins I grew up with. We said our goodbyes, and they went to distant countries. I did see some of them again, but only after many years, and by then we had become different people in different lives — the easy closeness of childhood worn thin by distance and time. A whole generation of this community was scattered across the world by the fear that they did not belong here, and the families that remained were left smaller, and quieter, than they had been.

Our family stayed. We stayed when others left — not because we were braver, but because this was the only home we had, and we could not imagine ourselves anywhere else. That is the place this submission speaks from: not the vantage of those who had somewhere else to go, but of those who stayed because there was nowhere else that was theirs.

2006

The country's third rupture of the constitutional order came on 5 December 2006, when the elected government of Prime Minister Laisenia Qarase was removed by the military. We speak of it here in a different register, and we owe the reader an honest reason why.

Our family did not experience 2006 as it had experienced the earlier ruptures. There was no raid on our home. There were no temples or mosques burned. No Christian-state project was proclaimed. The targeted humiliation and the communal violence that had marked 1987 and 2000 were, in 2006, not part of the experience of Indo-Fijians. For many in our community — and we will not pretend otherwise — the immediate aftermath was not one of fear but of cautious relief.

But the constitutional order had been broken once again, and the cost of that breaking fell on others. Public servants, many of them iTaukei, were displaced. The country was governed by decree for nearly a decade. Media freedom was restricted. Dissent was discouraged. There were prosecutions and imprisonments. A family writing honestly about what this country has lived through cannot pass these costs over because they did not fall principally on us. The breaking of constitutional government is wrong regardless of which community is most directly harmed, and regardless of whether the rupture is followed by reforms one welcomes or fears. That is not an argument for reopening the past. It is, instead, the foundation of what we ask in the principles that follow: that no future government, of any character, should ever again be empowered to set aside the constitutional order, and that no future actor should ever again be granted immunity for doing so.

Three times in twenty years, between 1987 and 2006, the elected government of this country was overthrown by force. Twice, our community paid directly — in fear, in property, in dignity, and in worse. The third time, the cost was borne by others, as we have already said. The principles set out below are drawn from all of it.

We tell this from where we stood, and we do not claim that ours was the only suffering. The coups wounded the whole republic. Ordinary iTaukei families lived through the same instability, the same fear of the man with the gun, the same collapse of livelihoods and trust; and in 2000 the violence turned iTaukei against iTaukei as well. Fear travelled differently through different communities, but it spared none of them. We offer our family's memory not as a grievance held against any community, but as one window onto an injury that was, in the end, national — and from which the whole nation has the same interest in never suffering again.

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4. Principles we ask the Commission to protect

We set out eleven principles. For each, we identify where it sits in the 2013 Constitution and state whether, in our submission, the provision should be **preserved**, **strengthened**, or **amended**. We group them in two parts: principles of rights and belonging, and principles concerning the integrity of the State.

Part A — Rights and belonging

1. Equal citizenship and the common name "Fijian"

Every citizen of Fiji should stand equal before the law and equal within the nation, regardless of ethnicity, religion, ancestry, gender or background. No citizen should be made to feel less Fijian than another. The most concrete expression of this principle is the common name introduced by the 2013 Constitution: that every citizen, of every origin, is a "Fijian."

We ask the Commission to understand why this matters to a family like ours. We have no surviving connection to India; we do not know where our ancestors came from; Fiji is all we know. To be called "Fijian," without qualification, is not a courtesy extended to us — it is a statement of fact. To revert to a nomenclature that names the indigenous population "Fijian" and names us as something else, located elsewhere, would be to tell four generations of this family that they remain guests in the only home they have. We ask that the common name be protected.

We do not make this argument in ignorance of the other side of it. We understand that, for the iTaukei, "Fijian" was for generations not merely a civic label but an ancestral identity bound to land, lineage and chiefly tradition, and that its extension to all citizens was felt by some as a loss made without their consent. That grievance is real and is held in good faith. We do not ask the Commission to dismiss it.

We ask only that the answer to it not be the renewed division of citizens by name — that indigenous identity be secured and honoured by other means, of which there are many, rather than by telling the rest of us that we are something less than fully of this place.

Constitutional anchor: *Section 5 (the common name and citizenship); section 26 (equality and freedom from discrimination); Chapter 2 (Bill of Rights) generally.*

Position: Preserve and protect. The common name and the equal-citizenship guarantee should survive the review intact, and any proposal to reintroduce ethnically segregated nomenclature should be expressly rejected.

2. Freedom of religion and belief

Every person should have the right to practise their faith freely, peacefully and without fear, while respecting the rights and beliefs of others. Fiji should never again be declared the property of a single religion, nor should the machinery of the State — as the Sunday decrees once did — be turned into an instrument against those who worship differently.

Constitutional anchor: *Section 22 (freedom of religion, conscience and belief); section 4 (secular State).*

Position: Preserve. The secular character of the State and the guarantee of religious freedom should be retained without dilution.

3. The right to live peacefully and securely

Citizens should have the right to live in safety, free from violence, intimidation and criminal activity. Public safety and personal security are foundational to national wellbeing. This principle reaches beyond ethnicity and history into what ordinary citizens want daily life in Fiji to feel like: a home that cannot be raided, a street that is safe, a country where no one fears the knock at the door.

Constitutional anchor: *Section 9 (right to personal liberty); section 11 (freedom from cruel and degrading treatment); section 29 (access to justice).*

Position: Preserve and strengthen.

4. Protection from discrimination

Fiji should remain a country where opportunity, dignity and treatment under the law are not determined by race, religion or origin.

Constitutional anchor: *Section 26 (equality before the law and freedom from discrimination).*

Position: Preserve.

5. Protection of the home, privacy and personal liberty

No family should suffer arbitrary intrusion into its home or the unlawful exercise of State power against it. We write this with particular feeling, having had our own home raided. The security of the home is among the most basic things a Constitution promises, and among the first things lost when constitutional order fails.

Constitutional anchor: *Section 24 (privacy); section 9 (personal liberty); section 13 (rights of arrested and detained persons).*

Position: Preserve.

6. Rule of law and due process

Institutions must protect citizens fairly, consistently and impartially. The law must apply equally to the powerful and the ordinary alike, and no person should be above it or beneath its protection.

Constitutional anchor: *Section 3 (principles of constitutional interpretation); Chapter 2 (Bill of Rights); Chapter 5 (Judiciary).*

We ask the Commission to protect and strengthen that promise. Every citizen should have a fair opportunity to learn, to work, to participate in the economic life of the nation, and to live in dignity, regardless of ethnicity, religion, or origin. This is not a matter that divides our communities; it is one of the few that unites them. The rural iTaukei family and the cane-belt Indo-Fijian family have shared, across the generations, the experience of being left behind while elites of every community prospered. A Constitution that takes equal opportunity seriously speaks to both, and to the children of both.

Constitutional anchor: *Section 31 (right to education); section 32 (right to economic participation); section 33 (right to work and a just minimum wage); section 36 (right to health); read with section 1(d) (equality for all and care for the less fortunate) and section 26 (equality).*

Position: Preserve and strengthen. The socio-economic rights of the Bill of Rights should be retained, and the State's duty to pursue effective equality of opportunity — in education, work, and economic participation, for all who have not shared fairly in the nation's development — should be affirmed clearly in the text.

Part B — The integrity of the State

We have spoken of what our family suffered when the State turned against its own citizens. We must now say something that follows from it. Rights on paper did not protect us in 1987, and they did not protect our community in 2000. What failed in those years was not the words of any constitution — it was the institutions meant to stand behind the words. A right that no independent court will vindicate, an equality that no honest commission will enforce, a law that bends to whoever holds power — these are promises that fail exactly when they are most needed.

So we turn now from what the Constitution should promise to what must make those promises real. We offer the principles in this part with the particular standing of a family member who has served Fiji's institutions across successive governments, and who has watched, from the inside, how that architecture holds — or gives way — under strain. A constitution is not only a charter of rights. It is also a design for power. Rights survive only where institutions are built to defend them.

9. Meritocracy and democratic mandate

Public power in Fiji should rest on one of two foundations: the consent of the people expressed through free and fair elections, or appointment to office on the basis of capability, integrity and qualification. Let us be clear about what we are not saying. We do not question the security of indigenous identity, the protection of iTaukei land, or the continuity of custom and chiefly tradition in the life of this nation — these are part of what makes Fiji itself, and a family that calls nowhere else home has every reason to wish them preserved.

What we question is something narrower and different: whether formal constitutional power — over legislation, appointments, or the executive — should be vested in any body whose membership is determined by hereditary status or ascription rather than by election or merit. Traditional institutions hold a vital cultural, customary and advisory role, and that role should be respected and protected. But the exercise of constitutional power belongs to elected representatives and to officers appointed on merit.

Constitutional anchor: *Section 1 (the State); section 3 (interpretation); Chapter 3 (Parliament); read with section 26 (equality).*

Position: Preserve and strengthen. Any proposal to confer constitutional authority on a body not constituted by election or merit-based appointment should be expressly excluded.

10. Accountability under law; no future immunity for unconstitutional acts

The rule of law requires that no person, and no class of persons, stand above the criminal law. The immunities that exist in the present constitutional order were the prices paid for transitions back to elected government in difficult moments of this country's history. They were not just outcomes, and they did not deliver justice to those they were imposed upon. But they were the settlements that brought Fiji back, each time, to constitutional rule. We do not ask that the past now be reopened. To do so, long after the events, would in our view divide the country deeply and serve no purpose that the present, with its many more urgent needs, would not be better served by addressing.

What the Constitution must do is learn from the past, not enable its repetition. We ask that it close the door going forward. No immunity should ever again be available to those who seize, or attempt to seize, power outside the constitutional order. The lesson of the last forty years is that when amnesty is offered as the price of transition, the next ambitious officer learns that the worst outcome of an unconstitutional act is, in the end, a negotiated exit. That lesson has cost Fiji dearly. The Constitution should make it clear, beyond any future negotiation, that the unconstitutional seizure of state power carries criminal liability that cannot be bargained away.

Constitutional anchor: *Chapter 10, particularly sections 156–158; read with section 15 (access to courts) and section 26 (equality before the law).*

Position: Amend. The Constitution should expressly preclude the grant of immunity for any future unconstitutional act against the State. The immunities of the present order should stand undisturbed, as the historical settlements they were, but the Constitution should make clear that they are the last of their kind.

11. The independence and integrity of national institutions

A free country rests not only on the rights written in its Constitution but on the strength of the institutions that give those rights effect. The three arms of government — the legislature, the executive, and the judiciary — must each function independently of the others, so that no single hand holds the power to make law, to wield it, and to judge its use. And the institutions that uphold the law and guard the integrity of public life — the courts, the office that prosecutes crime, and the body that combats corruption — must be genuinely independent of the government of the day. This independence cannot be a word in the text contradicted by the wiring beneath it; it must be real in how these offices are appointed, how securely they hold their positions, and how they are funded. Independence has a temporal dimension that a Constitution must respect: an office whose holder serves only at the pleasure of the government that appointed them, or whose term begins and ends with that government's own, is not truly independent of it. Security of tenure — terms long enough, and protected enough, to outlast the political cycle — is not a privilege for the office-holder but a guarantee for the citizen.

Institutions fail in two directions, and a Constitution must guard against both. They fail when they are captured — bent to serve those who hold power, so that wrongdoing by the powerful goes unanswered. And they fail when they are weaponised — turned against those who do not hold power. The most corrosive form of this weaponisation is the use of prosecutorial, investigative or regulatory powers against political opponents, dissenting voices, or critical media — the conversion of institutions that exist to defend the public into instruments for the removal of inconvenient figures from public life. When this happens, the same institutions that are meant to hold power to account become extensions of it; criminal process replaces electoral contest; and the line between the rule of law and the rule of those who hold office is effectively erased. The citizen is entitled to institutions that are even-handed in both directions: that pursue serious wrongdoing wherever it is found, and that are never deployed to harass political opponents, silence critics, or settle scores.

The independence we ask for must protect the citizen equally under every government and against every government. It is not a claim made on behalf of one administration against another. Safeguards that prevent the capture of an institution by one government must not become the means by which another entrenches its own people within it; and an institution already bent to serve a past government must be set free, not frozen in place. The principle is the same one we have urged throughout: it answers to the citizen, not to whoever happens to hold power, and it holds across political time.

We make this point at the level of principle, as we have made the others, and we do not presume to draft the machinery for the Commission. But we say plainly, from a lifetime spent inside these institutions across successive governments, that independence secured only by declaration is no independence at all, and that it must be matched by transparency — so that it protects the citizen against power, and never becomes a shield for the office-holder against scrutiny.

Weak institutions and poorly supported public servants are not a victimless failure: their cost is paid in corruption, in development forgone, and in the quiet harm done to a generation that deserved better. Where these institutions are strong, honest, and even-handed, every other right in this Constitution becomes real. Where they are weak, captured, or weaponised, every other right becomes a paper promise. A family that has had its home raided understands, better than most, what is at stake when the courts, the prosecutor, and the law itself answer to the same hand that holds the guns.

Constitutional anchor: *Sections 90–97 (the executive and the Director of Public Prosecutions); Chapter 4 (the executive); Chapter 5 (the judiciary, sections 97–123); section 115 (the Fiji Independent Commission Against Corruption); read with section 16 (executive authority) and Chapter 7 (public finance).*

Position: Amend and strengthen. The present text contains the language of independence but retains points at which the executive of the day can reach into the appointment, tenure, and funding of these offices. We ask the Commission to secure their independence in substance — insulated from the political cycle, and balanced by transparency and accountability to the people through Parliament — so that the separation of powers and the integrity of public life are guaranteed in practice and not merely in form.

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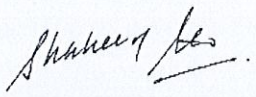
5. Conclusion

We began with a man named Jahur Alam and a man named Salamat, who crossed an ocean under indenture and never went home. We have ended with courts and commissions and the independence of the institutions that hold a country together. The distance between those two things is the whole of what a Constitution is for. It is the line that runs from a family's deepest need — simply to belong, and to be safe — to the institutions that must be built and guarded if that need is ever to be met.

Our hope is simple, and it has not changed in four generations. We hope that those who come after us inherit a Fiji where every citizen belongs equally — by name and in fact — worships freely, raises a family in safety, and trusts that their dignity is protected not by the goodwill of the powerful but by institutions strong enough to defend it. We hope they inherit a country whose laws bend to no one, and whose home can never again be raided in the night because of who lives inside it.

We did not come to Fiji seeking belonging. We were born to it. We have stayed through every storm this country has passed through — not because we could not imagine leaving, but because there was nowhere else that was ours, and nowhere else we wished to be. We ask only that the Constitution honour that choice by protecting every citizen equally — especially those who, like us, are not going anywhere.

Respectfully submitted,



Shaheen Ali
For and on behalf of the Ali family
Suva, 8 June 2026

A note on sources

The historical events described in this submission are matters of public record. They are drawn from contemporary reporting of the period; from the records and statements of religious and inter-faith bodies and human-rights organisations active at the time; from the report of the 1996 Fiji Constitution Review Commission (the Reeves Commission); and from the decisions of Fiji's courts concerning the events of 2000, including the reinstatement of the 1997 Constitution. We have stated the family's own experience as testimony, and the wider events as record. We have not embellished either.

Tavenisa Diri

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Fw: SUBMISSION TO THE FIJI CONSTITUTION REVIEW PROCESS 2026

Tavenisa Diri <tavenisadiri@yahoo.com> Mon, Jun 8, 2026 at 1:31 PM
Reply-To: Tavenisa Diri <tavenisadiri@yahoo.com>
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Yahoo Mail: Search, organise, conquer

----- Forwarded message -----
From: "Tavenisa Diri" <tavenisadiri@yahoo.com>
To: "info@legislature.gov.fj" <info@legislature.gov.fj>
Cc: "Tavenisa Diri" <tavenisadiri@yahoo.com>
Sent: Mon, 8 June 2026 at 10:44 am
Subject: SUBMISSION TO THE FIJI CONSTITUTION REVIEW PROCESS 2026
Hon Siromi Turaga

Monday 8th June 2026

Submission to the Fiji Constitution Review Process 2026

Subject: Constitutional Legitimacy, Rule of Law, Fijian Rights, and National Unity

To the Members of the Constitutional Review Process,

I respectfully submit the following observations and concerns regarding Fiji's constitutional future.

Introduction

A constitution is the legal and moral foundation upon which a nation builds its political, legal, and social institutions.

If citizens lose confidence in that foundation, confidence in the institutions built upon it is also weakened.

My concern is that many Ethnic Fijians continue to question the legitimacy, origins, and consequences of the 2013 Constitution.

Whether one agrees with those concerns or not, they should not be ignored.

Constitutional Legitimacy

Many citizens witnessed that the 2013 Constitution was imposed without the level of public consent normally expected for a document that serves as the supreme law of an independent and sovereign nation.

As a result, constitutional amendments alone may not fully address concerns regarding legitimacy.

The review process should therefore consider whether a broader process of national consultation and consent is necessary to establish a constitutional foundation accepted by all communities.

Recognition of the Legal Ethnic Group Identifier of Choice of the Fijian Fiji Citizens

A constitutional framework should recognize and protect the identity, dignity, culture, language, traditions, and historical rights of Ethnic Fijians.

Many Ethnic Fijians feel that constitutional and legal developments over recent decades have weakened or diminished recognition of their human rights to their distinct identity and institutions.

The review process should consider:

A) Explicit constitutional recognition of the Fijian Ethnic Group Identifier of Choice recognising them as a distinctive human ethnic group.

B)Protection of Fijian cultural identity and heritage and intellectual property.

C) Protection of Fijian land ownership and customary rights.

D) Mechanisms ensuring that Fijian voices remain represented in national governance.

Traditional Institutions

E) Fijians value the Great Council of Chiefs and know that traditional leadership structures do contribute positively to national unity and good governance.

F) The review process should reinstate the Great Council of Chiefs and the Senate and be given an appropriate constitutional role consistent with democratic principles.

Equality Before the Law

G) True national unity requires equality before the law for every citizen.

H) No ethnic, religious, political, or economic group should enjoy privileges unavailable to others.

I) Likewise, no community should feel disadvantaged or excluded from national development.

The Constitution should guarantee:

J) Equal protection under the law.
K) Equal access to government services.
L) Equal opportunity in education and employment.
M) Equal participation in national development.

National Reconciliation

Fiji's history contains political conflicts, coups, constitutional disputes, and deep divisions.

N) A constitutional review should not merely amend legal provisions. It should also help build reconciliation, trust, and national cohesion.

The review process should encourage:

O) Honest discussion of historical grievances.
Respectful dialogue among all communities.

P)Recognition of the contributions of all ethnic groups.

Q) Commitment to a shared future built on justice and mutual respect.

The Rule of Law

R) The rule of law must remain the foundation of the Republic of Fiji.

S) No person, institution, government, or political movement should be above the law.

T) Public confidence in the justice system depends upon the consistent application of legal principles, accountability, transparency, and respect for constitutional rights.

Recommendations

I respectfully recommend that the Constitutional Review Process consider:

1) A comprehensive national consultation process.

2) Constitutional recognition of the Legal Fijian Ethnic Group identifier of Choice and rights.

3) Legal protection of cultural and traditional institutions.

4) Enhanced safeguards for equality before the law.

5) Measures to strengthen constitutional legitimacy through broad public consent.

6) Constitutional provisions promoting national unity while respecting diversity.

7) Stronger accountability mechanisms to uphold the rule of law.

Conclusion

A) Fiji is entitled to a constitutional foundation that is accepted, respected, and trusted by all its people.

B) A stable future cannot be built solely on political power. It must be built upon justice, legitimacy, equality before the law, human dignity, and the consent of the governed.

I respectfully urge the Review Process to consider these concerns and recommendations in the spirit of national unity, justice, and service to future generations of Fiji.

Respectfully submitted,
Tavenisa Diri
Brisbane, Australia

Yahoo Mail: Search, organise, conquer

Lilian Namoumou

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Terrorist actions , Police can't solve.

Lillian Darline Heritage Namoumou <lilliandarlineheritagenamoumou@gmail.com> Mon, Jun 8, 2026 at 3:04 PM

To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

---------- Forwarded message ---------
From: **Lillian Darline Heritage Namoumou** <lilliandarlineheritagenamoumou@gmail.com>
Date: Mon, 8 Jun 2026, 2:57 pm
Subject: Terrorist actions , Police can't solve.
To: commissioners2026@gmail.com <commissioners2026@gmail.com>

16 RHONE STREET, OFF KERMODE ROAD. LAUTOKA.
THIS IS REALLY DANGEROUS !!
HOW ABOUT SENDING A TEAM TO TEST MY PAINT ON OUTSIDE WALLS AND SOIL AND VEGETATION!!!
AAINA IS AT NASIRS HOUSE AND SHE AND MRS NASIRS ARE SPRAYING VERY DANGEROUS TOXIC LIQUID FROM YESTERDAY AND MANY DAYS BEFORE AND EVEN NOW!!!
THEY ARE TERRORISTS OR FOUND FOR A TERRORIST GROUP TO BUY MY PROPERTY!!
FOR AAINA AND NAHID OR RELATIVE TO LIVE IN!!!
THEY ARE ALMOST FINISHED UPGRADING ILLEGAL EXTENSION!!!
(FOR MORE THAN 3 YEARS I HAVE BEEN SENDING TO EMERGENCY 919 MESSAGES DAILY PLUS TO WAF ALSO ABOUT MR NASIR MOHAMMED TAMPERING WITH MY WAF WATER SUPPLY AND DAILY PUTTING IN DANGEROUS CONTAMINANTS.
but TURNS A CURTAIN TAMPERING TAP WHEN AUTHORITIES COME TO CHECK!!!)
NOTE** FORMER AG: KHAIYUM. IS A VERY REGULAR VISITOR TO THIS HOUSE.

Kelepi Covimaidrano Abariga

SUBMISSION TO THE REVIEW OF THE 2013 CONSTITUTION OF THE REPUBLIC OF FIJI

Date: 9th June 2026

Introduction

I respectfully submit the following recommendations for consideration during the review of the 2013 Constitution of the Republic of Fiji.

The Constitution should reflect the aspirations of all Fijians, both at home and abroad, while strengthening democratic governance, transparency, accountability, economic development, and national unity. As Fiji approaches the 2027 General Elections, constitutional reforms should aim to build stronger institutions that serve future generations.

Proposal 1: Elevating the functions of Fiji Missions Abroad

For Fiji's diplomats to deliver stronger economic and strategic returns in today's highly competitive global environment, they need to move beyond traditional diplomacy and embrace **economic diplomacy, digital engagement, investment promotion, and diaspora partnerships**.

Key Strategies to Improve Diplomatic Performance

1. Become Economic Ambassadors First

Every Fijian embassy and high commission should have measurable targets for:

- Foreign direct investment (FDI) attracted to Fiji.
- Tourism promotion.
- Export market development.
- Labour mobility opportunities.
- Educational partnerships.
- Enhancing Cultural and Sports Diplomacy

Diplomats should be assessed not only on protocol and political engagement but also on the economic value they help generate for Fiji.

2. Develop a Modern Marketing Strategy

Fiji's missions abroad should actively market:

- Tourism opportunities.
- Agricultural exports.
- Renewable energy projects.
- ICT and digital services.
- Real estate and infrastructure investment opportunities.

This requires:

- Professional social media campaigns.
- Regular investment forums.

- Business networking events.
- Strong engagement with international media.

Every mission should maintain a modern digital presence showcasing investment opportunities in Fiji.

3. Leverage the Fijian Diaspora

Thousands of Fijians living in:

- United Arab Emirates
- Australia
- New Zealand
- United States
- Canada
- United Kingdom

contribute significant remittances to Fiji.

Diplomatic missions should establish:

- Diaspora business councils and Advisors
- Investment clubs.
- Annual Fiji economic forums.
- Mentorship programmes linking successful overseas Fijians with entrepreneurs in Fiji.

4. Strengthen Labour Mobility Partnerships

Fiji's diplomats can negotiate:

- New seasonal worker programmes.
- Skilled migration pathways.
- Recognition of Fijian qualifications.
- Technical training partnerships.

This can increase remittances and provide valuable skills when workers return home.

5. Attract Strategic Investment

Rather than seeking any investment, diplomats should target:

- Renewable energy.
- Climate resilience projects.
- Agribusiness.
- Fisheries.
- Technology and digital services.
- Higher education.

Investment promotion should be data-driven and sector-focused.

6. Build Strong Relationships with International Development Partners

Diplomats should actively pursue:

- Climate finance.
- Development grants.
- Infrastructure funding.
- Technical assistance.

Given Fiji's leadership role among Pacific Island nations, diplomats can position Fiji as a hub for regional programmes and international conferences.

7. Use Digital Diplomacy

Modern diplomacy increasingly takes place online.
Diplomatic missions should:

- Use LinkedIn to engage investors.
- Use social media to promote Fiji.
- Host virtual investment roadshows.
- Share success stories from investors already operating in Fiji.

8. Measure Results

Each mission should publish annual performance indicators such as:

- Investment leads generated.
- Trade agreements facilitated.
- Export growth supported.
- Scholarships secured.
- Labour mobility placements.
- Tourism promotions conducted.

This creates accountability and demonstrates value to taxpayers.

Proposal 2: Strengthening Parliamentary Accountability

To improve public confidence in government:

- Strengthen parliamentary oversight committees.
- Require regular public reporting by ministers.
- Enhance the independence of constitutional offices.
- Introduce mandatory annual constituency engagement reports by Members of Parliament.

Proposal 3: Review of Electoral System

I respectfully submit that the current Electoral Act provisions relating to overseas-based Fijian voters should be amended to allow eligible Fijian citizens residing abroad to return and establish residency in Fiji for a minimum period of **three (3) months prior to a General Election**, instead of the current requirement of **eighteen (18) months**.

Rationale for Change

1. Strengthening Democratic Participation

The eighteen-month residency requirement is unnecessarily restrictive and effectively disenfranchises many Fijian citizens who wish to return home and participate fully in national elections.

Reducing the residency requirement to three months would enable more returning citizens to exercise their democratic rights while still demonstrating a genuine connection and commitment to Fiji.

2. Recognition of the Fijian Diaspora

Fijians living abroad contribute millions of dollars annually to Fiji's economy through remittances, investments, tourism, and support for families and communities. Their contribution to national development should be matched by meaningful opportunities to participate in shaping Fiji's future through elections.

Having lived in the United Arab Emirates since 2012 after being part of the establishment staff of Fiji's Embassy in Abu Dhabi, I had worked from 1987 to 2010 for the Ministry of Information and was part of the Fiji National Video Centre that had contributed in the inception of Fiji's first ever Television News Service in partnership with TVNZ in October 1991.

Within those many years, I had also assisted in the pioneering of Fiji Television Limited in 1995 and had also assisted in the producing of the News Service for both Mai TV and FBC TV.

My well-established career in Fiji's Media and Communications network, has prepared me well to assume the portfolio of Fiji's next Minister of Information.

In 2022, amidst the Covid Pandemic, I reached out to the Supervisor of Elections, Mr. Mohammed Saneem, well in advance of the 18-month Residency Eligibility period to request an exemption due to the unavailability of flights from the United Arab Emirates for nearly 12 months. Despite my persistent appeals, the Fiji Elections Office replied in December of that year, stating that they were unable to make exceptions to the rules as outlined in the 2013 Fiji Constitution.

It is therefore my fervent hope that my proposal would be considered.

3. Encouraging Return Migration

A shorter residency period would encourage skilled Fijians overseas to return, reconnect with their communities, and become more engaged in national affairs. This aligns with Fiji's broader goals of attracting talent, investment, and expertise back into the country.

4. Consistency with Constitutional Principles

The Constitution guarantees universal suffrage and equal participation in democratic governance. Any residency requirement should be reasonable and proportionate and should not create unnecessary barriers to voting rights.

5. Practical Considerations

Many overseas-based Fijians who have worked in major Government Ministry's and Corporate Companies for decades, still maintain valid Fijian passports, property ownership, family connections, and regular visits to Fiji. Requiring eighteen months of continuous residency is excessive and out of step with modern patterns of migration and transnational citizenship.

A three-month residency period would provide sufficient time for voter registration verification and administrative processes while ensuring electoral integrity.

Recommendation

I respectfully recommend that:

1. The Electoral Act be amended to reduce the residency eligibility requirement for overseas-based Fijian citizens from eighteen (18) months to three (3) months before a General Election. From now until the proposed 3 months, we will be able to organize our campaign fundraising and also utilize the various social media platforms to promote our desire to contest the 2027 Fiji Elections.
2. Returning citizens provide proof of residency, such as utility bills, tenancy agreements, employment records, or other approved documentation during the three-month period.
3. The Fijian Elections Office continue to maintain robust voter verification procedures to ensure transparency and integrity in the electoral process.

The proposed amendment would strengthen democracy, enhance citizen participation, recognize the significant contribution of Fiji's diaspora community, and uphold the constitutional principles of fairness and inclusion. It would allow more Fijians to contribute to the democratic future of their country while maintaining the integrity of the electoral system.

Proposal 4: Constitutional Protection of Good Governance

The Constitution should require:

- Transparent public procurement processes.
- Independent anti-corruption mechanisms.
- Stronger protections for whistleblowers.
- Public disclosure of government contracts above a prescribed threshold.

Proposal 5: Youth Representation

Over 50% of Fiji's population is under the age of 35.

Recommendations:

- Establish youth advisory councils linked to Parliament.
- Encourage political party candidate quotas for young people.
- Strengthen constitutional commitments to education, skills development, and employment opportunities.

Proposal 6: Economic Development and Employment

The Constitution should promote policies that:

- Improve workforce readiness for international employment opportunities.
- Strengthen technical and vocational education.
- Support digital economy development.
- Encourage entrepreneurship and innovation.
- Expand labour mobility partnerships with Australia, New Zealand, Canada, and other partner countries.

Proposal 7: Decentralisation of Government Services

To improve service delivery:

- Empower municipal councils and local government authorities.
- Increase development funding for rural and maritime communities.
- Improve decision-making at provincial and district levels.

Proposal 8: National Unity and Reconciliation

The Constitution should continue to promote:

- Equal citizenship for all Fijians.
- Respect for cultural diversity.
- Protection of indigenous rights and institutions.
- Interfaith harmony and national reconciliation initiatives.

Proposal 9: Leadership Standards

To strengthen public trust:

- Introduce stronger leadership integrity provisions.
- Require transparent asset declarations for elected officials.
- Establish clear standards for ministerial conduct and accountability.

Proposal 10: National Development Council

Establish a Constitutionally recognised National Development Council comprising representatives from:

- Government
- Opposition
- Traditional leadership
- Youth
- Women's organisations
- Business sector
- Trade unions
- Civil society
- Overseas Fijian communities

The Council would provide long-term development advice beyond electoral cycles.

Conclusion

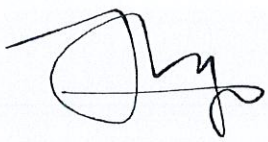
The review of the 2013 Constitution presents a historic opportunity to strengthen Fiji's democracy and governance framework. These recommendations seek to create a more inclusive, accountable, and forward-looking nation that benefits all Fijians.

A modern Constitution should empower citizens, strengthen institutions, encourage economic growth, and ensure that future governments govern in the interests of the people.

Ultimately, given that both Girmitiyas and laborers from Melanesia were brought to Fiji for work in the 1800s, it is essential to establish an 'Indentured Labor Day Celebrations' to pay tribute to all who contributed to the early development of Fiji during that period.

Vinaka Vakalevu.

Respectfully submitted,



Kelepi Covimaidrano Abariga
Abu Dhabi
United Arab Emirates

Asaeli Nabuliwaqa Toanikeve

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Holistic Submission: Amending 2013 Fiji Constitution Section 131(2), Guaranteeing Capability Support, and Adopting a Long-Term Defence Framework

Asaeli Nabuliwaqa Toanikeve <a.n.toanikeve@gmail.com> Wed, Jun 10, 2026 at 11:37 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Dear Honourable Members of the Constitutional Review Committee

I am writing to formally submit a comprehensive set of recommendations regarding the role, mandate, funding structure, and operational modernization of the Republic of Fiji Military Forces (RFMF) under the 2013 Constitution.

A truly sustainable democracy requires both absolute civilian supremacy and a professional, capable defense force.

This submission outlines how to legally restrict the RFMF to its core external defense roles while ensuring that the government of the day provides the resources required to meet modern security threats, preserve international standing, and protect the men and women who commit themselves to serve our island nation of Fiji with pride, honor and sacrifice. These include the following:

The Core Legal Reform: Amending Section 131(2)

The Problem: The current wording charging the RFMF with national "well-being" is an ambiguous mandate that historically enables domestic political intervention and compromises civilian authority.

My Recommendation: Amend Section 131(2) to explicitly restrict the RFMF's constitutional role strictly to external security, border defense, and regional maritime sovereignty.
Therefore, all domestic security, law enforcement, and internal political transitions must be left explicitly to the Fiji Police Force and the Judiciary.

Aligning with the National Security Strategy (NSS)

Restricting the military's role does not mean diminishing its importance. According to Fiji's National Security Strategy (NSS), Fiji faces an array of intense, non-traditional external and border security threats that demand a highly professional force. These threats include the following:

1. Maritime & Border Vulnerabilities: Infiltration by transnational organized crime syndicates, drug trafficking, and illegal, unreported, and unregulated (IUU) fishing across our vast Exclusive Economic Zone (EEZ).

2. Geopolitical Pressures: Increasing strategic competition in the Indo-Pacific, requiring a specialized regional defense posture and robust international partnerships.

3. Climate Security & Disasters: Escalating climate-induced crises requiring elite humanitarian assistance and disaster relief (HADR) deployments.

The Government's Reciprocal Undertaking: Ensuring Capability

For this constitutional boundary to work, it must be matched by a reciprocal commitment from the government of the day.

If the State demands that the RFMF strictly guard the nation's borders and stay out of politics, the State must guarantee the RFMF has the tools and institutional respect to do so effectively.

The Constitution should include an explicit understanding that the government will systematically fund and support the RFMF's technical, logistical, and operational capability to successfully execute its restricted external mandates.

This prevents the military from being politically neutralized or under-resourced, turning it instead into an elite, highly specialized external defense force.

Holistic Funding Mechanism: The 2% GDP Modernization Target

Fiji's defense spending has historically hovered around 1.3% to 1.4% of GDP, relying heavily on foreign bilateral aid for basic asset procurement. To achieve true technological self-reliance, I recommend pairing this constitutional reform with a strategic policy objective targeting a defense budget of up to 2% of Fiji's GDP specifically earmarked for modernization. This can be reviewed periodically.

Case Study for Fiji: New Zealand's Long-Term Defence Capability Model

Fiji can look directly to our Pacific neighbor, New Zealand, as a benchmark for this concept. The New Zealand Government famously established a long-term Defence Capability Plan backed by a $20 billion investment over 10 to 15 years to systemically rebuild its military infrastructure.

Crucially, New Zealand's modern framework actively pushes its defense spending toward 2% of GDP specifically to address regional volatility, maritime surveillance, and South Pacific humanitarian assistance without involving the military in its domestic political systems.

In that regard, I humbly request consideration on how Fiji can adopt this exact concept on a smaller scale tailored to our economic strength.

Rather than managing defense through erratic, short-term annual budgets, the Fiji Government should legislate a 10-Year Fiji Defence Capability Blueprint. Scaled proportionally to Fiji's GDP, this long-term funding certainty allows the RFMF to phase out obsolete gear and execute a highly structured short, medium, and long-term plan focused on two key areas:

1. Land Forces Capabilities & Infrastructure Modernization

Camp Modernization & Personnel Well-being: Urgent investment in upgrading physical military camps, including constructing modern, dignified housing for RFMF members and their families to boost morale and operational readiness.

Mobility & Surveillance Assets: Acquisition of advanced land mobility assets for rapid deployment, strategic airlift capabilities to move personnel and aid across the region, and multi-role Unmanned Aerial Vehicles (UAVs) for maritime and border surveillance.

Specialist Units: Target funding toward recruiting, training, and retaining specialists in high-demand fields: Counter-Terrorism, Engineering, Medical, Communications, and Information Technology.

2. Peace Support Operations (PSO) & Geopolitical Diplomacy

Fiji's long-standing contribution to United Nations peacekeeping is one of its greatest assets. This funding must explicitly support and elevate our Peace Support Operations.

Additionally, Fiji can maximize on the opportunities available to strengthen current UN reimbursement portfolio by using a comprehensive model that allows for the procurement of Contingent Owned Equipment (COE) and the deployment of Specialist Equipment and Personnel that add capability and capacity to respective UN missions especially to our Fiji Contingents. For example, K9 Units, Information, Reconnaissance, and Surveillance Teams, Quick Reaction Force Company, to name a few.

Value to Diplomacy: Fiji's peacekeeping footprint punches far above its weight globally. It grants our nation a powerful voice in international forums, strengthens bilateral ties with global superpowers, and elevates our standing in international relations and regional partnerships.

Therefore, in terms of constitutional Importance, the government's constitutional undertaking to fund this capability for the RFMF is critical. It guarantees that Fiji remains a reliable, elite exporter of global peace, turning our military into an instrument of international diplomacy rather than domestic politics.

Conclusion

In summary, I foresee that the true benefits will be the Fijian people as these recommendations will be demonstrated through a stronger, more resilient and a safer Fiji.
It is in my humble view that by adopting this holistic approach, Fiji achieves two critical milestones simultaneously:

1. Absolute Civilian Supremacy: The elected government remains the undisputed authority chosen by the people, removing the legal pretext for military involvement in domestic governance.

2. Modernized, Professional RFMF: The military is transformed into a highly respected, fully equipped, and securely funded regional leader in maritime protection, disaster response, and international peacekeeping force that has the blessing and holistic backing by an elected government that takes care of its Armed Forces.

Thank you for your dedication to building a transparent, clear, and secure constitutional foundation for our nation.

Sincerely,

Asaeli Nabuliwaqa Toanikeve
Lieutenant Colonel
Chief of Staff
Headquarters Joint Task Force Command
Blackrock Camp
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Verenaisi Maopa

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submit my review on 2013 constitution

Verenaisi Maopa <verenaisi7m@gmail.com> Wed, Jun 10, 2026 at 3:29 PM
To: commissioners2026@gmail.com

Dear Sir/Madam,
Further to the above review of 2013 constitution, I kindly request for my submission as follows:
1. Please REMOVE Ficac.
We grassroot level citizens are in familiar surroundings only with the Fiji Police and Fiji Military Forces.
2. Please reinstate The Great Council of Chiefs it's powers that was taken away from.them in the 2013 constitution.
3. Please review the mass work visa of foreign nationals coming into the country. If 1million of them, than we are outnumbered. I hear our laws easily allow them to become citizen of this nation.
4. Please relook at Chat Forums of Facebook example Chat Fiji, Chat Forum, etc. Enact laws that see respect for one another, etc. Avoid abusive language, etc. It's creating a culture of lawlessness.
5. Ban pornography on phones. Let's save our younger generations from being exploited.
Vinaka saka vakalevu.
Verenaisi Maopa

Lanieta Tukana

REPUBLIC OF FIJI
CONSTITUTIONAL REVIEW COMMISSION

FORMAL SUBMISSIONS ON THE
CONSTITUTION OF THE REPUBLIC OF FIJI 2013

Prepared pursuant to Constitutional Review
April 2026

Lanieta Tukana

Sydney, Australia

Email – tukanalanieta@yahoo.com.au

PREFATORY NOTE AND METHODOLOGY

These submissions have been prepared through a systematic textual analysis of the Constitution of the Republic of Fiji 2013 ("the Constitution") in its entirety, spanning all twelve chapters, the Schedule, and all transitional provisions.

The analysis is grounded exclusively in the text of the Constitution itself. No external political preferences, party platforms, or hypothetical scenarios have been imported. Every submission below identifies: (a) the specific constitutional provision at issue; (b) the textual or structural concern identified; and (c) a principled recommendation for amendment or clarification.

These submissions acknowledge that constitutional reform is a sovereign democratic exercise belonging to the people of Fiji. They are offered as analytical tools to assist the Commission's deliberations, not as prescriptions.

Confidence levels for each submission are indicated as: HIGH (textual inconsistency clear on the face of the document), MEDIUM (plausible concern supported by structural analysis), or CONTEXTUAL (concern dependent on implementation context).

OVERVIEW OF SUBMISSIONS

The following ten core submissions address identified concerns across the main structural chapters of the Constitution:

#	Subject Matter	Provision(s)	Confidence
1	Immunity Clauses — Unamendability	*Ch. 10, ss.155-158*	HIGH
2	Amendment Threshold — Rigidity	*Ch. 11, ss.159-160*	HIGH
3	Party-Discipline Voting Rules	*s.63(1)(g)-(i)*	HIGH
4	Executive Dominance over Senate-Equivalent	*Ch. 4, ss.81-96*	MEDIUM
5	Rights Limitation Clauses — Breadth	*s.6(5)(c), ss.17-22*	HIGH
6	Judicial Appointments — Independence	*ss.104-106*	MEDIUM
7	Military's Role and Civilian Oversight	*s.131(2)*	HIGH
8	Proportional Representation — 5% Threshold	*s.53(3)*	MEDIUM
9	Human Rights Commission — Scope Limitation	*s.45, s.172(5)*	HIGH
10	Socio-Economic Rights — Progressive Realisation	*ss.31-40*	CONTEXTUAL

DETAILED SUBMISSIONS

SUBMISSION 1: ENTRENCHED IMMUNITY CLAUSES (CHAPTER 10)

Constitutional Provision:
Sections 155-158 — Immunity provisions are declared unamendable, and courts are stripped of jurisdiction to review them. Section 158(1) states the Chapter 'shall not be reviewed, amended, altered, repealed or revoked.' Section 158(2) ousts court jurisdiction entirely.

Identified Issue:
Chapter 10 grants absolute and unconditional immunity for all acts committed between 5 December 2006 and the first sitting of Parliament (ss. 156-157), and then permanently entrenches these immunities beyond the reach of Parliament and the courts (s. 158). This creates a structural hierarchy where a class of historical conduct is placed permanently beyond legal accountability. This is anomalous: section 2 declares the Constitution supreme and section 44 guarantees access to the courts for rights enforcement, yet Chapter 10 overrides both. The provision is without precedent in comparable democratic constitutions. It forecloses judicial review of potential violations of sections 8 (right to life), 11 (freedom from torture) and 14 (rights of accused), which are themselves non-derogable under s.43(1).

Recommended Amendment:
The Commission should recommend removing the unamendability clause in s. 158 and the restoration of constitutional amendability of Chapter 10 through the standard procedure in Chapter 11 (a three-quarters parliamentary majority plus a referendum). Courts should retain jurisdiction to assess whether specific conduct falls within or outside the scope of the granted immunity. This does not require retrospective prosecution but restores the constitutional integrity of judicial oversight.

SUBMISSION 2: AMENDMENT PROCEDURE — EXCESSIVE RIGIDITY (CHAPTER 11)

Constitutional Provision:
Section 160 — A constitutional amendment requires (a) three-quarters majority at second AND third readings; (b) a 30-day interval between readings; (c) a referendum in which three-quarters of all registered voters vote in favour.

Identified Issue:
The three-quarters registered-voter threshold in s. 160(6) is exceptionally high by comparative constitutional standards. Most referendums require a threshold of votes cast (not registered voters). Given Fiji's documented challenges with voter turnout, a three-quarters-of-registered-voters threshold is effectively unattainable in practice. This creates a constitution that is functionally unamendable even through legitimate democratic processes, which, paradoxically, incentivises extra-constitutional change — precisely the risk the Constitution should discourage. Section 159(2) further removes Chapter 10 and the amendment chapter itself from the reach of any amendment, compounding the rigidity.

Note: The Supreme Court of Fiji's advisory opinion of 29 August 2025 (Miscellaneous Action No. 01 of 2025) read down the referendum threshold in s.160(6), ruling that amendments may proceed with a two-thirds parliamentary majority followed by a simple majority of votes cast in a referendum. This partially addresses the functional unamendability concern identified above. However, the three-quarters parliamentary supermajority requirement and the unamendability of ss. 159-160 remain unaddressed. The Commission should consider whether further clarification is required to provide constitutional certainty.

Recommended Amendment:
The Commission should recommend: (a) replacing 'three-quarters of total registered voters' with 'three-quarters of valid votes cast' in s.160(6), provided a minimum turnout threshold (e.g. 50% of registered voters) is also met; and (b) reviewing whether the complete unamendability of ss.159-160 is necessary,

or whether a higher threshold (e.g. a 4-year delay plus two-thirds approval) would be a constitutionally safer alternative.

SUBMISSION 3: PARTY DISCIPLINE — COMPELLED VOTING (SECTION 63)

Constitutional Provision:
Section 63(1)(g)-(i) — A Member of Parliament loses their seat if they (g) resign from their party; (h) vote or abstain contrary to a party direction without prior permission; or (i) are expelled by the party.

Identified Issue:
These provisions fundamentally transform the representative mandate. A Member elected by voters becomes answerable first to the party leadership rather than to constituents or conscience. Section 63(1)(h) is particularly acute: voting contrary to a party direction — even on a matter of conscience, such as human rights legislation — causes automatic loss of seat. This conflicts structurally with s.23(3)(d) (the right to hold office if elected), s.73 (parliamentary privilege and freedom of speech), and international norms on free legislative mandates. It also creates a mechanism for party leaders to remove sitting members by the simple device of issuing retrospective 'directions' they cannot satisfy.

Recommended Amendment:
The Commission should recommend: (a) limiting the grounds for seat vacation to resignation from the party, not voting behaviour; or alternatively (b) introducing conscience vote protections for defined categories of legislation (e.g. matters touching fundamental rights under Chapter 2). At minimum, s.63(1)(h) should require that the party direction pre-dates the vote and was issued after reasonable notice to the member.

SUBMISSION 4: UNICAMERAL LEGISLATURE — ABSENCE OF UPPER HOUSE

Constitutional Provision:
Chapter 3, sections 46-80 — Parliament consists of a single chamber only. There is no Senate or equivalent revising chamber.

Identified Issue:
The 2013 Constitution abolished the bicameral system that had previously existed in Fiji (the Senate under the 1997 Constitution represented regional, iTaukei, and minority interests). The single-chamber model, combined with strict party-discipline rules (see Submission 3), concentrates legislative power in the executive-dominated lower house. Given Fiji's multi-ethnic, multi-regional composition, the absence of any institutional mechanism to represent minority or regional voices is a structural concern. There is no constitutional mechanism for systematic input from iTaukei, Rotuman, or Banaban communities in the legislative process, beyond the general non-discrimination protections of s.26.

Recommended Amendment:
The Commission should consider recommending a consultative upper chamber or an equivalent mechanism — such as a constitutionally mandated national consultative assembly or senate — with advisory or delaying powers, and with representation that reflects Fiji's ethnic and regional diversity. Any such body should not have veto power that could paralyse government, but should provide a structured deliberative forum.

SUBMISSION 5: BREADTH OF RIGHTS LIMITATION CLAUSES

Constitutional Provision:
Section 6(5)(c) and limitation provisions in ss.17-22 — Rights may be limited by laws 'not expressly set out or authorised' if limitations are 'necessary' and 'prescribed by a law or provided under a law or authorised or permitted by a law.'

Identified Issue:

Section 6(5)(c) permits unenumerated limitations on rights, provided they are 'prescribed by law.' This is a broad gateway. For fundamental freedoms such as speech (s.17), assembly (s.18), association (s.19), and movement (s.21), the listed limitation grounds include 'public order,' 'public morality,' and 'national security,' without proportionality requirements built into the text. While section 7(5) directs contextual interpretation, there is no explicit proportionality test within the limitations framework itself. Many limitation clauses (e.g. s.17(3)) also allow regulation of 'media organisations' and 'imposing restrictions on holders of public offices' without defined outer limits. This presents a risk of legislative overreach in restricting expression and assembly.

Recommended Amendment:

The Commission should recommend: (a) inserting an explicit proportionality requirement into s.6(5), requiring that any limitation be 'proportionate to the legitimate aim pursued'; (b) adding a statement that limitation of rights must not impair the essential content of the right; and (c) clarifying the scope of the 'media regulation' ground in s.17(3)(h) to prevent it being used to restrict editorial independence.

SUBMISSION 6: JUDICIAL APPOINTMENTS — CONSTITUTIONAL OFFICES COMMISSION STRUCTURE

Constitutional Provision:

Section 104 (Judicial Services Commission) and ss.105-106 (appointments) — The JSC advises the President on judicial appointments. The JSC's composition includes the Attorney-General (s.104(1)(c)).

Identified Issue:

The presence of the Attorney-General, a Cabinet Minister, on the Judicial Services Commission creates a structural tension with the principle of judicial independence affirmed in s.97(2). The Attorney-General is the Government's chief legal adviser (s. 96(1)) and a party to many cases in the courts. Their participation in recommending or approving judicial appointments, including the Chief Justice, is inconsistent with the arm's-length relationship that judicial independence requires. Most international benchmarks for judicial independence (e.g. the Bangalore Principles, the Commonwealth Latimer House Principles) recommend that judicial appointments be made by a body free of direct executive influence.

Recommended Amendment:

The Commission should recommend removing the Attorney-General from the Judicial Services Commission and replacing that position with a representative elected by the independent legal profession, or a retired senior judge. The appointment of the Chief Justice, in particular, should involve a transparent, merit-based process with parliamentary confirmation and no executive member on the recommending body.

SUBMISSION 7: MILITARY MANDATE — CONSTITUTIONAL AMBIGUITY (SECTION 131)

Constitutional Provision:

Section 131(2) — 'It shall be the overall responsibility of the Republic of Fiji Military Forces to ensure at all times the security, defence and well-being of Fiji and all Fijians.'

Identified Issue:

The phrase 'well-being of Fiji and all Fijians' is constitutionally imprecise. In the context of Fiji's history of military-led political change (1987, 2000, 2006), broad constitutional mandates assigned to the military carry heightened interpretive risk. Section 131(2) could be construed to justify military intervention in civilian governance in the name of protecting 'well-being' — a term with no definition in the Constitution. Section 2(6) prohibits any attempt to establish a Government otherwise than in

compliance with the Constitution. However, the military's open-textured mandate in s. 131(2) is in structural tension with this prohibition.

Recommended Amendment:

The Commission should recommend amending s.131(2) to confine the RFMF's mandate explicitly to external defence and security assistance to civil authorities, removing 'well-being' as a military responsibility. A clear statement that the RFMF operates under and in support of the elected civilian government, and may only act domestically in aid of civil power at the request of, and under the authority of, the Prime Minister, should be inserted.

SUBMISSION 8: ELECTORAL THRESHOLD — 5% MINIMUM (SECTION 53)

Constitutional Provision:

Section 53(3) — A political party or independent candidate must receive at least 5% of total votes cast to qualify for any seat in Parliament.

Identified Issue:

A 5% national threshold is among the higher electoral thresholds in use in proportional representation systems globally. While thresholds serve the legitimate aim of preventing parliamentary fragmentation, a 5% threshold in a multi-ethnic society may systematically exclude minority community parties whose votes are geographically or ethnically concentrated. Voters whose preferred party receives 4.9% of the national vote have their votes entirely wasted. This creates a tension with s.26 (equality and non-discrimination) and s.23(2) (the right to free, fair and regular elections). The threshold could disproportionately affect Indo-Fijian, Rotuman, or Banaban-oriented parties depending on voting patterns.

Recommended Amendment:

The Commission should examine whether the 5% threshold should be reduced (e.g. to 3%), or supplemented by a seat-winning alternative (e.g. a party that wins a local plurality in a defined region qualifies regardless of national percentage). A review of the interaction between the threshold and minority representation should be commissioned before any general election.

SUBMISSION 9: HUMAN RIGHTS COMMISSION — TEMPORAL RESTRICTION ON COMPLAINTS (SECTION 172(5))

Constitutional Provision:

Section 172(5) — The Human Rights and Anti-Discrimination Commission is prohibited from dealing with any complaint made after 21 August 2013 that relates to matters, events or incidents occurring before 21 August 2013.

Identified Issue:

This transitional provision permanently bars the Commission from investigating alleged human rights violations that occurred between 5 December 2006 (the military coup) and 21 August 2013. This is a blanket exclusion regardless of the severity of the alleged violation. It means victims of alleged torture, arbitrary detention, or other rights violations during the transitional period have no avenue to the Commission — Fiji's primary human rights monitoring body — for any form of investigation, recommendation, or systemic review. This compounds the immunity provisions in Chapter 10 and creates a structural accountability gap for an entire seven-year period.

Recommended Amendment:

The Commission should recommend removal of the post-21 August 2013 date restriction in s.172(5), or alternatively its replacement with a provision permitting the Commission to receive, investigate and report on complaints from that period for the limited purpose of truth-finding and recommendation, without any power to impose criminal or civil liability (which remains governed by Chapter 10).

SUBMISSION 10: SOCIO-ECONOMIC RIGHTS — PROGRESSIVE REALISATION FRAMEWORK

Constitutional Provision:

Sections 31-40 — Rights to education, health, housing, food, water, transportation, social security and work are guaranteed subject to 'progressive realisation' within 'available resources.' Section 31(5) reverses the burden of proof: if the State claims insufficient resources, it bears the burden of demonstrating this.

Identified Issue:

The socio-economic rights framework in ss.31-40 is structurally sound: it adopts the internationally recognised progressive realisation standard and appropriately reverses the burden of proof. However, there is no constitutional mechanism to monitor, report, or enforce progressive realisation benchmarks. Courts can determine individual cases, but there is no independent body with a mandate to assess whether the State is taking 'reasonable measures' toward the realisation of these rights over time. The Auditor-General's mandate (s.152) is financial, not rights-based. The Human Rights Commission's powers (s. 45(4)) include making recommendations, but do not explicitly include monitoring the realisation of socio-economic rights.

Recommended Amendment:

The Commission should recommend: (a) expressly extending the Human Rights Commission's monitoring mandate to include periodic reporting on the progressive realisation of socio-economic rights in ss.31-40; (b) requiring the annual budget (s.144) to include a human rights impact statement identifying allocations directed at progressive realisation; and (c) establishing minimum core content for at least the most critical rights (food, water, health, education) below which no resource constraint justifies non-realisation.

CROSS-CUTTING STRUCTURAL THEMES

A. The Tension Between Stability and Accountability

The Constitution was drafted in the aftermath of Fiji's fourth coup in 2006 and reflects a legitimate concern for political stability. This is evidenced by the strict anti-defection provisions (s. 63), the high amendment threshold (s. 160), and the immunity clauses (Chapter 10). However, structural stability that relies on limiting accountability mechanisms carries its own fragility. Democratic legitimacy, the foundation of genuine stability, depends on the perception that no person or institution is above the law. The Commission should consider how each provision it reviews contributes to, or undermines, this legitimacy.

B. Concentration of Executive Authority

The Constitution concentrates significant authority in the Prime Minister: power over ministerial appointments (s. 92), power to recommend the dissolution of Parliament (s. 58(3)), power to recommend the writ for elections (s. 59(1)), and near-absolute control over the Cabinet agenda. Combined with strict party discipline rules (s.63), the Prime Minister effectively controls Parliament's membership and voting behaviour. The Commission should assess whether additional checks, such as a minimum period before Parliament can be dissolved, or independent parliamentary committees with genuine investigative powers, would provide an appropriate balance.

C. The Status of Decrees Made Between 2006 and 2014

Section 173(2)-(4) preserves all Promulgations, Decrees and Declarations made between 5 December 2006 and the first sitting of Parliament from constitutional challenge. Courts are explicitly stripped of jurisdiction (s.173(4)). This means a large body of law, made without a democratic mandate, is insulated from both legislative revision (beyond the limited scope in s. 173(3)) and judicial review. The Commission should map the current status of these instruments and recommend a time-limited parliamentary review process for the most significant Decrees affecting civil liberties and property rights.

D. The Position of iTaukei, Rotuman and Banaban Peoples

The Constitution protects iTaukei, Rotuman and Banaban land ownership in ss.28-30 and acknowledges their distinct cultural identity in the Preamble. However, the abolition of the Senate removed the Great Council of Chiefs-nominated upper house that previously provided formal political representation. The non-discrimination clause in s.26(8)(g) carves out communal land management from non-discrimination obligations. The Commission should consider whether a more structured form of recognition, potentially a constitutionally mandated consultative body, would better honour the Preamble's recognition of indigenous peoples' unique status while remaining consistent with the principle of equal citizenship in s. 5.

CONCLUSION

These submissions have identified ten specific textual and structural concerns arising from a close reading of the Constitution of the Republic of Fiji 2013. Each submission has been grounded in the text of the Constitution itself, identified with precision as to provision, and accompanied by a principled recommendation.

The overarching observation is this: the 2013 Constitution contains a strong Bill of Rights, a clear commitment to democratic governance, and sound institutional architecture in many respects. Its principal vulnerabilities lie in the permanent entrenchment of immunity provisions that insulate a historical period from accountability, an amendment procedure so demanding as to be functionally unworkable, and a combination of strict party discipline and unicameral government that concentrates authority in the executive.

A constitution is a living instrument. The people of Fiji, all Fijians, deserve a constitutional framework that reflects their sovereignty, protects their rights, and adapts to their evolving democratic aspirations. The Commission's work is an important step in that direction.

Submitted for the consideration of the Constitutional Review Commission
April 2026

Ria Kumar

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

Concerns About Rising Fuel Prices and Education Costs

Ria Kumar <kumarria119@gmail.com> Thu, Jun 11, 2026 at 7:14 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

I recently attended the "Our Constitution, Our Voice" Open Day at the Ba Civic Centre. I am grateful for the opportunity to share my thoughts and concerns on issues that are affecting many people in Fiji today.
One of my biggest concerns is the rising cost of living, especially the increase in fuel prices. When fuel prices increase, the cost of almost everything else also goes up. Transport becomes more expensive, and many families struggle to travel to work, school, and other important places. For people living in rural areas or those who travel long distances every day, the burden is even greater. Many families are already facing financial difficulties, and the increase in fuel prices only makes life harder for them.

As a student, I am also concerned about the cost of education. Education is one of the most important things in a person's life, yet many families find it difficult to afford school-related expenses. Parents have to buy school uniforms, stationery, bags, shoes, and other learning materials. Although there is support available in some areas, many families still struggle to meet these costs. Some students may even miss school because their parents cannot afford transport or other necessary expenses.The situation becomes even more difficult for students who wish to continue their studies at university.

Higher education should be an opportunity for every young person to achieve their dreams and contribute to the development of Fiji. However, university students often have to pay for textbooks, course materials, transport, accommodation, internet access, and other expenses. For families with low incomes, these costs can be overwhelming. Some talented students may be forced to delay or give up their studies because they simply cannot afford them.

I believe that every child and young person in Fiji deserves a fair chance to receive a quality education, regardless of their financial background. The Constitution protects the rights and well-being of all citizens, and I hope that greater attention can be given to the challenges faced by ordinary families. More support for education and measures to reduce the burden of rising living costs would help many people across the country.

I respectfully ask that the voices of students, parents, and low-income families be heard and considered. By addressing these issues, we can help create a better future where every child has the opportunity to learn, succeed, and achieve their goals.
Thank you for taking the time to read my concerns and for providing a platform where citizens can share their views. I hope my message contributes to the discussion on how we can improve the lives of people in Fiji.

Yours faithfully,
Ria Kumar

Shabnam Sazma Bano

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

Constitution Contribution

Shabnam Sazma Bano <ssazma786@gmail.com> Thu, Jun 11, 2026 at 4:16 PM
To: commissioners2026@gmail.com

Dear Sir/Madam
I want to make contributions to the Constitution related to sexual offences:
The rising cases of rape and sexual assault, especially on minors, are alarming and more disheartening if one's own family members are involved in such lustful and shameless activities. I understand that this should be part of the Crimes Act, but due to the severity the nation is facing, I believe it's high time to include it in the Constitution, if it is feasible, under the Bill of Rights:

"I submit that the Constitution mandate the **strictest possible criminal penalties for sexual offences committed within the family unit**. Specifically, where rape or sexual abuse is committed **against a child by a parent, grandparent, step-parent, sibling, uncle, or any person in a position of parental trust**, the law should mandate a sentence **of natural life imprisonment with an absolute prohibition on parole or early release**." Moreover, there should be a strict presumption against bail for any person charged with a sexual offence, and the offenders must remain remanded in custody until trial to protect child victims from family pressure, coercion, or further harm. In addition, the Constitution should clearly outline that in cases of intra-familial sexual violence and child abuse, traditional reconciliation practices (such as bulubulu) or family settlement agreements shall have zero legal standing. They must be strictly banned from being used to reduce sentences, grant bail, or withdraw criminal charges, ensuring the state prioritises the child's safety over family reputation.

Thanks
Shabnam

Joseva Ravula

Dear Constitution Review Team,

I respectfully submit this contribution to the review of the 2013 Constitution of the Republic of Fiji, focusing on a critical normative and protection gap within Fiji's otherwise progressive equality framework: the absence of explicit constitutional recognition of *gender identity, gender expression, and sex characteristics (SOGIESC)* as prohibited grounds of discrimination.

1. Framing the Constitutional Gap

Section 26 of the Constitution provides for broad protection against discrimination and includes "sexual orientation" as a protected ground. However, the absence of explicit reference to *gender identity, gender expression, and sex characteristics* creates legal ambiguity and limits the full realization of substantive equality for transgender, gender diverse, and intersex persons.

In constitutional interpretation, specificity matters. Courts, policymakers, and administrative actors rely heavily on explicit language when applying non-discrimination guarantees. The current formulation risks:

- Narrow or inconsistent judicial interpretation
- Gaps in legislative alignment and enforcement
- Uneven protection outcomes across sectors
- Continued structural invisibility of affected populations

2. Alignment with Regional and International Normative Commitments

Explicit constitutional inclusion of SOGIESC grounds would bring Fiji into stronger alignment with evolving regional and global human rights standards, including:

- **Pacific Islands Forum Leaders' commitment to inclusive development** under the *Framework for Pacific Regionalism*, which emphasizes equality and leaving no one behind
- **The 2050 Strategy for the Blue Pacific Continent**, which prioritizes people-centered development, inclusion, and human dignity
- **CEDAW and CRC jurisprudence**, which increasingly interpret non-discrimination to include gender identity and related characteristics
- Emerging **Pacific human rights dialogues** affirming the need for inclusive legal frameworks that protect diverse identities

Such alignment would reinforce Fiji's leadership position in advancing rights-based, inclusive governance within the Pacific.

3. Recommended Constitutional Amendment

Public

It is strongly recommended that Section 26 be amended to explicitly include SOGIESC grounds. A proposed formulation is as follows:

"A person must not be unfairly discriminated against, directly or indirectly, on the

This reform is both timely and necessary to align Fiji's legal framework with its regional leadership aspirations and its commitment to a just, inclusive, and resilient society.

I thank you for the opportunity to contribute to this important process.

Yours sincerely,

Public

Simione Racolo

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission to the Fiji Constitutional Review Committee

Simi Racolo <racolosimi@gmail.com> Fri, Jun 12, 2026 at 4:19 PM
To: commissioners2026@gmail.com

Submission to the Fiji Constitutional Review Committee

On the Need to Remove the Immunity Provisions in the 2013 Constitution of Fiji

Submitted by: Simione Racolo
Date: 9 June 2026

Introduction

I respectfully submit this paper to the Constitutional Review Committee calling for the removal, review, or substantial amendment of Chapter 10 of the 2013 Constitution of Fiji, particularly Sections 155 to 158 relating to immunity provisions.

While national stability and reconciliation are important, no democratic constitution should permanently place any individual or institution above the law.
The current immunity clauses undermine constitutional supremacy, accountability, judicial independence, and the democratic principles upon which a modern Fiji should stand.

The Constitution must reflect the will of the people and uphold justice equally for all citizens. Immunity provisions that are absolute, irrevocable, and beyond judicial review weaken public confidence in democracy and deny future generations the opportunity to fully heal from Fiji's history of coups and political instability.
Concerns With the Current Immunity Provisions
1. The Immunity Clauses Undermine the Rule of Law

The rule of law is a fundamental democratic principle. It means every citizen, regardless of rank or position, is accountable before the law.
Section 157 of the 2013 Constitution grants "absolute and unconditional immunity" to individuals and institutions involved in the Government from 5 December 2006 until the first sitting of Parliament after the 2013 Constitution came into force.
Section 158 goes even further by declaring that these immunity provisions can never be reviewed, amended, repealed, or challenged in court.
This effectively places certain actions and individuals permanently beyond accountability. No democratic society should constitutionally entrench immunity in such an absolute manner.
A Constitution should protect citizens from abuse of power, not protect abuses of power from scrutiny.

2. The Immunity Provisions Contradict Democratic Principles
Modern democratic constitutions are designed around checks and balances, judicial oversight, and accountability mechanisms.
However, Fiji's immunity provisions:
• prevent judicial review;
• prevent parliamentary reconsideration;
• prevent future constitutional reform;
• deny victims any avenue for redress or compensation.
This creates a dangerous precedent where unconstitutional actions can eventually be legitimised through constitutional protection.
The Constitution should never reward unconstitutional takeovers or political force.

3. The Clauses Prevent National Healing and Reconciliation
True reconciliation cannot occur without truth, accountability, and acknowledgement.
Many citizens affected by political upheavals, dismissals, intimidation, human rights abuses, and institutional disruptions have never had an opportunity to seek justice or closure because the immunity clauses permanently block such processes.
Healing requires openness and honesty, not constitutional silence.
Countries that experienced political conflict or authoritarian rule have often established truth commissions, reconciliation processes, or limited transitional immunity arrangements.
However, Fiji's immunity provisions are unusually broad because they are:
✓ permanent;

✓ constitutionally entrenched;
✓ beyond amendment; and
✓ beyond court review.
This makes Fiji's immunity framework one of the strongest constitutional immunity protections in the region.

4. Comparison With Other Regional Constitutions

Papua New Guinea
The Constitution of Papua New Guinea does not contain permanent constitutional immunity clauses protecting coup leaders or state actors from prosecution.
Public officials remain accountable under the law, and constitutional amendments remain open to parliamentary processes.

Samoa
The Constitution of Samoa upholds parliamentary democracy and judicial independence without entrenched immunity protections for political actors.
No provision prevents constitutional review or judicial scrutiny of state conduct.

Vanuatu
Vanuatu has experienced political instability but has maintained constitutional accountability mechanisms. Courts remain empowered to review executive actions, and no section permanently shields leaders from legal scrutiny.

Solomon Islands
The Constitution of Solomon Islands similarly does not constitutionally entrench immunity from prosecution for unconstitutional acts.

New Zealand
New Zealand, whose Westminster traditions heavily influenced Fiji's constitutional development, operates under strong democratic accountability and judicial oversight. No leader or institution is permanently immune from legal review.

5. Fiji's Immunity Clauses Are Internationally Unusual
Most constitutions around the world allow amendment, judicial interpretation, and democratic evolution over time.
However, Fiji's Section 158 expressly states that immunity provisions:
"shall not be reviewed, amended, altered, repealed or revoked"; and
cannot even be challenged in court.
This effectively places one section of the Constitution above the Constitution itself.
No constitutional democracy should have provisions that future generations cannot peacefully and democratically reconsider.

6. Future Generations Should Not Be Bound Forever
Constitutions are living documents meant to evolve with the aspirations of the people.
No generation has the moral authority to permanently deny future citizens the right to debate, review, or reform constitutional provisions.
Even if immunity was considered necessary at one historical moment for stability or transition, it should never have been entrenched forever beyond democratic review.
Future generations of Fijians must retain the sovereign right to determine the constitutional future of their country.

7. Accountability Strengthens Stability
Some argue that removing immunity could threaten political stability.
However, long-term stability is built not through fear or silence, but through strong institutions, public trust, accountability, and respect for democratic principles.
Countries become stable when:
constitutions are respected;
the military remains under civilian control;
courts are independent;
leaders are accountable; and
no one is above the law.
Removing or amending the immunity clauses would demonstrate Fiji's commitment to genuine democracy, constitutional supremacy, and national maturity.

Recommendations

I respectfully recommend that the Constitutional Review Committee consider the following:
1. Repeal or substantially amend Sections 155–158 of the 2013 Constitution.
2. Remove the entrenched prohibition against constitutional review of immunity provisions.
3. Restore the jurisdiction of the courts to interpret and review constitutional matters relating to immunity.
4. Allow Parliament and future generations the democratic right to amend all constitutional provisions.

5. Consider establishing a Truth and Reconciliation framework that promotes national healing while balancing accountability and stability.
6. Strengthen constitutional safeguards to prevent future unconstitutional takeovers rather than permanently protecting past ones.

Conclusion

Fiji deserves a Constitution founded on democracy, accountability, equality before the law, and the sovereignty of the people.
While Fiji's political history is complex, lasting peace and unity cannot be achieved by permanently placing certain actions and individuals beyond accountability.
The immunity provisions in Chapter 10 of the 2013 Constitution weaken democratic principles and undermine public confidence in constitutional governance.
As Fiji moves forward, we must build a nation where:
no one is above the law;
constitutional authority comes from the people;
future generations retain the right to reform their Constitution; and
democracy is protected through accountability, not immunity.
I respectfully urge the Constitutional Review Committee to recommend the removal or reform of the immunity provisions in the 2013 Constitution in the interest of justice, democracy, and the future of Fiji.
Vinaka Vakalevu.

Respectfully submitted,
Simione Racolo
racolosimi@gmail.com

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission to the Review of the Public Health Act 1935 (Fiji)

Simi Racolo <racolosimi@gmail.com>
To: commissioners2026@gmail.com

Fri, Jun 19, 2026 at 7:10 PM

Submission to the Review of the Public Health Act 1935 (Fiji)

Submitted by: Simione Racolo

Introduction

I welcome the Government's review of the Public Health Act 1935.
This legislation has served Fiji well for many decades, particularly in controlling communicable diseases, improving sanitation, and protecting communities from environmental health hazards.

However, Fiji in 2026 is vastly different from Fiji in 1935.
The health challenges facing our nation have evolved significantly. Today we face increasing rates of diabetes, cardiovascular disease, obesity, kidney disease, mental health challenges, climate-related health risks, emerging infectious diseases, substance abuse, and growing pressures on our healthcare system.

The Public Health Act must be transformed from a law focused primarily on sanitation and disease control into a modern public health framework that promotes prevention, resilience, wellbeing, and health equity.

Key Areas for Reform

1. Greater Focus on Non-Communicable Diseases (NCDs)

The Act was developed at a time when infectious diseases were the primary public health threat.
Today, NCDs are Fiji's leading cause of illness and death.
The revised Act should:
• Recognize NCD prevention as a core public health function.
• Strengthen policies on healthy nutrition.
• Promote physical activity in schools and communities.
• Support reduction of tobacco, alcohol, vaping, and unhealthy food consumption.
• Enable stronger health promotion and screening programmes.
Public health legislation should help prevent disease before people require hospital treatment.

2. Climate Change and Health Protection

Fiji is among the countries most vulnerable to climate change.
The revised Act should include provisions addressing:
• Heat-related illnesses.
• Flooding and waterborne diseases.
• Cyclone-related public health emergencies.
• Vector-borne diseases such as dengue and leptospirosis.
• Protection of safe drinking water during disasters.
• Health impacts of displacement and relocation of communities.
Climate resilience must become a central pillar of public health law.

3. Public Health Emergency Preparedness

COVID-19 exposed weaknesses in public health emergency legislation around the world.
The revised Act should:
• Clearly define public health emergencies.
• Establish transparent emergency powers.
• Strengthen quarantine and isolation provisions while protecting human rights.
• Improve coordination between ministries, municipal councils, disaster agencies, and healthcare providers.
• Ensure adequate emergency stockpiles of medicines and medical supplies.
The law should prepare Fiji for future pandemics rather than waiting for the next crisis.

4. Mental Health and Community Wellbeing

Mental health receives little attention in traditional public health legislation.
The revised Act should:
• Recognize mental health as a public health priority.
• Promote suicide prevention strategies.
• Support school and workplace wellbeing programmes.
• Encourage community-based mental health awareness.
• Strengthen early intervention services.
A healthy nation requires both physical and mental wellbeing.

5. Digital Health and Public Health Surveillance

The Act predates modern technology.
The revised legislation should:
• Allow secure electronic disease reporting.
• Support digital health records.
• Strengthen disease surveillance systems.
• Improve data sharing between health facilities.
• Protect patient privacy and confidentiality.
Modern public health decisions should be driven by accurate real-time data.

6. Stronger Health Protection for Rural and Maritime Communities

Many Fijians live in remote islands and rural communities where access to healthcare remains challenging.
The revised Act should:
• Guarantee minimum public health service standards.
• Strengthen outreach programmes.
• Improve environmental health services in maritime communities.
• Enhance access to safe water and sanitation.
• Ensure equitable health protection regardless of location.
No Fijian should be disadvantaged because of where they live.

7. Addressing Substance Abuse and Emerging Public Health Threats

Fiji is increasingly facing challenges relating to illicit drugs, vaping, alcohol misuse, and substance abuse.
The revised Act should:
• Strengthen prevention programmes.
• Support community education.
• Enable early intervention measures.
• Promote rehabilitation and harm reduction approaches.
• Public health legislation must respond to emerging social and health risks.

8. Modern Environmental Health Standards

While the current Act contains many provisions regarding sanitation, wells, drainage, mosquitoes, and nuisances, these provisions should be updated to reflect modern environmental health standards :
• Public consultation on major health policies.
• Community representation in health planning.
• Greater transparency in public health decision-making.
• Regular public reporting on health indicators and outcomes.

9. Community Participation and Health Accountability

Public health works best when communities are active partners.
The revised Act should require:
• Public consultation on major health policies.
• Community representation in health planning.
• Greater transparency in public health decision-making.
• Regular public reporting on health indicators and outcomes

10. Health in All Policies Approach

Health outcomes are influenced by education, housing, transport, employment, agriculture, and the environment.
The revised Act should require government agencies to consider health impacts when developing major policies and projects.
This whole-of-government approach would ensure that public health becomes everyone's responsibility, not only that of the Ministry of Health.

11. Strengthening the Healthcare Workforce

No public health system can function effectively without a well-supported and adequately resourced healthcare workforce.
Fiji continues to experience challenges in recruiting, retaining, and supporting healthcare professionals, particularly in rural and maritime areas.
The migration of skilled healthcare workers overseas has placed increasing pressure on those who remain, often resulting in staff shortages, increased workloads, burnout, and reduced access to services.
The revised Act should:
• Recognize healthcare workforce sustainability as a public health priority.
• Support strategies for recruitment and retention of doctors, nurses, allied health professionals, and environmental health officers.
• Promote equitable distribution of healthcare workers throughout Fiji, including rural and maritime communities.
• Encourage continuous professional development and lifelong learning.
• Strengthen workplace health and safety protections for healthcare workers.
• Provide mechanisms for workforce planning based on future health needs.
Investing in healthcare workers is ultimately an investment in the health of the nation.

12. Strengthening Primary Healthcare and Community-Based Services

The future sustainability of Fiji's health system depends on strong primary healthcare services.
Too often, healthcare resources become concentrated on treating advanced disease in hospitals rather than preventing illness within communities.
The revised Act should:
• Prioritize primary healthcare as the foundation of the health system.
• Strengthen community nursing services and outreach programmes.
• Support village and community-based health initiatives.
• Promote preventative healthcare and early detection programmes.
• Encourage partnerships between healthcare providers, schools, faith-based organizations, and community groups.
A stronger focus on prevention will reduce healthcare costs and improve health outcomes over time.

13. Accountability and Standards of Healthcare Delivery

The Public Health Act should establish clear standards for public health services and healthcare facilities.
The revised Act should:
• Define minimum standards for healthcare facilities and public health services.
• Require regular monitoring and quality assurance assessments.
• Strengthen patient safety and infection prevention measures.
• Improve transparency through public reporting of health indicators and service performance.
• Establish clear mechanisms for responding to public health concerns and complaints.
Citizens should have confidence that public health services are safe, effective, accessible, and accountable.

14. Protecting Future Generations Through Health Education

Health education should be recognized as a critical public health function.
The revised Act should support:
• Comprehensive health education in schools.
• Nutrition and healthy lifestyle programmes.
• Awareness of diabetes, cardiovascular disease, cancer, and kidney disease.
• Reproductive and maternal health education.
• Mental health awareness and suicide prevention.
• Public education during health emergencies and disease outbreaks.
Building health literacy among young people is one of the most effective long-term investments Fiji can make.

15. Recognising Traditional and Community Leadership

Throughout Fiji, community leaders, village headmen, faith leaders, and traditional institutions continue to play an important role in influencing health behaviours and community wellbeing.
The revised Act should encourage:
• Collaboration between health authorities and traditional leaders.
• Community participation in health promotion activities.
• Culturally appropriate public health interventions.
• Greater engagement of faith-based organizations and civil society groups.
Public health measures are most successful when communities feel ownership and responsibility for their implementation.

Conclusion

The Public Health Act 1935 was designed for a Fiji that no longer exists.

While its original focus on sanitation and communicable disease control remains important, the challenges of the twenty-first century require a broader and more modern approach.
A revised Public Health Act should be preventative rather than reactive, people-centred rather than institution-centred, and focused on building healthier communities rather than merely controlling disease.
This review presents a historic opportunity to create legislation that will protect and improve the health of all Fijians for generations to come.
The health of a nation is one of its greatest assets.
A modern Public Health Act should not only protect Fiji from disease but should actively promote healthier lifestyles, stronger communities, a resilient healthcare workforce, and a health system capable of meeting the challenges of the future.
This review offers a once-in-a-generation opportunity to build a healthier Fiji for all.

Vinaka Vakalevu for the opportunity to provide this submission.

Simione Racolo
racolosimi@gmail.com

Vinaina Cama

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Request: Amendment of the 2013 Constitution- 15 June,2026

Vina Ina Ualesi Cama <fifidukkss@gmail.com> Mon, Jun 15, 2026 at 1:57 PM
To: commissioners2026@gmail.com, Vina Ina Ualesi Cama <fifidukkss@gmail.com>

Bula vinaka Review Commission,

My name is Vinaina Naqali Ualesi Cama. I am a student from FNU Nasinu and I write as a daughter of the vanua who cares deeply for our islands, our chiefs, and our young people. I welcome this chance for talanoa and offer the following submission to repair legal changes that have hollowed out vanua voice and produced top-down, siloed governance.

My concerns are:

- The removal of formal channels for customary councils and the Great Council of Chiefs has weakened local buy-in and practical implementation of national programs.
- Expanded executive appointment powers, immunity for prescribed political events, and broad emergency powers have concentrated decisionmaking at the centre and reduced parliamentary oversight.
- Abolition of communal representation without constitutional guarantees for decentralised budgets and local decision-making has left outer islands, settlements, and tikina with uneven service delivery.

Specific requests for constitutional amendments

1. Restore a constitutional consultative role for customary councils

- Insert a clause recognising vanua, mataqali, and tikina councils as formal consultative bodies with a right to be consulted on laws and policies affecting land, culture, and local development.

2. Limit immunity and emergency powers

- Repeal or narrow any Limitation of Liability provisions that block accountability; require parliamentary approval for emergency measures, include strict thresholds, independent review, and sunset clauses.

3. Mandate decentralised, ring-fenced development budgets

- Require the state to allocate a fixed percentage of national development funds to provincial and tikina councils for integrated vanua planning and service delivery.

4. Guarantee local and youth representation

- Create formal consultative seats or an advisory chamber that includes chiefs, provincial representatives, and youth delegates to ensure national decisions reflect grassroots realities.
- Vanua Consultative Clause: "The State shall recognise and respect vanua, mataqali and tikina councils as consultative bodies. Parliament shall, by law, provide mechanisms for meaningful consultation with these bodies on matters affecting land, culture, customary rights and local development."
- Emergency Powers Clause: "Emergency powers may be exercised only where there is a clear and present danger to the nation. Any exercise of such powers must be approved by Parliament within seven days, be subject to judicial review, and shall expire after ninety days unless renewed by a two-thirds majority of Parliament."
- Decentralised Budget Clause: "The State shall allocate not less than [X]% of annual development expenditure to provincial and tikina councils. Funds shall be ring-fenced for integrated local development plans prepared in consultation with vanua councils."
- Consultative Seats Clause: "There shall be an advisory council to Parliament comprising representatives of vanua councils, provincial councils and youth delegates. The advisory council shall have the right to be heard on bills and policies affecting customary land, culture and local development."

A short personal example from FNU Nasinu Campus In Nasinu we see how central decisions miss local needs: a national program for coastal fisheries was designed without talanoa with the tikina; boats and training went to towns while outer settlements still lack cold storage and market access. When vanua were consulted, solutions were

practical and low cost — shared ice houses, coordinated market days, and village-led patrols. Formalising that consultative channel would save money and build trust.

Please consider these changes to honour the Deed of Cession and the spirit of our independence while preventing siloed, top-down governance that stalls Fiji's prosperity. I am happy to speak at any talanoa sessions in Nasinu or nearby tikina and to provide further wording or local examples.

Vinaka vakalevu for listening to the talanoa of the people.

Respectfully,

Vinaina Naqali Ualesi Cama

Customs Student (FNU Campus)

Suva, Fiji

Jone Sagayalo

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission to the Fiji Constitution Review Process by Jone Saqayalo of Perth, Western Australia

Jone Saqayalo <jone.saqayalo@gmail.com> Mon, Jun 15, 2026 at 8:36 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Submission to the Fiji Constitution Review Process

By Jone Saqayalo

ICT Consultant, Community Leader, Citizen of Fiji and New Zealand

Introduction

To the Honourable Members of the Fiji Constitution Review Process,

I respectfully submit my views and recommendations as a Fijian who has experienced life in both rural and urban Fiji, who was raised through strong family and community values, and who has spent more than twenty-five years working in the Information Technology and Business Analysis profession locally and internationally.

I was born and raised in Suva as the son of a civil servant. My siblings also later worked within the civil service. My parents believed strongly in discipline, education, service, respect for others, faith, and family responsibility. I began my primary education in Suva before our family later moved back to the village when I was around nine years old after my father resigned from government service. Two years later, after my father passed away in 1983, my mother continued working to support the family under difficult circumstances.

Although life became challenging, I was fortunate to be raised not only by my mother but also through a strong and structured support system provided by relatives from both sides of our family. This upbringing taught me the importance of community support, humility, resilience, hard work, and respect for others regardless of status or background.

My educational journey allowed me to experience the realities of both rural and urban Fiji. After beginning primary school in Suva, I continued part of my schooling in the village environment. I later returned to Suva to begin secondary education while staying with relatives, moved again to a rural secondary school, and eventually returned to Suva to complete my studies. Before commencing tertiary education, I worked for approximately three years, which further exposed me to the practical struggles faced by ordinary Fijians trying to support themselves and their families.

I later graduated with a Bachelor of Science in Computer Science from the University of the South Pacific. Many years later, while already working professionally, I completed a Master of Business Administration (MBA) from the University of the South Pacific and subsequently a Master of Digital Business from the University of Waikato, New Zealand.

Over the last twenty-five years, I have worked across various areas of ICT, digital transformation, business analysis, and organisational improvement. I have worked in Fiji, New Zealand, and Australia, including within the New Zealand Government, Australian Government agencies across two Australian states, and I currently work as a contracted ICT consultant in Australia.

I am also a dual citizen of Fiji and New Zealand. These experiences have allowed me to observe and appreciate different governance systems, public institutions, democratic processes, and multicultural societies while maintaining strong cultural, family, and emotional ties to Fiji.

Alongside my professional work, I remain actively involved in community leadership and currently serve as President of the Western Australia Fiji Association (Fiji Community). Through this role, I work alongside many dedicated volunteers supporting Fijian families, cultural activities, youth engagement, community wellbeing, and social cohesion.

Through my professional and community experiences, I have observed how governance systems, leadership, public institutions, and national policies can either strengthen or weaken the lives of ordinary citizens. For this reason, I respectfully believe that the review of the Constitution should not only focus on political structures, but should also consider the future direction of Fiji as a united, inclusive, modern, and digitally secure nation.

Fiji as a Nation of Values, Not an Exclusive Religious State

I respectfully wish to share my views regarding discussions around Fiji becoming an exclusive Christian state.

Before Christianity arrived through missionaries, ancient Fijians were already deeply spiritual people. Our forefathers had their own beliefs, rituals, respect for chiefs, reverence for ancestors, understanding of nature, and search for meaning and connection with the divine.

Christianity later became a significant influence in Fiji and contributed greatly towards education, morality, community development, and social cohesion. Today, Christianity remains deeply important to many Fijians, including myself.

However, I respectfully believe that recognising the importance of Christianity does not automatically require Fiji to become an exclusive Christian state.

The Constitution should provide long-term stability and fairness for all citizens, including future generations whose beliefs, values, and lifestyles may differ from ours today.

We should not forget our forefathers, their beliefs, or their place in history simply because society has evolved. History should be respected, not erased.

At the same time, we must think about future generations. Tomorrow's generation may think differently, worship differently, or hold different beliefs. The Constitution should therefore remain fair, stable, and protective for all citizens regardless of changing social views.

The role of the State is to serve everyone living in Fiji—not only Indigenous iTaukei people, not only Christians, but all citizens equally.

The reasoning behind maintaining a neutral State is that neutrality strengthens:

- national unity;
- equal treatment under the law;
- social stability;
- investor confidence;
- and peaceful coexistence.

I therefore respectfully recommend that Fiji not define itself as an exclusive Christian state. Instead, Fiji should be a values-based nation that:

- honours its Christian heritage;
- respects Indigenous identity and traditions;
- protects religious freedom;
- guarantees equal dignity for all citizens;
- and promotes national unity.

National Integration and Community Cohesion

Fiji is a multicultural nation made up of Indigenous iTaukei, Indo-Fijians, Rotumans, Pacific Islanders, Europeans, Chinese, and many other communities.

While Fiji has made significant progress in nation building, there remain social, cultural, historical, and political divisions that can sometimes create misunderstanding, mistrust, or separation between communities.

I respectfully believe Fiji should strengthen national integration programs that encourage greater interaction, understanding, and cooperation between communities from an early age.

These could include:

- multicultural education;
- shared youth leadership programmes;
- cultural exchanges;
- national volunteer programmes;
- integrated sports and arts programmes;
- community partnerships;
- and civic education initiatives.

Unity cannot be achieved through laws alone. It is built through shared experiences, mutual understanding, and genuine relationships.

Reducing Social Fragmentation

I respectfully encourage the Constitution Review to consider the long-term effects of social fragmentation within Fiji.

Many Fijians continue to identify strongly through:

- school associations;
- old scholars' groups;
- provincial affiliations;
- village loyalties;
- religious denominations;
- sporting clubs;
- family networks;
- and social organisations.

While these affiliations often provide valuable support and belonging, they can sometimes unintentionally contribute to exclusion, favouritism, elitism, or alienation.

Some citizens may feel disconnected from opportunities, leadership pathways, or influence simply because they do not belong to particular networks.

I also believe that some colonial administrative structures based around provinces, districts, and ethnic groupings continue to influence social separation today.

This is not an argument against:

- the vanua;
- traditional leadership;
- provincial structures;
- Indigenous institutions;
- or cultural identity.

Rather, it is an argument for ensuring that these important institutions are complemented by a stronger shared national identity.

Local identity and national identity should strengthen one another rather than compete with one another.

Every person should be proud of their village, province, school, religion, and culture while also feeling equally proud to be part of Fiji.

Parliamentary Accountability and Truth-Based Governance

I respectfully believe that accountability, transparency, and truthfulness within Parliament should be strengthened.

Parliamentarians hold positions of significant responsibility because they influence laws, public trust, national priorities, and the wellbeing of citizens.

Information presented in Parliament should, wherever reasonably possible:

- be factually accurate;
- be supported by evidence;
- be capable of scrutiny;
- be properly documented;
- and be subject to parliamentary review processes.

I also recommend stronger orientation and governance programmes for parliamentarians, particularly new members.

These could include:

- constitutional responsibilities;
- parliamentary procedures;
- ethics and accountability;

- governance principles;
- conflict of interest management;
- public sector operations;
- and digital governance awareness.

There should also be stronger monitoring and reporting regarding:

- delivery of commitments;
- attendance and participation;
- constituency engagement;
- use of public resources;
- and measurable service outcomes.

Strong democracy depends not only on elections but also on:

- trust;
- integrity;
- accountability;
- competence;
- and truthful communication.

Reimagining the Modern Fijian Identity

I respectfully believe Fiji should begin a national conversation about what it means to be "Fijian" in the twenty-first century and beyond.

In the modern context, a Fijian in the broader national sense should be understood as any person who:

- is a citizen of Fiji;
- or is a lawful permanent resident committed to Fiji;
- respects Fiji's laws and values;
- contributes positively to society;
- and considers Fiji home.

This understanding does not weaken Indigenous iTaukei rights, identity, customs, language, or traditional institutions.

Instead, it creates a broader national identity that allows all people who call Fiji home to feel included in the country's future while respecting the unique place of Indigenous iTaukei people as the original inhabitants and custodians of the land.

The Fijian Dream

I respectfully believe Fiji should define and promote a modern "Fijian Dream."

The Fijian Dream should not be measured solely by wealth or economic success.

It should represent:

- quality of life;
- strong families;
- safe communities;
- respect for culture;
- equal opportunity;
- affordable healthcare and housing;
- balanced urban and rural development;
- environmental stewardship;
- digital opportunity;
- spiritual wellbeing;
- and community service.

Fiji's greatest strengths have always been:

- warmth;
- hospitality;
- spirituality;
- resilience;

- family values;
- and community support.

These strengths should be protected and modernised rather than lost through social division, political instability, excessive materialism, or unmanaged development.

At the same time, Fiji's future should embrace:

- innovation;
- entrepreneurship;
- education;
- digital transformation;
- sustainability;
- and global competitiveness.

I believe Fiji should aspire to become known not only as a tourism destination but also as:

- a peaceful multicultural nation;
- a values-based society;
- a digitally progressive Pacific nation;
- a country that balances tradition and progress;
- and a place where people genuinely care for one another.

In this century and beyond, Fiji should aspire to build a society where every citizen and resident can proudly say:

> "Fiji is home. I belong here. I am respected here. I have opportunities here. I contribute here. And together we are building a better future for the next generation."

ICT, Digital Governance, and National Information Protection

One of the most significant gaps within the current Constitution is the absence of clear recognition of digital governance, cybersecurity, data protection, and national information security.

When the 2013 Constitution was developed, Fiji and the world were not as digitally dependent as they are today.

Digital systems now underpin:

- banking;
- healthcare;
- education;
- immigration;
- telecommunications;
- government services;
- commerce;
- and national security.

Yet the Constitution does not specifically address:

- digital privacy rights;
- cybersecurity obligations;
- citizen data protection;
- digital identity governance;
- artificial intelligence oversight;
- national digital infrastructure protection;
- or independent ICT governance.

I respectfully recommend the establishment of an independent National ICT and Data Protection Authority responsible for:

- cybersecurity oversight;
- national ICT standards;
- citizen data protection;
- government systems governance;
- digital risk management;
- cyber awareness;
- digital inclusion;
- and national digital strategy coordination.

Such a body should be:

- independent;
- professionally led;
- merit-based;
- accountable to Parliament;
- and adequately resourced.

At the same time, Fiji should avoid excessive regulation and adopt a practical, scalable approach suited to a small developing island nation.

The focus should initially be on:

- protecting critical systems;
- improving coordination;
- reducing duplication;
- strengthening cybersecurity;
- improving public trust;
- and gradually building national capability.

Digital governance should now be recognised as an essential component of Fiji's national development, security, and future prosperity.

Closing Remarks

My life journey—from Suva to the village, from hardship to higher education, from Fiji to New Zealand and Australia, from public service influences to international ICT consulting, and through community leadership among Fijians abroad—has taught me that Fiji's strength comes from balance.

Balance between:

- tradition and progress;
- faith and fairness;
- Indigenous identity and national unity;
- rights and responsibilities;
- and development supported by good governance.

The future success of Fiji will depend not only on politics, but on how well we maintain unity, trust, inclusion, accountability, opportunity, and preparedness for future challenges.

I respectfully believe Fiji's Constitution should continue protecting the dignity and rights of all people while preparing the nation for future generations and future opportunities.

May Fiji continue moving forward as a peaceful, united, respectful, inclusive, and forward-looking nation for all its people.

Vinaka vakalevu.

Submitted by:
Jone Saqayalo of Cautata, Bau Tailevu.
Bachelor of Science in Computer Science – University of the South Pacific
Master of Business Administration (MBA) – University of the South Pacific
Master of Digital Business – University of Waikato
ICT Consultant & Senior Business Analyst
Dual Citizen of Fiji and New Zealand
President – Western Australia Fiji Association
Perth, Western Australia, Australia

Shivneil Kumar Raj and others

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submissions for 2013 Constitution Review

Shivneil Raj <shivneilr@unifiji.ac.fj> Mon, Jun 15, 2026 at 5:29 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>
Cc: Shivneil Raj <shivneilr@unifiji.ac.fj>, Ravikash Chand <ravikashc@unifiji.ac.fj>, Mohammed Riaz Azam <riazm@unifiji.ac.fj>

Dear Constitution Review Commission,

We wish to present our submissions regarding the ongoing review of the 2013 Constitution of the Republic of Fiji:

1. Citizens' National Identification and National ID Card

We support the classification of all citizens of Fiji as Fijians, as established by the 2013 Constitution. This inclusive term serves as a foundation for national identification and should apply to all citizens without exception. Hence, all citizens should have a national ID card for targeted support.

2. Secularism and the State

Fiji's rich multi-racial and multi-cultural makeup necessitates the maintenance of a secular state. The Constitution must continue to uphold religious freedom, allowing each individual to practice their faith without favouritism. This principle should remain enshrined in our supreme law. Otherwise, it will be a secular divide causing divisions and religious tensions.

3. Electoral System, Democracy, and One Single Constituency

While we advocate for a single constituency system, we recognise the need for reform in the current electoral processes to enhance voter accessibility and participation. The existing ballot system is disorienting, given the multitude of candidate numbers. We propose that party symbols and candidate photographs be included on ballot papers to facilitate informed voting. A unified constituency framework would promote equal opportunities for participation and mitigate the challenges of voting along ethnic lines, which have historically led to racial conflicts and division amongst our people.

4. Immunity Clause

Given Fiji's history of political upheaval, the immunity clause should be removed from the Constitution. Individuals who commit treason or other serious offences must be held accountable under the law. Maintaining this clause sends a troubling message that such acts do not carry repercussions. The Constitution should not be manipulated for political protection; rather, it must serve as the supreme law of the land, reflecting our commitment to justice, fairness and integrity.

5. Fairness and Meritocracy in Public Service

To guarantee equality before the law, we must strive for a merit-based appointment system in government and public offices, free from racial bias. We must prioritise genuinely dedicated individuals willing to serve the nation for the common good, rather than personal gain. This will enhance national productivity within the public sector.

6. Independence of National Institutions

Key public institutions such as FICAC, the COC, and the JSC must operate independently and be appointed based on merit, rather than political affiliation. The current overlap in roles among members leads to conflicts of interest and undermines effective governance. For instance, FICAC should function autonomously, selected by the citizens of Fiji to ensure objective oversight of corruption in public offices.

7. Protection of Bill of Rights

We assert that all provisions of the Bill of Rights, currently numbering over 34, should remain safeguarded and unchanged.

8. Small Claims Tribunal

We recommend raising the civil claim limit to $10,000 to reflect current inflation and purchasing power considerations. Revisiting and updating this civil claim limit is essential.

9. Extensive Constitutional Military Power

The conditions under which military intervention is appropriate during democratic circumstances should be thoroughly reviewed, accompanied by clear standard operating procedures.

We welcome any inquiries you may have for clarification on these points. As engaged citizens of Fiji, we believe it is crucial to embrace a path of progress through inclusivity, respect, and reconciliation, setting aside past political issues.

Disclaimer: The opinions expressed herein are those of the undersigned individuals and do not represent any institutions.

Sincerely,

Shivneil Kumar Raj, Mohammed Riaz Azam and Ravikash Chand

(Citizens of Fiji)

UniFiji The University of Fiji

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Akuila

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

(no subject)

Akuila <a06195170@gmail.com> Fri, Jun 19, 2026 at 10:05 AM
To: commissioners2026@gmail.com

Bula noqu vakatutu oyau mai votua ba kere2 kerawa ni bau ciqomi noqu vakatutu matai na qele separate vei keimami na gauna ni koloni sa taura tiko na matanitu me vakasukai lesu mai sa caka oti na kena vitalanoa mai na koro ko nailaga ba karuani vakatutu nai yaubula tukuna tiko na matanitu me nona dua na kena varaitaki qo black sand toka neitou yalava ni qoliqoli e qiva tiko dua na kabani amex fiji limited keitou sega nikila na kena soli na laiseni ni qiva2 solia matanitu nei Bainimarama manatanitu kenatabana mrd ratou solia tiko vei keitou 3 na pasede ma 80 na pasede tara tiko na matanitu sa kere2 me keitou lomani kenai katolu ni vakatutu neitou qoliqoli me vakalesui tale mai vei keitou na lewa ni neitou qoliqoli mecova mai qo na matanitu sogota tiko vei keitou metou taura nai vakayaga ni neitou qoliqoli taro tiko na dodomo vei rokolevu me sainitaka tiko neitou qoliqoli sa nuitaka ni na ciqomi neito vatutu

Leli F. Sefeti

Mr. Ieli F Sefeti

Kalvaka

Noatau

Rotuma

My Petition

1. Rotuma a sovereign island must remain under Fiji Government for our cultural connections friendship and love. Rotuma has nothing to offer in terms of resources but Fiji still look after Rotuma with whatever they can all these years.

2. **The role of the President and the Prime Minister must remain with the Fijians NO OTHER RACE IN THE WHOLE OF FIJI CAN CONTEST THE ABOVE POSITIONS.**

3. Bainimarama Government made that mistake, **PLEASE DO NOT MAKE THAT MISTAKE AGAIN for God's word said, give Cesare what belongs to Cesare and God what belongs to God. These are the basic law; all the church leaders know that.**

4, what is the Rotuman act? When was this act implemented, who's government was it? Is it Bai's Government? If so, then this must be removed. We, must remain with the Laws that The British Government agreed with Fiji. Rotuma was abundantly in every areas of life until Bai Government forced us to Communist China and changes a lot of laws that does not comply with Christian teaching.

5 Fiji must enforce Rotuman's and government department to recycle the dirty oil back to oil companies in Fiji for proper disposal. **It is local and international law** and I have raised this issue with the PM. **The oil is in our fresh water supply today**. Go to Ahau station and look into the bay towards Itumuta, especially when the tide coming in, that oil is floating around the island. Also, some areas you will experience whitish or cloudy water when you crack open the water tap, **that is the processed oil. It is NOT GOOD for grog drinkers in the island**. It is best to boil the water first, cool it down then strain that white staff floating at the top before drinking it.

6 That oil comes at low tide, sticks to our corals, kills the food supply for our school of small fish which help water front deep, that cycle was broken and, now our big fish are gone and we are selling very small fish. Gone are the days that we catch big fish by hand fishing line on the beach

7 Please take a good look at our new hospital design, high inlet windows and the vents from the sick rooms are opened to public areas and when all doors are shut at night and only the main entrance door is left open, **remember this, the Atmospheric pressure which is 1bar seals that door, and every time somebody walks in or out that seal is broken and sick molecules will spread like wild fire from these vents. A lot of Rotuman's will die if we have contagious sickness like Covid 19 again**.

8. I do not blame the designers; of the hospital but I blame the builders for not taking into account the climate in the Pacific islanders especially Rotuma much closer to the equator, the cool heavy fresh air molecules are above ground, please look into this mistake and action it correctly to save lives.

9 Our hospital is a Chinese design for cold Countries like China, to help warm up their hospitals and their homes but, that design is dangerously implemented in areas situated near to the equator because of the heat. Above are the most important priorities for now.

Jimmy Morell

Gmail Constitution Review Commission <commissioners2026@gmail.com>

SUBMISSION OF JIMMY VICTOR MORRELL - Constitutional History of Fiji and the Protection of Customary Land Rights

JIMMY MORELL <jimmymorell74@gmail.com> Tue, Jun 23, 2026 at 11:44 PM
To: commissioners2026@gmail.com

SUBMISSION OF JIMMY VICTOR MORRELL
From:Gone ni Yanuyanu Naqara ,Yasana Namosi Tikina Veivatuloa ,Mataqali Nabukebuke ,Vasu Lau, Moce,Fiji.
Residing :22 Treeland Avenue ,Ingleburn ,NSW ,2565,Australia .
jimmymorell74@Gmail.com
0406667352
Subject: Constitutional History of Fiji and the Protection of Customary Land Rights
I respectfully submit the following observations concerning the constitutional development of Fiji and the continuing legal protection of iTaukei customary land rights.
Since independence, Fiji has had four constitutions:
1. The 1970 Constitution, adopted at independence on 10 October 1970.
2. The 1990 Constitution, promulgated following the 1987 coups.
3. The 1997 Constitution, adopted after constitutional review and broad national consultation.
4. The 2013 Constitution, which is presently the supreme law of Fiji.

Although Fiji's constitutions have changed over time, the recognition and protection of customary land ownership have deeper historical and legal foundations. Those foundations include the Deed of Cession of 1874, subsequent colonial land legislation, and the institutions created to identify, record, and administer customary land in accordance with indigenous ownership.
The Native Lands Commission was established to ascertain customary ownership and record native land. The Native Land Trust Board, now the iTaukei Land Trust Board, was established to administer iTaukei land on behalf of customary owners and to protect their interests. Under Fiji's legal framework, the great majority of land remains iTaukei land, which is held under customary ownership and is not subject to permanent alienation except in accordance with law.
In my view, Fiji's constitutional arrangements should continue to recognise and protect customary land ownership and the rights of customary landowners. At the same time, those arrangements should uphold equality before the law, equal citizenship, economic opportunity, justice, and national unity for all people of Fiji, regardless of ethnicity, religion, or background.
The 1970, 1990, 1997, and 2013 Constitutions each reflected different constitutional and political circumstances in Fiji's history. However, a consistent feature of Fiji's legal order has been the recognition of customary land ownership and the protection of the rights and interests associated with iTaukei land.
I respectfully submit that any future constitutional reform should preserve these protections, while also supporting democratic governance, sustainable development, and social cohesion for present and future generations of all Fijians.
Submitted respectfully,
Jimmy Victor Morrell

Vinkwaaaaaaaaa Kalougata God bless Fiji

Eliki Dakuitoga

WRITTEN SUBMISSION

TO THE FIJI CONSTITUTION REVIEW COMMISSION

A FIJI-STYLE CONSTITUTION

From politics over projects to government with people.

Submitted by	**Eliki Raloka Dakuitoga**
Address	Cakobau Street, Nausori
Capacity	Private Citizen - personal submission only
Date of submission	23 June 2026 (23/06/2026)

PERSONAL STATEMENT

I make this submission as a private citizen. It is not submitted for a political party, employer, public office, Government agency or organisation. I am asking for a Constitution that ordinary people can understand, use and trust - in villages, settlements, towns, islands and cities.

The Constitution must be strong enough to control power, simple enough for people to use, and modern enough to protect Fiji in the digital age.

CONTENTS IN PLAIN LANGUAGE

What this submission asks Fiji to build

This is a citizen document, not legal drafting. It gives clear directions to the Commission. Lawyers can turn these directions into proper constitutional words later, but the people must first decide what kind of country and government system we want.

THE 18 PARTS OF THIS SUBMISSION

01. The main message A Constitution that works in real life, not only on paper.	02. A Fiji-style democracy Equal citizenship, local roots, modern systems and public service.	03. A new election model Two governing blocs, local MPs and national balance.
04. A licence to lead A fair entry standard for every person who wants to run.	05. A Minister and MP Charter Leaders set policy; professionals run the machine.	06. Projects that survive elections No more stopping a good project because the Government changed.
07. One Government, one journey Connected services, less paper, no silo offices.	08. Digital identity and AI safety Your face, voice and identity are not free material for misuse.	09. Fiji Voice Citizens' proposals, verified national polls and a digital Parliament that must answer.
10. Clean money and real accountability Open political finance, strong oversight and no personal branding with public resources.	11. A delivery public service Law clean-up, recovery before prison, staff protection and tech-first work.	12. Build local markets Local suppliers, revenue-builder sectors, future skills and Fiji research.
13. Green mobility, climate and access A Constitution that connects people, islands and opportunities.	14. Other bold moves Budgets, public dashboards, community evidence and better lawmaking.	15. Draft constitutional directions Clear articles for the Commission to test and turn into law.
16. Staged transition A rollout that people can understand and monitor.	17. Closing statement Why these changes matter for ordinary Fijians.	18. Sources and legal anchors The starting points and civic evidence behind this submission.

THE SIMPLE TEST

When a law, policy or project is proposed, Fiji should ask: Can an ordinary person understand it? Can a village, settlement or island community use it? Does it protect people from unfair power? Does it still work after a change of Government?

START HERE

1. My main submission in one page

Fiji needs a Constitution that moves us from people waiting outside the office to people sitting inside the national decision. A citizen should not only matter when it is election time. A citizen should know who represents their place, understand how public money is used, ask for answers, use public services without running from office to office, and see a project continue when it is good for the country.

I support a Constitution that protects national unity and equal citizenship. But equal citizenship must not mean that a person in a remote village has the same vote on paper but no clear representative, no service pathway and no way to influence the decision after the election.

THE 15 SWITCHES THAT CAN CHANGE THE SYSTEM

1. Local representation Every community must know its MP and local leader.	2. Two governing blocs Two clear choices to run Government, while keeping free political association.	3. Entry standard A free public leadership test and community hearing before someone can run.
4. Leader charter MPs legislate and oversee; Ministers set policy; civil service delivers lawfully.	5. Project continuity A new Government cannot kill a good project just because it did not start it.	6. One service journey One case number, one consent, fewer forms and connected agencies.
7. Digital personhood Law protects your face, voice, image and identity from deepfake misuse.	8. Fiji Voice and people power Citizens' proposals, verified national polls, petitions and public answers.	9. Clean politics Open money, no secret backers and no public project used as campaign material.
10. Recovery before prison For safe, eligible cases: treatment, learning, work and accountability before repeat incarceration.	11. Family security at work Civil servants and workers should not leave families unprotected after long service.	12. Technology first Remove useless paper and create better work, not just fewer people.
13. Local value first Fair preference for local suppliers, repair, jobs and Fiji-owned capability.	14. Revenue builder sectors Reinvest part of proven sector growth into farmers, tools, quality and markets.	15. Future skills and R&D Teach the skills Fiji needs before the jobs arrive.

THIS IS NOT ABOUT MAKING GOVERNMENT WEAK

It is about making Government clear. A strong Government is one that can deliver a road, clinic, school, water system, business approval or disaster response quickly - and can show the people why, how, where and at what cost.

NOT A COPY-PASTE CONSTITUTION

2. What "Fiji-style" should mean

A Fiji-style Constitution must learn from the world but must not become a copy of Britain, America, Australia, China, Singapore or any other country. We can borrow good ideas, but the final system must work in a country of islands, villages, settlements, towns, families, faith communities, provinces, people with disabilities, young people, older people and a wide diaspora.

"Fiji style" must never mean that one group is above another. It must never mean culture is used to silence a citizen or stop a person from being heard. It should mean: equal citizenship, veidokai, solesolevaki, talanoa, service, truth, hard work, protection of land and sea, and respect for every person.

KEEP THE GOOD; FIX WHAT IS NOT WORKING

WHAT MUST STAY STRONG	WHAT MUST CHANGE
• Equal citizenship and human dignity for every person. • The right to vote, speak, organise peacefully and take part in public life. • Independent courts, free and fair elections and civilian constitutional rule. • Privacy, access to information, environmental rights and reasonable access to transport. • A professional public service based on merit and integrity.	• Politics should not reach into tenders, staff appointments and individual project choices. • Good projects must not die because a new Minister wants a new name on them. • People should not carry the same paper to five offices for one simple service. • A person must have protection when their face, voice or identity is copied by AI. • Laws must be explained in plain language and tested against village and island reality.

LEGAL STARTING POINT

The current Constitution already contains important foundations: political rights, privacy, public participation, a proportional representation system, public-service values, access to information, environmental rights and reasonable access to transportation. This submission asks the Commission to turn those foundations into systems people can feel in daily life.

ELECTION REFORM

3. A new election model: clear Government, visible local MPs

Fiji needs two things at the same time: national unity and local representation. We should not choose only one. A person in Nausori, a rural settlement, Kadavu, Rotuma, Vanua Levu, a highland community or an urban neighbourhood should know the name of the MP responsible for carrying their issue into Parliament. At the same time, every vote must count fairly at national level.

I propose a mixed system: local constituency MPs plus national balancing seats. This will replace the feeling that every MP is "somewhere in Fiji" but no MP is clearly responsible for a particular community.

ILLUSTRATION: A HYBRID PARLIAMENT THAT KEEPS NATIONAL UNITY AND RESTORES LOCAL RESPONSIBILITY

VOTERS	LOCAL MPs	NATIONAL SEATS	PARLIAMENT	GOVERNMENT
Vote in their local area	Represent a clear place	Keep overall vote fairness	Makes laws and checks Government	Delivers through lawful institutions

The exact seat number should be set after census, geography and public consultation. The principle is more important than the number: local face + national fairness.

PRACTICAL EXAMPLE	THE NEW WAY
A family in Cakobau Street has a drainage issue, a school safety issue and a business-permit delay. Today they may not know which MP is the right person to approach.	Under the new system, their constituency MP has a published local office, schedule, case register and quarterly report. The MP cannot order a contractor or a civil servant, but must raise the issue, push for answers, check the budget and report back publicly.

3.1 A two-governing-blocs system - not a ban on citizens

I propose two registered national governing blocs for executive competition. The country should see two clear national options that are ready to govern: a Government Bloc and an Alternative Government Bloc. Each bloc must publish its team, national plan, policy costings, leadership rules and candidate standards before polling day.

This is not a call to ban people from forming political parties, community movements, youth groups or issue-based campaigns. Political association must remain free. Smaller parties may affiliate to a bloc before the election, negotiate their policy platform openly, or contest at local level under the rules. The public must know before election day who is inside each bloc and what they will support.

WHY THIS IS BETTER THAN A HARD TWO-PARTY BAN

THE PROBLEM WE ARE TRYING TO SOLVE	THE SAFEGUARDS THAT PROTECT FREEDOM
• Too many labels can confuse voters about who can actually govern together. • Post-election deals can be made after voters have already voted. • Small groups can hold the whole country hostage without a public national plan. • Government and Opposition can become unclear to ordinary people.	• Citizens keep the right to form parties, campaigns and civic movements. • Affiliation to a governing bloc must be public before polling day. • Independent local candidacy remains available under fair rules. • No bloc may exclude people unlawfully or use race, religion or wealth as a gate.

- The bloc with a majority of seats forms Government. The other becomes the official Alternative Government with full access to parliamentary scrutiny tools.
- No secret post-election partnership should be allowed to reverse the clear choice made by voters. Any change must follow a constitutional public process.
- Each bloc must have internal democracy, audited finance, a leadership succession process, public candidate selection rules and a diversity standard that includes women, youth, persons with disabilities, rural communities and maritime communities.
- The Commission should test this model using past election data, public mock elections and legal review before final adoption.

IMPORTANT

A two-bloc system is a serious reform. It must protect political rights. The purpose is to make Government formation clear and accountable, not to create a one-party culture.

A LEADERSHIP LICENCE

4. Running for office must have an entry gate - like a job

If a person wants to drive a bus, fly a plane, build a bridge or manage public money, there is a basic standard. But a person can currently seek high public office without showing a basic understanding of the Constitution, public finance, conflict of interest, procurement, rights, service delivery or modern digital risks. That does not make sense.

I propose a Fiji Public Leadership Licence for every person who wants to stand as a candidate. It is not a university degree test. It must not shut out a farmer, market vendor, village woman, young person, tradesperson or person with disability. It is a free, accessible public test - like learning road rules before getting a licence to drive.

ILLUSTRATION: THE PEOPLE'S ENTRY GATE FOR PUBLIC LEADERSHIP

1. FREE TRAINING	2. BASIC TEST	3. PUBLIC DECLARATION	4. COMMUNITY HEARING	5. CERTIFICATE	6. ELECTION
English, iTaukei and Fiji Hindi	Rights, law, money, ethics and delivery	Assets, conflicts, donors and plan	People ask real questions	Eligible to be nominated	People still make the final choice

No degree. No money advantage. No political opinion test. The standard is basic public responsibility.

4.1 What the licence must cover

- The Constitution, equal citizenship, human rights, Parliament, Cabinet, courts and local government.
- Public money: budget basics, procurement rules, grants, audit and the difference between a policy decision and a tender decision.

- Ethics: conflicts of interest, gifts, family connections, asset declarations, campaign donations and misuse of public resources.
- Service delivery: how a road, health service, farm support, school upgrade, water project or disaster response actually moves through Government.
- Fiji reality: village, settlement, rural, maritime, disability, gender, language, climate and transport access.
- Digital safety: personal data, AI, deepfakes, online harassment, misinformation and the duty not to misuse citizens' information.

PRACTICAL EXAMPLE	THE NEW WAY
A candidate promises a bridge in a village. The crowd claps. But the candidate does not know the land issue, design, flood risk, cost, procurement process or maintenance cost.	Under the Leadership Licence, every candidate learns that a promise must be linked to a real process: community need, land and environment checks, engineering, budget, tender, construction, maintenance and public reporting.

ADDITIONAL ENTRY RULE

Every candidate should publish a simple "Five-Year People's Plan" in plain language: the three biggest problems they will work on, what is within their power, what will cost money, and how they will report progress. No more vague promises with no pathway.

STOP PHONE-CALL GOVERNANCE

5. A Minister and MP Charter: leaders must not hijack the machine

This is one of the most important reforms in this submission. A Minister should not be a project manager. An MP should not be a tender officer. A politician should not be able to pick a contractor, move a project to their supporters, tell an engineer to change a design, choose a beneficiary, move a public servant, or order a permit through a phone call.

Ministers do have an important job: set policy, take issues to Cabinet, propose laws and budgets, set national priorities, solve blockages between agencies and answer publicly for results. MPs have an important job: make laws, approve budgets, question Government, hear the people and monitor whether services reach communities. The civil service has its own job: deliver lawfully, professionally and fairly.

THE LINE MUST BE CLEAR

WHAT MINISTERS AND MPs SHOULD DO	WHAT THEY MUST NOT DO
• Set national policy and pass laws. • Approve the budget through lawful processes. • Ask why a service is delayed and demand a written explanation. • Bring people's issues to Parliament and committees. • Publish targets, results and reasons for major policy decisions. • Open a public debate when policy needs to change.	• Choose contractors, suppliers, individual beneficiaries or public servants. • Direct procurement, engineering designs, permits or investigation outcomes. • Stop or move a project without a public reason and lawful review. • Use ministry staff, vehicles, social media or public handovers for personal promotion. • Give unofficial verbal orders that leave no record. • Punish public servants for refusing an unlawful or improper direction.

5.1 The hybrid system: policy direction is allowed, interference is not

ILLUSTRATION: HOW A LAWFUL DIRECTION SHOULD TRAVEL

MINISTER	WRITTEN DIRECTION	LEGAL + TECHNICAL	PUBLIC REGISTER	DELIVERY TEAM	PARLIAMENT + AUDIT
Sets policy goal				Implements fairly	

	States law, need, cost and reason	**CHECK** PS and professionals assess it	Summary published		Checks result

Emergency directions may be fast, but must still be written and reviewed once the emergency is over.

- Create a public Ministerial Direction Register. Every significant direction that changes a project, policy priority, grant, programme or service target must be numbered, dated, checked and summarised publicly, except for narrowly defined national-security or personal-privacy reasons.
- Make it an offence to give or act on an informal direction that bypasses procurement, finance law, employment law, technical standards or a lawful decision-making process.
- Give permanent secretaries and senior professionals a legal duty to record concerns and a safe channel to report unlawful pressure. Their career must not be destroyed for obeying the law.
- For public handovers, the professional team that did the work should lead the handover - the engineer, nurse, teacher, agricultural officer, project manager, community committee or local council. A Minister may explain the policy, but should not turn every public service into a personal ceremony.

THE SIMPLE RULE

No phone-call governance. When public money, a public job, a public project or a public service is affected, the direction must be written, lawful, traceable and reviewable.

A PROJECT BELONGS TO THE PEOPLE

6. Good projects must survive elections

One of the biggest frustrations in Fiji is when a community has waited years for a water project, road, health centre, drainage work, school repair, jetty, market space or digital system. The project is planned, approved and sometimes already started. Then a new election or new Minister comes in. The project is paused, renamed, moved or forgotten because it does not carry the new leaders' political story.

That is not development. It is politics over people. A project paid for by the public must belong to the public, not the politician who announced it.

ILLUSTRATION: THE PUBLIC PROJECT PASSPORT

NEED	**DESIGN**	**BUDGET**	**DELIVERY**	**PUBLIC TRACKER**	**HANDOVER**
Community evidence	Land, climate and technical checks	Cost and life-cycle maintenance	Tender and work plan	Progress, delay and reason	Community receives and monitors

Every approved major project should have one public Project Passport and one Project Number. It should be visible online and on a printed local noticeboard.

6.1 The Project Continuity Rule

- Create a National Public Project Register covering capital works, major grants, digital systems and nationally funded community programmes. Each project must have a Project Passport.
- A new Government may review inherited projects, but it cannot pause, cancel, redirect or rename a project simply because it came from a previous Government. A decision must be made within 90 days and be based on clear evidence: illegality, danger, unaffordable cost, poor value, no longer-needed service, environmental harm, fraud or a better publicly tested alternative.
- Any pause longer than 30 days must be recorded publicly with a reason, responsible Minister, permanent secretary, cost of delay and date of next decision.
- Any cancellation must have an independent project review, published reasons, a community hearing where practical, and a remedy plan explaining what will happen instead.
- Existing lawful contracts must be respected. Any change must state the financial cost, legal consequence and impact on workers, suppliers and communities.

PRACTICAL EXAMPLE	THE NEW WAY

A village water project was designed, budgeted and tendered. After an election, the new Minister wants to move the money to another area because it is more politically useful.	The Minister cannot do it by instruction. The Project Continuity Rule requires a public project review. If the original village still has the stronger need and the project is sound, it continues. If the new alternative is truly better, the reasons, costs and consultation must be published.

THE PUBLIC MESSAGE

Do not say "my project" or "their project." Say "the people's project." A Constitution should make this more than a good slogan.

CUTTING BUREAUCRACY

7. One Government, one journey - not ministries working in silos

Government currently feels like separate islands. One office asks for your birth certificate. Another asks for the same certificate. One office knows your business name. Another asks you to print it again. A farmer wants to build a chicken shed and may need land information, business registration, a TIN, farming advice, water, electricity, finance and market help. Instead of one journey, the person enters a maze.

The Constitution should require a connected public service. Not one giant system that watches everybody. Not a digital system that excludes people without phones. A connected service means that Government agencies can work together lawfully, with consent, clear records and a human help point.

ILLUSTRATION: THE FIJI SERVICE SPINE

ONE CITIZEN CASE	ONE CONSENT	CONNECTED AGENCIES	CASE NAVIGATOR	ONE TRACKER	ONE ANSWER
One reference number	Citizen controls sharing	Secure information exchange	District, town or mobile support	Citizen sees progress	Government owns the outcome

The Service Spine should be a secure exchange system, not one uncontrolled mega-database. Agencies keep only the data they are legally responsible for.

7.1 The "tell Government once" rule

- Where a person has already given a Government agency a document or basic information, another agency should not ask for it again unless the information has changed, the law requires it or the citizen has not consented to sharing.
- Every multi-agency problem should receive one case number. The citizen should not be sent away because they entered through the "wrong" office. The office that receives the case must own the handover.
- Set up Service Navigators in district offices, municipal councils, health facilities and mobile outreach teams. They are the human bridge for people without internet, people with disability, older persons, outer-island communities and people who simply need help.
- Require common open standards so ministries can connect. Stop building separate digital systems that cannot talk to each other.
- Every Government form must be reviewed for duplication. If a document is not needed, remove it. If a signature can be digital, allow it. If a physical stamp adds no protection, stop forcing people to chase it.

PRACTICAL EXAMPLE	THE NEW WAY
A young woman wants to register a small catering business. She has no time or money to travel from office to office in Suva, Nausori and nearby agencies.	She goes to one service point or uses one simple phone page. Her case joins business registration, tax information, food-safety guidance, bank requirements and training. She can still receive in-person help. Government agencies do the walking behind the counter, not the citizen.

NO WRONG DOOR

A citizen who asks the wrong office must not be told "go somewhere else" and left alone. The first office must guide the citizen to the right service and track the result.

DIGITAL PERSONHOOD

8. Your face, voice and identity are part of you - protect people in the AI age

Fiji is moving into a world where a person's face, voice, photo, video, signature, body movement and personal details can be copied, altered and used by artificial intelligence. A fake video can make it look like someone said something they never said. A fake voice can be used to ask a family for money. A person's image can be placed in harmful content without consent. A company can collect or train on people's images and data without people understanding what they agreed to.

This is not only a technology issue. It is a dignity issue, a privacy issue, a safety issue and soon it will be an election issue. The Constitution must look ahead.

DO NOT CALL THIS COPYRIGHT ONLY

Copyright mainly protects a creative work and its author. A person's face or voice is not just a creative product. It is part of their identity. Fiji needs a separate legal right: a Digital Identity and Likeness Right.

ILLUSTRATION: THE DIGITAL IDENTITY SHIELD

YOUR LIKENESS	YOUR CONSENT	CLEAR LABEL	FAST REPORT	QUICK REMOVAL	REAL PENALTY
Face, voice, image and name	Clear permission before use	AI or altered content marked	Simple urgent complaint path	Action against harmful misuse	Fraud, abuse and political deception punished

Protection must include people with limited digital skills, children, women, public figures and persons targeted because of disability, ethnicity, religion or opinion.

8.1 The proposed Digital Identity and Likeness Right

- Every person has the right to control the commercial, deceptive or harmful use of their identifiable face, voice, name, photograph, video, biometric information, signature, avatar or AI-generated likeness.
- No person, company, campaign, platform or public body may create, use, sell, train on, publish or distribute an AI likeness of a person without clear consent, except where a law provides a narrow, necessary and proportionate exception.
- AI-generated or materially altered political content must carry a clear label. It must be an offence to make or spread deepfake content to commit fraud, sexual abuse, intimidation, political deception, blackmail, serious harassment or reputational harm.
- Create a fast remedy: a verified person can seek urgent removal, correction, preservation of evidence, a stop order, damages and criminal investigation where needed.
- Protect lawful journalism, public-interest reporting, obvious satire and creative expression - but do not allow people to pass false AI content off as real or use it to cause harm.
- No Government decision that seriously affects a person - for example welfare, licensing, school placement, employment or a major public service - should be made by AI alone. A person must know when AI was used and have a right to a human review.

PRACTICAL EXAMPLE

A mother in Nausori receives a voice message that sounds exactly like her son overseas. The message says he is in trouble and needs money urgently. It is a fake AI voice.

THE NEW WAY

The law gives her a clear path: report to a national digital safety line, preserve evidence, alert the bank or wallet provider, seek quick platform action and trigger an investigation. The person who made the fake voice faces real consequences.

DATA SOVEREIGNTY

Fiji must keep control of its citizens' digital identity. Government must use secure systems, record who accessed a person's data, limit overseas transfer by law and never trade people's personal data for convenience.

DEMOCRACY IS NOT ONCE IN FOUR YEARS

9. Fiji Voice: citizens' proposals, national polls and a digital Parliament

Voting is essential, but democracy cannot finish at the ballot box. A citizen should be able to bring a serious idea, collect verified support, receive a clear answer, attend a hearing, see the budget impact and follow the result. This submission proposes a Fiji Voice system: a public digital Parliament and national participation network where ordinary Fijians can move from complaint to proposal, proposal to public decision, and public decision to tracking.

ILLUSTRATION: THE FIJI VOICE PATH - FROM AN ORDINARY IDEA TO PUBLIC ACTION

1. CITIZEN PROPOSAL A law, policy, project or service idea is submitted.	2. PUBLIC TALANOA People ask questions, add evidence and improve the idea.	3. VERIFIED SUPPORT Real citizens support it - not fake accounts or likes.	4. OFFICIAL RESPONSE The responsible agency gives reasons, cost and next steps.	5. HEARING OR POLL Parliament, council or a national poll considers major proposals.	6. PUBLIC TRACKER Everyone can see the decision, deadline and implementation.

Fiji Voice must work online and offline. It must not become a Suva smartphone system. A person must be able to use the app, website, a District Office, municipal council, post office, library, school help desk, village or settlement meeting, disability-support service, or a mobile outreach team. The same rules, proof and public record must apply whichever doorway a citizen uses.

- Put a constitutional right for every citizen to submit a proposal, petition, budget priority or public-service reform through a secure national participation system.
- A proposal must be available in plain English, iTaukei and Fiji Hindi. It must include a simple "What this changes for you" page, cost information where known, and a chance for public corrections.
- Verified support must be private and secure. The system must prove that people are real without publishing their personal information or turning their political views into a database for abuse.
- Government must not be allowed to answer a serious proposal with only "noted". It must state what it accepts, what it rejects, why, what it will cost, who is responsible and when people can check progress.
- Create Citizens' Assemblies and travelling parliamentary hearings for major long-term issues. These tools support Parliament; they do not replace Parliament or the Constitution.

A CITIZEN IS NOT ONLY A VOTER

9.1 A real citizens' proposal system

The first rule is simple: the public must be able to propose more than complaints. A person should be able to propose a new law, a change to a law, a budget priority, a service fix, a project idea or a public accountability question. A good proposal should tell the story in simple words: what is the problem, who is affected, what should change, who needs to act, what evidence exists and what a practical first step could be.

For example, a mother in Nausori may propose that every health centre display a simple weekly medicine-stock board so families know whether basic medicine is available before paying for a bus or taxi. The discussion can show the reality, the Ministry of Health can explain the system, and the public can see whether the proposal is affordable and how it will be delivered.

THE THREE LEVELS OF CITIZEN POWER

COMMUNITY PROPOSAL A local issue receives verified support from the community affected.	NATIONAL PROPOSAL Support comes from citizens across Fiji, not only one Facebook page.	NATIONAL POLL REQUEST A major question reaches the high national support threshold set by law.

30-DAY PUBLIC REPLY	PUBLIC HEARING	POLL / REFERENDUM PATH
The responsible office must give reasons, owner and next steps.	A parliamentary committee or council hears the people and agency openly.	An independent body decides whether an advisory poll or referendum process applies.

The exact support numbers must be set by law after public testing. They should be high enough to show a serious public issue, but not so high that only rich people, big parties or Suva organisations can use the system. A national proposal should also show support across more than one division, so Fiji Voice brings people together instead of allowing one place to speak for the whole country.

9.2 National polls: the people's verified view

Fiji should allow national advisory polls on major public questions. A national poll is not a replacement for Parliament. It is a disciplined way for Parliament and Government to know the verified view of the people before they make or change a major national decision. It is much stronger than a social-media comment section because identity, fairness, public information and access are protected.

• A national poll can ask a clear question on major policy, public-service reform, national priorities or constitutional options. The question must be neutral, simple and published early in English, iTaukei and Fiji Hindi.

• The poll process must be run independently, not by a Minister, party or Cabinet office. The law should provide for public question testing, equal information, independent oversight, privacy and a public result record.

• An advisory poll must trigger a compulsory public response from Parliament or Government. It cannot be ignored, buried or answered by a press release only.

• A binding referendum should only be used where the Constitution or Parliament specifically requires it. No poll should be used to take away equal citizenship, human dignity or the fundamental rights of a minority.

A POLL IS NOT A FACEBOOK REACTION

ADVISORY NATIONAL POLL	BINDING REFERENDUM
The people give a verified national view. Parliament keeps the legal power to make the final law, but must debate the result publicly and explain its decision within the time set by law.	The people make the final decision only where the Constitution says this is necessary. Strong safeguards are needed: neutral wording, public education, access for all communities and protection of basic rights.

9.3 The Fiji Voice app and Digital Parliament

The Constitution should require Parliament to establish a secure Fiji Voice app and website. It should work as a digital Parliament for the public - not as a political campaign page. It should show every proposal, its evidence, verified support stage, responsible office, official reply, hearing date, poll outcome, budget link and delivery progress. A citizen should be able to use it as easily as checking a parcel or bank transfer: "Where is my issue now?"

WHAT THE APP MUST DO

PROPOSE	TALANOA	VERIFY	ANSWER	DECIDE	TRACK
Submit in simple words, voice note or assisted form.	Discuss, challenge, improve and add local evidence.	Private identity check stops fake support.	Agency replies with law, cost, reasons and deadline.	Hearing, local vote, national poll or parliamentary action.	One public page shows whether the promise was delivered.

• The app must allow English, iTaukei and Fiji Hindi; text, audio and easy-read options; disability access; low-data use; public libraries or kiosks; and assisted use through a human help desk.

• A person who has no smartphone must have an equal route through a District Office, municipal office, post office, community centre, school, village or settlement process, or mobile outreach service.

• The platform must use privacy-by-design. It should verify that a supporter is a real citizen without exposing the person's vote, support list, private phone number or personal data to politicians, companies or the public.

• The platform must be governed by an independent Public Participation and Digital Rights Office answerable to Parliament, with open technical standards and regular public audits. It must not sit under a Minister who can silence criticism.

9.4 The MY FIJI civic model: proof that people will participate

This proposal is informed by the MY FIJI: Laws and Policies / PULSE civic model that I have developed as a citizen. It has shown a practical lesson: ordinary Fijians will participate when laws, policies and Government processes are explained in simple language; when people can move from complaint to proposal; when discussion is open; and when a poll or decision is visible. The State should not take over MY FIJI or turn it into a party platform. But it should learn from the model and build a neutral national system with the same public spirit: simple language, practical examples, public talanoa, verified participation and transparent follow-up.

9.5 The people-to-policy guarantees

• Every serious proposal receives a public tracking number, a responsible agency and a clear deadline. A citizen should never have to ask, "Where did my idea disappear to?"

• Every Bill and major policy must carry a plain-language explanation and a Fiji People's Test: who benefits, who pays, what changes for villages and islands, and what is the effect on women, youth, persons with disabilities, climate, land, transport, jobs and digital access?

• Parliamentary committees must travel and sit in regions, not only in Suva. Communities must be able to give evidence without paying for a flight or losing days of work.

• The system must reject hate speech, threats, false identity, bribery, manipulation, paid fake support and unlawful use of personal data. A citizen proposal space must be safe, lawful and respectful.

9.6 Local government must be real

The local-government election regulations introduced in 2025 show that ward-based municipal representation can be designed in law. Fiji should build on this direction. Local government should not be a small office waiting for central Government permission. It should have lawful functions, local revenue, public meetings, local audit, clear service duties and a protected place in the Constitution.

- Protect elected local government for towns, cities and appropriate rural and maritime forms designed through consultation with communities and existing local structures.
- Give local government clear responsibilities for local roads and access, drainage, markets, waste, public spaces, local disaster readiness, active transport, community facilities and local development coordination.
- Require at least a defined portion of local development money to be decided through participatory budgeting, where residents see the available money and choose between real options.

PRACTICAL EXAMPLE	THE NEW WAY
A ward has FJ$100,000 for local improvement. Today residents may only hear after the decision is made.	Under participatory budgeting, the ward sees the amount. People choose among options such as drainage, market toilets, solar lighting, footpaths, disability ramps, a bus shelter or a youth space. The final choice and spending are displayed publicly.

TRUST MUST BE VISIBLE

10. Clean politics: open money, open promises and no public-resource campaigning

People cannot judge politics properly if they do not know who is paying for it. Fiji already has political-party and candidate declaration requirements. The next Constitution and laws should make transparency easy for the public to see, not hidden behind forms that only a lawyer, office or newspaper can inspect.

THE CLEAN POLITICS SYSTEM

A. One campaign account Every candidate and bloc uses a single traceable campaign account.	**B. Live public disclosure** Large donations, goods, services and spending published quickly in a searchable portal.	**C. Know the real owner** If a donor company gives money, the real beneficial owner must be known.
D. No contractor influence Government contractors and their owners face strict donation limits and disclosure.	**E. No public branding** Government vehicles, staff, projects and official pages cannot become personal campaign tools.	**F. Independent enforcement** An election integrity unit can investigate and publish decisions quickly.

- All candidate and party assets, income, donations, gifts, services, campaign spending and relevant conflicts should be published free of charge in a simple searchable system, with privacy protection for information that truly needs it.
- Campaign donations should be disclosed quickly. The law may protect small donor privacy through reasonable aggregation, but large donors must be visible.
- A Government contractor, bidder or beneficial owner should not be able to secretly fund the Minister, MP, party or bloc that can influence their work.
- A public project update should inform people about the work: cost, progress, contractor, benefits and delay. It must not be a political advertisement with a leader's face, party colours or campaign message.
- During and outside election periods, public officials must not use official ministry pages, vehicles, staff, events, programmes or handovers to build a personal political brand.

> **A FAIRER HANDOVER**
> When a bridge, clinic, water system, classroom or market facility is completed, the project board should show the public information first: project name, cost, contractor, start date, end date, maintenance body and contact number. Let people see the work, not only the politicians.

LESS PROTOCOL, MORE SERVICE

11. A delivery public service and laws that fit real Fiji life

A good Constitution must protect a public service that is professional, fair and able to work. Civil servants should not be treated as party workers. They should not be scared to say, "Minister, this is not lawful," or "this project is not ready," or "this person is not eligible." At the same time, public service cannot hide behind long files, old procedures and "that is how it has always been done."

THE PUBLIC SERVICE BARGAIN

WHAT THE STATE MUST GIVE	WHAT THE PUBLIC SERVICE MUST GIVE
• Merit-based appointments and fair processes. • Protection from improper political interference. • Clear General Orders, training, modern tools and service standards. • Professional space to give frank written advice. • A safe whistleblower route and real consequences for retaliation.	• Timely answers, clear reasons and respectful treatment. • No hiding behind unnecessary paper or protocol. • Open tracking of services, projects and complaints. • Shared work across agencies, not silo protection. • Personal accountability for delay, poor conduct and corruption.

11.1 The Fiji Law Clean-Up Clause

Fiji has many laws, regulations, manuals, circulars, forms and procedures. Some are needed. Some are old, copied from another time, difficult to understand or no longer fit a digital, climate-exposed, maritime country. We should not keep a rule just because it has been there for 50 years.

- Require a public law review every five years. Each law and major policy must be tested for: plain language, equality, practical use in villages and islands, climate resilience, digital safety, cost, duplication and whether it still serves a real purpose.
- No major law should be copied from another country without a Fiji Impact Statement showing how it fits our geography, culture, economy, public service capacity and rights.
- Every ministry must publish an annual "forms removed, steps removed, time saved" report. The public should see whether bureaucracy is actually being cut.
- Where a law affects daily life, publish a simple guide in English, iTaukei and Fiji Hindi. A person should not need to hire a lawyer just to understand the first step.

> **A LAW MUST WORK WHERE PEOPLE LIVE**
>
> Before passing a law, ask: Can a farmer in Ra use it? Can a mother in Nausori understand it? Can an outer-island person access it? Can a person with disability use it? Can a civil servant deliver it with the staff and money available?

RECOVERY, SECURITY AND PRODUCTIVE FIJI

11.2 Recovery before prison: court-ordered rehabilitation, learning and a real second chance

A person must take responsibility for harm they cause. Victims must be safe, heard and supported. Serious violence, sexual offending, trafficking and high-risk offending must be dealt with firmly. But Fiji should also be honest: some repeat low-level offending is tied to alcohol, drugs, trauma, untreated mental-health problems, family breakdown and lack of work. Prison without treatment can simply return the same pain to the same family and community.

From my experience in public service and community work, I have seen that punishment alone does not always repair a person. A young person may come before court for a non-violent theft connected to addiction. The public needs safety, but the country also needs a system that asks: can this person be treated, taught a skill, made to repair harm and monitored back into work before they become a harder criminal inside prison?

ILLUSTRATION: THE RECOVERY-FIRST PATH - NOT A FREE PASS

1. ASSESS	2. PROTECT	3. RECOVERY ORDER
Health, addiction and risk check.	Victim and public safety come first.	Counselling, treatment and strict conditions.
4. LEARN	5. REPAIR	6. RETURN
Literacy, trade skills and work habits.	Community work, restitution and family accountability.	Aftercare, job pathway and court monitoring.

A Recovery School is not a holiday centre. It is a disciplined court-ordered campus or community facility with treatment, education, skills, counselling, family work and clear consequences for failure.

11.2.1 What Fiji should build

- Create Recovery Schools and Rehabilitation Centres in stages across the divisions. They should combine health treatment, counselling, literacy, basic education, life skills, farming, construction, sewing, mechanics, digital skills and employer pathways.

• Create a specialist treatment-and-recovery court list, or recovery docket, so a magistrate can use independent clinical assessment before deciding whether a safe, eligible person should receive a supervised recovery order rather than immediate custody.

• Make the eligibility rules clear. This is not automatic and it must not be used to avoid accountability. The court must consider public safety, the victim's view, seriousness of harm, risk, treatment need and likelihood that recovery will work.

• Make victim support real: safety planning, information, a chance to be heard, restitution where appropriate and a clear pathway if the person breaches the recovery order.

• Connect recovery to work. A person leaving a programme should not be sent back to the same idle situation. Give them a supervised route into apprenticeships, farming groups, social enterprises, repair work, community projects or private-sector jobs.

A FAMILY SHOULD NOT BE LEFT EMPTY-HANDED

11.3 Civil-service and worker family security: service must protect the home

When a civil servant, driver, nurse, teacher, cleaner, messenger, police officer, tradesperson or public worker gives years of service, the family carries that service too. A sudden death, disability or serious illness can leave a spouse, children, parents or dependants facing funeral costs, school fees, rent, food and debt at the same time. A public-service system that values work must plan for that reality.

This proposal does not assume that Fiji has no existing saving, pension or workplace benefits. It says that the current arrangements must be audited from the family's point of view: when a worker dies or cannot work, how quickly does support reach the family, how much protection is real, and what happens to contract staff, rural staff and lower-paid workers?

ILLUSTRATION: FROM SERVICE TO FAMILY SECURITY

SERVE Daily public work	COVER Life, disability and family protection	10 YEARS Automatic long-service security credit	CRISIS Fast first assistance and case support	GROW Training, financial advice and transition support

11.3.1 The Family Security Package

• Make a minimum group life and disability cover compulsory for the civil service, designed with unions, staff, insurers and independent cost review. It must cover permanent and eligible contract staff fairly, not only senior officers.

• Set up a Civil Service Family Security Desk so that, when a worker dies or becomes permanently unable to work, the family has one person to guide the claim, documents, funeral support, counselling and education or income-support referrals. The family should not have to run from office to office while grieving.

• After 10 years of verified public service, a worker should automatically qualify for a Long-Service Security Credit. This should be a fiscally costed package, not empty applause: for example, an insurance top-up, recognised-training voucher, financial-planning support, wellbeing leave credit, or a modest long-service payment set by law and budget.

• Use the civil service as the first model, then develop a national worker-protection path for private-sector and informal workers. The country should especially prioritise high-risk work, low-income households, micro-business workers and people whose families have no safety net.

• Publish annual statistics: how many families received support, average time for first payment, unresolved cases and whether contract and lower-paid workers are being left behind.

> PRACTICAL EXAMPLE | A rural nurse or Government driver dies suddenly. The spouse should not wait months, chase five forms and borrow money for a funeral. The Family Security Desk should trigger a 48-hour first-contact service, explain the claim, coordinate the agencies and connect the family to the support they qualify for.

USE TECHNOLOGY TO CREATE BETTER WORK, NOT JUST FEWER PEOPLE

11.4 Technology first, people still matter

Cutting bureaucracy must mean cutting useless steps, duplicate forms, repeat travel, stamps and waiting. It must not mean throwing one overworked staff member into three jobs, or leaving older people and rural communities behind because everything moved online. Technology should make Government faster and more human at the same time.

• Make digital-by-design the normal rule for Government services where technology is safe and available: reusable verified documents, digital signatures, online appointment booking, text updates, digital payments, case tracking and secure records.

• Keep an equal human route. A citizen without a smartphone, data, reading confidence or transport must still receive the same service through a local help point, phone support, mobile team or trusted assisted channel.

• When technology removes repetitive clerical work, retrain staff into higher-value roles: Service Navigators, community outreach officers, data-quality officers, digital-safety officers, maintenance technicians and frontline problem-solvers.

• Measure technology by time saved for citizens, travel avoided, forms removed, fraud reduced, cases completed and new local jobs created - not only by how many computers were bought.

• Require Government digital systems to be maintainable in Fiji. Contracts must include local training, repair, documentation, data portability and an exit plan so Fiji is not trapped by a foreign supplier.

BUILD MARKETS, NOT ONLY SAVINGS

12. Local value first: grow Fiji-made work, repair and revenue

Fiji cannot build a strong economy only by cutting Government expenses. We must also ask: what will our people make, grow, repair, move, package, service, design and sell? Every dollar leaving Fiji for a product that could reasonably be supplied, repaired or supported here is also a missed chance for a local worker, trainee, supplier or farmer.

Through my work in green transport and e-bike sharing, I have seen that one e-bike is not only one imported machine. It can create local work in assembly, battery safety, charging, repair, fleet management, software, delivery, tourism, retail, training and recycling. The same thinking applies to yaqona, farming tools, solar equipment, marine repair, food processing and digital services. Fiji should build the whole value chain, not only import the finished item.

ILLUSTRATION: THE FIJI VALUE LOOP

LOCAL NEED What Fiji uses every day	LOCAL SUPPLIER Make, grow, repair or service	FAIR TENDER Compare full value, not only first price	LOCAL JOBS Train people and keep skills here	REVENUE Sales, tax, exports and savings	REINVEST Tools, quality, research and market growth

12.1 A Fiji Local Value First Rule

• For Government purchasing, use a Fiji Local Value Test. If a local supplier can meet safety, quality, delivery and whole-life-cost standards, Government should give a transparent local preference rather than selecting an overseas option only because the first quoted price is slightly lower.

• Do not use local preference to protect poor quality or cronies. Every preference must be public, measurable and reviewable. The supplier must show quality, delivery, maintenance, local jobs, training and tax compliance.

• Break very large procurements into fair packages where practical so small and medium Fijian suppliers can compete. Pay local suppliers on time. A small business cannot grow if Government takes months to pay after delivery.

• Create a Fiji Supplier Passport: one verified supplier profile, clear compliance records, product standards, repair capacity, local ownership information and a single way to apply across agencies.

• Where a finished imported product competes with a proven or emerging local alternative and is not a basic necessity, Parliament may consider a time-limited Local Value Levy or tariff. The money must go into a transparent Local Value and Innovation Fund. It must never become a blanket tax that makes medicine, food or essential family goods more expensive.

> PRACTICAL EXAMPLE | A Ministry needs 100 e-bikes for field officers. The cheapest option may be a foreign supplier that sends boxes and leaves. The Fiji Local Value Test asks more: Can a local business assemble or maintain them? Are spare parts stored in Fiji? Will young people be trained to repair batteries and motors? What happens after two years? The full cost and full opportunity matter, not only the invoice price.

12.2 Revenue Builder sectors: when a sector earns, reinvest in the people who build it

Government support should not only go to the loudest sector or the biggest company. Fiji needs a clear rule: when a commodity or sector proves that it is bringing in foreign exchange, creating local jobs, raising rural income, building Fiji-owned value and meeting sustainability standards, it becomes a Revenue Builder Sector. A transparent share of the additional public revenue connected to that growth should be reinvested back into growing the sector properly.

• Create a public Revenue Builder Scorecard for each priority sector: export or domestic revenue, number of local jobs, farmer or producer income, local processing, quality standards, climate impact, women and youth participation, and potential for Fiji-owned branding.

• A sector that reaches the threshold should qualify for a published Sector Growth Plan: grants, shared tools, extension officers, market research, standards, logistics, packaging, digital traceability, training and research. Support must be tied to performance and public reporting, not political friendship.

• For yaqona, the goal must be more than planting. Build a Fiji Yaqona Brand: disease-safe planting material, farmer tool pools, drying and processing equipment, quality testing, grading, packaging, traceability, export-market intelligence, climate-resilient farming and marketing that protects the reputation of Fiji yaqona.

• The same model can support fisheries, agro-processing, green mobility, tourism experiences, creative industries, digital services, construction materials, marine maintenance and other sectors that create Fiji-based value.

• Publish the reinvestment formula. Producers should know: if the sector earns more and meets the standard, what support becomes available, who can apply, and what result must be shown.

12.3 Education that meets the future - skills before the jobs arrive

We should stop educating young people only for jobs that existed yesterday. Private businesses are already moving into electric vehicles, e-bikes, solar, smart payments, drone services, digital platforms, climate-resilient construction and new food systems. If Fiji waits until the market is already full of imported technicians, our young people will miss the chance to lead.

ILLUSTRATION: FUTURE SKILLS MUST REACH THE CLASSROOM, WORKSHOP AND VILLAGE

E-BIKES & EVs	SOLAR & BATTERIES	DIGITAL SERVICES
Motor, controller, charger, repair and safe recycling.	Installation, storage safety, maintenance and energy management.	Apps, payments, cybersecurity, data and customer support.
SMART FARMING	CLIMATE BUILDING	MARINE & LOGISTICS
Irrigation, nurseries, processing, traceability and market data.	Flood, cyclone and heat-resilient design and maintenance.	Boat repair, cold chain, freight planning and island supply systems.

• Establish a Fiji Futures, Skills and Applied Research Department or statutory agency that brings Education, TVET, universities, industry, farmers, communities and Government together. Its job is to see what is coming, test what works and make sure curriculum, training and funding move early.

• Publish an annual Fiji Future Jobs Map: the skills growing in demand, the skills at risk of disappearing, the areas where Fiji depends too heavily on imported labour, and what schools and training centres must teach next.

• Build industry-linked technical pathways from school to work. A student should be able to finish school with a micro-credential, apprenticeship or practical certificate in an area like e-bike servicing, EV safety, solar systems, construction, agriculture technology, marine engineering, coding or care work.

• Set up applied R&D labs and innovation test sites in different divisions. They must solve Fiji problems: rural transport, flood routes, battery storage, kava quality, crop disease, cold storage, water, small-island logistics and accessible public services.

• Make Government an early but careful customer for good Fiji solutions. Pilot local tools, apps, machines and service models through transparent testing. If they work, scale them. If they fail, publish the lesson and improve.

> THE SIMPLE PROMISE | A young person should not finish school asking, "Where is the job?" Fiji should be able to say, "Here is the future industry, here is the skill, here is the training place, here is the employer pathway and here is how you can build something of your own."

DEVELOPMENT MUST MOVE

13. A connected Fiji: climate, green transport and access

A road, bus route, footpath, bridge, jetty, bicycle lane, accessible ramp, ferry connection, internet link and disaster evacuation route are not small extras. They decide whether a person can get to school, market, health care, work, Government offices and opportunity. The current Constitution already recognises reasonable access to transportation and environmental rights. The next Constitution should make these rights practical for a modern, climate-exposed island nation.

THE ACCESS AND CLIMATE PROMISE

1. Safe walking Footpaths, crossings, lighting and safe school routes.	**2. Bicycle and e-bike access** Low-cost green mobility, charging and safe parking.	**3. Disability inclusion** Ramps, accessible buses, ferries, public buildings and information.
4. Rural and maritime links Reliable routes, jetties, boats, bridges and maintenance.	**5. Climate-proof projects** Every major project tests flood, cyclone, heat and sea-risk.	**6. Maintenance first** No new asset without a maintenance plan and budget.

- Make safe, affordable and climate-resilient connectivity a progressive constitutional duty. This includes public transport, rural and maritime access, walking, cycling, disability access, digital access and disaster-ready infrastructure.
- Require all major infrastructure projects to publish a life-cycle cost: construction cost, maintenance cost, climate risk and who will look after it after the opening ceremony.
- Use a Green Mobility Fund to support safe school routes, bus access, e-bikes, bicycles, walking paths, accessible streets and clean local transport where appropriate.
- A new Government should not abandon resilient projects simply because their benefit takes longer than one election cycle. The Project Continuity Rule must apply.

PRACTICAL EXAMPLE	THE NEW WAY
A young person in a settlement cannot safely walk to a bus stop at night, and their family spends too much on transport.	The local plan can combine a lit footpath, safe crossing, bus shelter, bicycle parking and a low-cost e-bike or community transport option. This is not a luxury. It is access to education, work and dignity.

THE NEXT LEVEL

14. Other bold moves that can shape a new Fiji

SIX EXTRA CHANGES WORTH SERIOUS CONSIDERATION

A. A public Project and Service Dashboard Every person can track projects, services, complaints and delays online or on local noticeboards.	**B. A Parliamentary Budget Office** Independent costing of promises, budgets and major projects so politicians cannot sell fantasy numbers.	**C. A Community Evidence Rule** Major decisions must show local evidence, not only speeches and photos.
D. A right to reasons When Government says no, pauses a service or rejects a proposal, it must give a clear reason and appeal route.	**E. A six-month law discussion rule** No major constitutional or national law rushed through without public explanation, regional hearings and a response report.	**F. A first-cycle Constitution Review** Five years after the new Constitution begins, an independent public review checks what worked and what needs fixing.

13.1 Parliament must become easier for people to use

- Parliamentary committees should hold citizen witness days where ordinary people, not only organisations and lawyers, can give evidence.
- Every Bill should have a one-page plain language summary, a cost statement, a Fiji People's Test, and a public response table showing what consultation feedback was accepted, partly accepted or rejected.
- Use secure digital participation but do not depend on Facebook likes. A serious petition must verify support and receive a formal response. Community and physical participation must have equal respect.
- Consider a carefully designed recall mechanism for serious misconduct, prolonged non-performance or proven betrayal of the public trust. It must have high thresholds so it cannot be used for ordinary political revenge.

CITIZEN INSTRUCTIONS TO THE DRAFTERS

15. Draft constitutional directions for the Commission

The words below are not final legal drafting. They are clear directions from a citizen to the Commission and legal drafters. They should be tested through public consultation and expert review, then turned into strong legal wording.

ARTICLE 1 - FIJI-STYLE DEMOCRACY

Fiji is a united, diverse and democratic Republic founded on equal citizenship, human dignity, veidokai, solesolevaki, talanoa, constitutional supremacy, peaceful transfer of power, public service and respect for land, sea and future generations.

ARTICLE 2 - LOCAL REPRESENTATION

Every citizen has the right to meaningful local representation. Parliament must provide a mixed electoral system that combines geographic constituency representation with national vote fairness, administered by an independent electoral authority and an independent boundaries body.

ARTICLE 3 - GOVERNING BLOCS

National executive competition shall be conducted between two registered governing blocs that meet public standards of internal democracy, transparent finance, leadership disclosure and national representation. Peaceful political association, civic advocacy and independent local candidacy remain protected by law.

ARTICLE 4 - PUBLIC LEADERSHIP ENTRY STANDARD

A person seeking election to Parliament or local government must complete an accessible public leadership education and competency requirement established by law. The requirement must be free, non-discriminatory, available in English, iTaukei and Fiji Hindi, and must not require a formal academic qualification.

ARTICLE 5 - MINISTER AND MP CHARTER

Members of Parliament shall legislate, represent the people and oversee public power. Ministers shall set policy, introduce legislation and answer for results. No Minister or MP may direct procurement, appointments, engineering decisions, permits, investigations, individual beneficiary selection or any other operational function except where expressly authorised by law and recorded in writing.

ARTICLE 6 - PUBLIC PROJECT CONTINUITY | Public projects funded by the people belong to the people. Parliament must establish a transparent Project Passport and National Public Project Register. A project may be paused, changed or cancelled only through a lawful, evidence-based, publicly recorded process that states the reason, cost, community impact and alternative plan.

ARTICLE 7 - ONE GOVERNMENT, ONE JOURNEY | The State must progressively provide connected public services with clear consent, data protection, accessible human support and a right not to be sent from office to office without ownership of the case. Technology must reduce duplicate forms, repeat travel and delay without excluding people who need an offline route.

ARTICLE 8 - DIGITAL IDENTITY AND HUMAN CONTROL | Every person has a right to the protection of their digital identity, likeness, personal data and communications. Parliament must provide effective protection against harmful or deceptive AI-generated likeness, misuse of personal data and automated decisions without meaningful human review.

ARTICLE 9 - FIJI VOICE: CITIZENS' PROPOSALS, NATIONAL POLLS AND DIGITAL PARLIAMENT | Every citizen has the right to submit a proposal, petition, budget priority or public-service reform through secure digital and non-digital public channels. Where a proposal reaches the verified threshold set by law, the responsible public authority or Parliament must publicly consider it, give reasons for its decision and report on implementation. Parliament must establish an independent Fiji Voice participation system with plain-language information, secure verification, equal offline access, public tracking and national advisory polls on major public questions.

ARTICLE 10 - OPEN GOVERNMENT AND PUBLIC PARTICIPATION | Public information is presumed open except where a lawful, necessary and proportionate reason protects privacy, safety or another legitimate public interest. Political finance, public contracts, public project information, Ministerial Directions and public participation responses must be easy for ordinary people to find, understand and use.

ARTICLE 11 - ACCESS, CLIMATE AND FUTURE GENERATIONS | The State must progressively secure safe, affordable, accessible and climate-resilient transport, rural and maritime connectivity, walking and cycling access, disability access, digital access and long-term infrastructure maintenance for present and future generations.

ARTICLE 12 - RECOVERY, REHABILITATION AND SAFE REINTEGRATION | The State must develop lawful, evidence-based rehabilitation and community-based correction options for eligible people whose offending is linked to addiction, trauma or other treatable needs. Public safety, victim protection, accountability and court supervision remain central. Parliament must provide for recovery facilities, education, skills, treatment and reintegration pathways.

ARTICLE 13 - WORK, LONG SERVICE AND FAMILY SECURITY | The State must promote fair, safe and dignified work and progressive family protection for workers. Parliament must provide for transparent and sustainable life, disability, long-service and crisis-support measures, beginning with the public service and taking account of contract, lower-paid, rural and high-risk workers.

ARTICLE 14 - LOCAL VALUE, PRODUCTIVE SECTORS AND MARKET CREATION | The State must promote Fiji-owned productive capacity, fair access for local suppliers, local repair and maintenance, value-added production, sustainable farming and fisheries, and transparent reinvestment in sectors that show real public benefit through jobs, revenue, resilience and local capability.

ARTICLE 15 - FUTURE SKILLS, TECHNOLOGY AND APPLIED RESEARCH | The State must invest progressively in future-ready education, technical and vocational learning, technology access, local innovation and applied research linked to Fiji's real needs. No child or worker should be left behind because education did not prepare them for the changing economy.

A STAGED TRANSITION

16. How to put this into practice without causing confusion

A new Constitution must not be treated as one big announcement. It needs a public transition plan, new laws, trained officials, plain-language education, budgets, pilot programmes and an independent review. The worst result would be a beautiful Constitution with no delivery pathway.

REFORM	WHAT CHANGES	WHO MUST ACT	TIME
First 12 months	Set up the constitutional transition office; draft Fiji Voice, Project Continuity, Ministerial Direction and digital-rights laws; conduct an independent audit of civil-service family protection; map recovery and rehabilitation needs; design the Fiji Local Value Test and Future Jobs Map.	Parliament, Cabinet, PSC, FEO, local government and public	Phased
Years 1 to 2	Pilot the Fiji Public Leadership Licence; establish the Ministerial Direction Register and Project Passports; pilot a recovery court list and Recovery School model; launch the Civil Service Family Security Desk; begin local-supplier procurement pilots and future-skills curriculum design.	Parliament, Cabinet, PSC, FEO, local government and public	Phased
Years 2 to 3	Launch Fiji Voice nationwide; scale recovery and aftercare pathways; introduce transparent local-value procurement; establish the Fiji Futures, Skills and Applied Research function; pilot EV/e-bike, solar, smart-farming and climate-construction pathways in schools and TVET.	Parliament, Cabinet, PSC, FEO, local government and public	Phased
Years 3 to 5	Publish results: family claims speed, recovery outcomes, reoffending, local supplier spend, sector revenue reinvestment, local jobs, student apprenticeships and R&D results. Adjust the laws publicly through the five-year Constitution in Real Life review.	Parliament, courts, civil service, industry, schools, communities and public	Review and scale

THE FIRST REVIEW

Five years after commencement, Fiji should hold an independent "Constitution in Real Life" review. It should ask communities, public servants, businesses, young people, women, persons with disabilities, rural and maritime communities: what works, what does not and what must be corrected?

WHY THIS MATTERS

17. Closing statement from the submitter

I respectfully submit that Fiji should not only debate personalities, titles and old arguments. We must look at the machinery beneath the politics. Who can run? Who controls a project? Who can stop a tender? Who explains a delay? Who owns a citizen's face and voice in an AI world? Who carries the same paper from office to office? Who is responsible when nobody is responsible?

A new Fiji will not be created by changing names only. It will be created by changing the rules that allow good people to be ignored, allow projects to be treated as political property, allow public systems to work in silos, allow families to be left unprotected after years of service, and allow young people to leave school unprepared for the industries now coming toward us.

My hope is for a Constitution that tells every person: you are not just a voter. You are not just a client waiting outside an office. You are a citizen. The Government is your servant. The law is your protection. The country belongs to all of us.

Eliki Raloka Dakuitoga

Private Citizen | Cakobau Street, Nausori | Submitted 23 June 2026

FOR THE COMMISSION AND PUBLIC RECORD

18. Sources and legal anchors used for this submission

The following materials were used to identify the legal and civic starting points for these proposals. They do not mean that every recommendation is already law. The Commission should check the most current official versions of every law before final drafting.

1. Constitution of the Republic of Fiji (2013), official Laws of Fiji text. Key starting points include constitutional supremacy; political rights; privacy; reasonable access to transportation; environmental rights; Parliament; proportional representation; public participation; public service values; code of conduct; access to information; and amendment procedures.

2. Parliament of the Republic of Fiji, State Opening Address, 16 February 2026. The address stated that the Constitution review should involve democratic constitutionalism, good governance, rule of law, meaningful public participation, transparency and dialogue.

3. Electoral Act 2014, annotated version supplied in the folder. Background reference for electoral administration, nomination, candidate eligibility, campaign conduct, use of State resources, voting, counting, disputes and offences. Any future drafting must check current amendments.

4. Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013 and supplied candidate/party disclosure forms. Background reference for political finance, assets, income, donations, expenditure, records and declarations. This submission proposes greater public usability and real-time transparency.

5. Electoral (Local Government Elections) Regulations 2025, supplied Government Gazette text. Background reference for ward-based municipal elections, voter registration, nominations, early voting, campaign conduct, records and disclosures.

6. Fijian Elections Office, Introduction to Elections - Year 10 Teacher's Manual and Student Workbook, supplied in the folder. Civic education background on democracy, representation, free and fair elections, political parties, voting systems, rights and responsibilities.

7. Fijian Elections Office, Methods of Voting, supplied in the folder. Background reference for secret ballot, polling-day voting, pre-poll and postal voting principles.

8. MY FIJI: Laws and Policies / PULSE civic model, a citizen-led public discussion, proposals and polls model developed by the submitter. This is a civic design proof used to inform the Fiji Voice proposal; it is not presented as a Government system or legal authority.

9. Community-Based Corrections Act 2018, official Laws of Fiji text. This Act already provides a starting point for community-based sentencing, rehabilitation and reintegration. This submission proposes that Fiji go further by building treatment, education, skills and structured recovery facilities for safe, court-approved cases.

10. Employment Relations Act 2007, official Laws of Fiji text. This is a starting point for worker welfare, occupational safety and workplace protections. This submission proposes a separate, costed family-security and long-service layer, beginning with the civil service and then extending through national worker-protection pathways.

11. Fiji National Development Plan 2025-2029 and Vision 2050, official Ministry of Finance and National Planning document. This submission supports the direction of local capability, practical development and national planning, but proposes stronger local-value, sector-reinvestment, future-skills and applied-research rules.

12. Submitter's practical experience in public service, community development, green transport and e-bike sharing, and citizen-led public policy work. These experiences inform the practical examples in this submission and the call for connected services, local repair capacity, future skills and people-first delivery.

PUBLICATION REQUEST

I request that this submission be recorded as a private citizen submission by Eliki Raloka Dakuitoga of Cakobau Street, Nausori, dated 23 June 2026. I also encourage the Commission to publish a public response explaining which ideas were adopted, partly adopted, rejected or referred for further work.

John Ravisa

Submission to the Constitutional Review Commission: Protection of Children from Corporal Punishment

Bula Vinaka Chairperson and Members of the Constitutional Review Commission,

I wish to make a submission regarding the protection of children within Fiji's education system.

I respectfully recommend that the Constitution explicitly protect children from all forms of corporal punishment, whether in schools, institutions, or other settings where children are under the care of adults.

As an educator with many years of experience, I firmly believe that discipline should teach, guide, and restore—not harm. Research has shown that physical punishment may stop behaviour temporarily, but it does not help children develop self-discipline, responsibility, or positive relationships. Instead, it can create fear, anxiety, resentment, and disengagement from learning.

Schools should be safe spaces where children feel respected, valued, and supported. Positive behaviour management, counselling, restorative practices, social-emotional learning, and strong partnerships between schools and families are more effective approaches to building responsible citizens.

Protecting children from corporal punishment is not about removing discipline; it is about promoting better forms of discipline that uphold the dignity and rights of every child.

I therefore recommend that the Constitution clearly affirm every child's right to safety, dignity, and protection from physical and degrading punishment, while encouraging positive and restorative approaches to behaviour management in educational settings.

The measure of a society is seen in how it treats its children. By protecting children from violence and promoting positive discipline, Fiji can continue to build a more caring, respectful, and inclusive future.

Vinaka Vakalevu

Jone Ravisa

Peceli Vuniwa

SUBMISSION TO THE FIJI CONSTITUTION REVIEW COMMISSION

From: Peceli Vuniwa,
Address: Nasomo, Vatukoula
Date: 24 June 2026

To: Mr Sevuloni Ratumaiyale Valenitabua
Chairman, Constitution Review Commission

1. INTERNATIONAL LEGAL OBLIGATIONS: ILO 169 AND UNDRIP

Fiji has binding international legal obligations regarding the rights of indigenous peoples. These provide the framework for this submission.

1.1 ILO Convention 169 (Ratified 1998)

Fiji ratified the International Labour Organization's Indigenous and Tribal Peoples Convention, 1989 (No. 169) on 3 March 1998 . As a State Party to this Convention, Fiji is legally bound to implement its provisions . This is not a matter of policy choice but a binding international obligation that has been in force for over 25 years .

The key provisions of ILO 169 relevant to this submission include:

· Article 6: Governments must consult indigenous peoples through appropriate procedures and in good faith before adopting legislative or administrative measures that may affect them.
· Article 7: Indigenous peoples have the right to decide their own priorities for development and to exercise control over their own economic, social and cultural development.
· Articles 13-19: Indigenous peoples' rights to lands and resources must be recognised, and adequate procedures established to resolve land claims .
· Article 14: The rights of ownership and possession of indigenous peoples over lands they traditionally occupy shall be recognised.

1.2 UNDRIP (Endorsed 2023)

In June 2023, Fiji's President Ratu Wiliame Katonivere announced that Fiji had taken the "critical step of supporting" the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), following a Cabinet decision . The President stated: "We join the international community in affirming the fullest expression of Indigenous

peoples' aspirations. Fiji's support for UNDRIP is complementarity to its commitment to ILO Convention 169" .

While UNDRIP is a non-binding declaration, Fiji's formal endorsement through Cabinet decision signals a clear policy commitment. Together with the legally binding obligations under ILO 169, these instruments provide a comprehensive framework for constitutional reform.

2. THE CONFEDERACY QUESTION

The three confederacies (Kubuna, Tovata, and Burebasaga) originated as divisional categories of the Methodist Church in the 1850s, controlled from Viwa, Bau, Tailevu for the administration of church matters. These divisions were administrative categories for church governance. With the exception of maybe the Tovata, they were not natural or traditional categories.

Subsequently, these Methodist church divisions were adopted by colonial administration for administrative convenience. The colonial government found the eastern hierarchies easier to comprehend and administer, so the many smaller separate western socio-political entities were simply "written in" to Kubuna and Burebasaga.

Being drafted into these administrative categories has never sat easily with western Fijians, who continue to have significant linguistic, political and cultural differences from eastern Fijians. This arrangement divides westerners, suppresses their united voice, and subordinates them to eastern power structures.

3. THE FOURTH CONFEDERACY: YASAYASA VAKA RA

The call for recognition of the Yasayasa Vaka Ra as a fourth confederacy has a long-standing history, rooted in the distinct identity of western Fiji. Evidence of this distinct identity is found in the separate language that exists between western and eastern Fiji.

This aspiration was affirmed by early resistance leaders from the west, including:

· Mosese Dugumoi or Navosavakadua from Drauniivi, Ra, leader of the Tuka Movement of the 1880s and 1890s
· Avolosi R. Nawai of Narewa, Nadi, early 1900s
· Osea Saunivalu of Yalatina, Ba, along with Ratu Sailosi Gusolevu of Ra and Aisake Sivo of Bulu, Ba, leaders of an uprising in the period 1914-1918 that led to mass conversions to Catholicism and Seventh Day Adventism

All of these western leaders were exiled by the colonial state. Saunivalu and Gusolevu were key figures in the mass conversion of upper Ba to Catholicism and Ra and Nadarivatu to Seventh Day Adventism.

The desire for recognition of the Yasayasa Vaka Ra reflects the long-standing aspiration of western Fijians to preserve their identity and culture separate from the eastern, more hierarchical chiefly structure. The west has historically maintained a more egalitarian social structure, with language and customs distinct from the east.

This aspiration continued into the independence era and was formally advocated following the 1970 constitution. The election of Timoci Bavadra as Prime Minister in 1987 was part of this movement—it represented the first time political power shifted to the west, challenging the eastern dominance that had prevailed since colonial times. The shift of power his election caused was a significant factor in the 1987 coups.

4. COLO NORTH PROVINCE

The restoration of Colo North Province is a related priority. Colo North will be part of the new Yasayasa Vaka Ra Confederacy due to similarities of language, custom, and traditional inter-linkages, including the Koicalevu connection.

Prior to 1942, Colo North was among several provinces whose boundaries were changed during the colonial period. In 1942, Ratu Sir Lala Sukuna reorganised the Fijian Administration, abolishing some provinces and redistributing their people among neighbouring provinces. The people of Colo North were distributed among the five provinces of Ba, Ra, Nadroga, Naitasiri and Navosa. Sukuna's administration created new tikinas by amalgamating smaller existing tikinas, a step designed specifically to reduce parochialism and break down local identities. This administrative restructuring also divided villagers so they could not be mobilised politically.

Under colonial law, when colonial control was the main motivation, parochialism was frowned upon. However, under ILO 169 and UNDRIP, parochialism is treated differently. These instruments grant group rights for indigenous peoples within a wider structure, recognising that distinct identities and local governance are not obstacles to unity but foundations upon which a stable and inclusive state can be built.

The amalgamation was presented as administrative efficiency rather than a response to the wishes of the affected people. The chiefs of the seven yavusa in Colo North have been unanimous in their desire for their own province, as recorded in 1986.

5. RESOURCE OWNERSHIP AND THE SIX-FEET RULE

5.1 Current Legal Framework

Under Fiji's Constitution and the Mining Act, all minerals in Fiji, including precious metals and stones, are owned by the State regardless of whether they are found on iTaukei or freehold land. Petroleum resources are also owned by the State under the Petroleum (Exploration and Exploitation) Act 1978.

While landowners retain ownership of the land itself, mineral ownership remains reserved to the State. Under the Fair Share of Mineral Royalties Act 2018, landowners currently receive 80 percent of mineral royalties paid to the State, while the government retains 20 percent. However, the iTaukei Land Trust Board has stated that the current royalty structure does not provide a fair return to landowners. The Provincial Council of Lomaiviti and other indigenous groups have called for a significant review of mining legislation, noting that resource-rich owners remain financially disadvantaged under current arrangements.

5.2 Qoliqoli Rights

Qoliqoli (traditional fishing grounds) rights were drawn up during colonial times, with some groups losing out and others gaining. There should be a mechanism for qoliqoli owners to question and validate their qoliqoli boundaries.

The new Constitution must provide for this mechanism as well as declare ownership of qoliqoli by its traditional owners. This would give effect to the promise made by Queen Victoria to the Great Council of Chiefs at Nailaga, Ba in the 1880s or 1890s, affirming qoliqoli ownership by traditional owners.

5.3 ILO 169 and UNDRIP Requirements on Resources

Article 14 of ILO 169 requires that the rights of ownership and possession of indigenous peoples over lands they traditionally occupy shall be recognised. Article 26 of UNDRIP affirms that indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Article 32(2) of UNDRIP requires states to obtain free, prior and informed consent prior to the approval of any project affecting indigenous lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

The current arrangement, where the State owns all minerals regardless of surface land ownership, is inconsistent with these provisions. Customary landowners effectively have no ownership rights over resources beneath their land.

6. APPLYING ILO 169 AND UNDRIP TO CURRENT ARRANGEMENTS

6.1 Non-Discrimination (ILO 169 Article 3; UNDRIP Article 2)

Current provincial boundaries and confederacy arrangements may have the effect of discriminating against western Fijians and the Colo people by denying them recognition as distinct groups with rights to self-determination and autonomy.

6.2 Self-Determination and Autonomy (UNDRIP Articles 3 and 4)

The current confederacy arrangements that subsumed western socio-political entities into eastern confederacies without consultation do not reflect the right of indigenous peoples to determine their political status. The recognition of the Yasayasa Vaka Ra as a fourth confederacy and restoration of Colo North Province would give effect to these rights.

6.3 Distinct Institutions (UNDRIP Article 5)

The current arrangements suppress distinct western and Colo identity. Recognition of these groups' distinct institutions would align Fiji's constitutional framework with UNDRIP.

6.4 Free, Prior and Informed Consent (ILO 169 Article 6; UNDRIP Articles 19 and 32)

The 1944 amalgamation of provinces was imposed without the consent of the affected people. The imposition of confederacy structures was likewise an administrative act without consultation. Western Fijians and the Colo people were not consulted in a manner consistent with free, prior and informed consent.

The 2013 Constitution itself has been criticised for failing to entrench indigenous group rights and for removing the Great Council of Chiefs without prior consultation, contrary to ILO 169 obligations . As noted by representatives of Fiji's high chiefs, "ILO 169 is very specific. It says that before you change any policy in relation to native people, before you make any law change that impacts on their lives, you must obtain their consent, you must consult with them, you must obtain their views" .

Furthermore, resource development on iTaukei lands has proceeded without the requirement of free, prior and informed consent from customary landowners.

7. RECOMMENDATIONS

(a) Recognition of Yasayasa Vaka Ra Confederacy
The Constitution should recognise the Yasayasa Vaka Ra as a fourth confederacy, reflecting the distinct identity and aspirations of western Fijians.

(b) Restoration of Colo North Province
The Constitution should provide for the restoration of Colo North Province with boundaries reflecting the traditional yavusa and vanua of the Colo people. Colo North shall be part of the Yasayasa Vaka Ra Confederacy.

(c) Resource Ownership
The Constitution should be amended to provide that ownership of resources beneath the surface of iTaukei land reverts to customary landowners. The current State ownership of all minerals is inconsistent with ILO 169 Article 14 and UNDRIP Article 26.

(d) Qoliqoli Rights

The Constitution should provide a mechanism for qoliqoli owners to question and validate their qoliqoli boundaries and declare ownership of qoliqoli by its traditional owners, consistent with Queen Victoria's promise to the Great Council of Chiefs at Nailaga, Ba.

(e) Consent Requirements
The Constitution should incorporate the principle of free, prior and informed consent for decisions affecting indigenous lands, resources, and governance, consistent with ILO 169 Article 6 and UNDRIP Articles 19 and 32.

(f) Royalty Reform
The royalty structure should be reviewed to ensure fair return to landowners, consistent with the iTaukei Land Trust Board's submission to the Fiji Law Reform Commission.

8. CONCLUSION

The three confederacies, originally Methodist Church divisions in the 1850s controlled from Viwa, were adopted by colonial administration for convenience and imposed on peoples who were not traditionally part of them. This arrangement suppresses the voice of western Fijians and divides them into eastern power structures.

Fiji's legally binding obligations under ILO 169 (ratified 1998) and policy commitment to UNDRIP (endorsed 2023) require that indigenous peoples be consulted, that their consent be obtained before changes affecting them, and that their rights to lands, territories and resources be recognised.

Recognition of differences within a national framework can form the basis of a united Fiji. Administrative boundaries that reflect the identity and governance structures of all communities provide the foundation for stability and development.

Peceli Vuniwa,

Nasomo, Vatukoula
24 June 2026

Kelly Fonmuar and Other

SUBMISSION TO THE CONSTITUTION REVIEW COMMITTEE FOR THE CONSTITUTION OF FIJI 2013

We, Kelly Fonmoa-Muaror of Auckland, NZ and Uliana Inoke Katafono of Sydney, Australia, both Fiji Citizens.

Our Submission:-

1) Right to Our Identity
Nationality to be identified as our Original Identity e.g. Fijians for Fijians, Rotuman for Rotumans etc.
We are a Pacific people born with our unique culture and we believe that we must always respect and uphold our identity.

2) Education
A). *Counselling to be introduced at Secondary schools* - so that the wellbeing of the student can be identified earlier if neglected from home or the community.

B). *Year 8 examination to be scrapped*. All students are to go up to Secondary School. Introduction of pathways in Year 10. To help the child to choose to do the pathway i.e a trade instead of sitting exams that the child is not capable of learning due to various reasons. But a trade qualification can help the child and the shortage of skills we are facing now. Or continue to sit for the FSLC and go to University.

C) *Different languages to be taught from Primary School Year 5*. This will give the child to learn to speak and understand the different languages. This will give them a chance to accept one another regardless of their ethnicity.

3) Leadership - Prime Minister
A) *Only 2 terms.* We believe 8 years is long enough for a Prime Minister to perform his duties in good faith and justice for the country. More than 2, we can see the incompetence, unwillingness, and unfairness surrounding the Govt. especially during tough times.

B). *Cabinet* - Ministers numbers to be capped at 15 to 20 because Fiji is a small nation. Their salaries must be capped too. It is easier to budget within the capped amount especially when the taxpayer's money is involved.

C). *House of Senate to open* - All minorities and GCC to be allocated seats to represent them. These will have a significant role in bringing all to work together and peace to our country.

4) Elections
Not to vote under Constituency but to stay with the current voting system as stated in 2013 Constitution.

ROTUMA

A) **To remain under Prime Minister's Office.** The Council of Rotuma to be run by The Commissioner of Rotuma. Because it will be neutral in its dealings and transactions. Transparency and Accountability will be upheld too. Even though we hold our own Autonomy, the Council of Rotuma needs assistance on complex situations.

B) **Preamble to be worded as** "Recognising the indigenous people or the People from the island of Rotuma, their unique culture, customs and traditions and language and also **All Rotumans of their ownership of Rotuma lands.** The current wording of '*Their ownership of Rotuman lands'* in the constitution can be interpreted that this only applies to Rotumans living on the island which is incorrect. Every single Rotuman (regardless of where we live) are All Owners of our Lands i.e. Landowners.

C) **All Minerals in or under any land or water,** are owned solely by Rotuma and her People.

D) **Security** - for any Air and Sea arrivals e.g. boats, ships, yachts, airplanes, helicopters, submarines, etc must be approved by the Council of Rotuma first before leaving its port or departure. This will ensure Authorities are aware of its intended purpose to Rotuma.

E) **Rotuma High School** - The high school to be Fully Controlled by the Ministry of Education. This will allow full Responsibility and Accountability of the Principal to the Ministry of Education, same as other High Schools in Fiji.

F) **Rotuma Act and Rotuma Land Act to be Re-Enacted into the Constitution.** This provides stability and protection to the people.

G) **The Council of Rotuma Chairman to hold Only 2 Terms** (i.e. 2 years) in Office.

- *End* -

Pate Nunu

2013 CONSTITUTION REVIEW SUBMISSION
FIJI MELANESIAN COMMUNITY OF FIJI

162 Years in Fiji: Recognition, Inclusion, Equality and Opportunity for Fiji Melanesian Descendants (1864–2026)

Submitted to: Constitution Review Commission, Republic of Fiji

Submitted by: Pateresio Nunu (Mr.) a fourth generation Melanesian Descendants, former General Secretary of the Fiji Melanesian Council; a retired civil servant, a concern citizen and on behalf of the Fiji Melanesian Community.

Residential Address: Caubati Melanesian Settlement /Caubati Koro

Mobile Contact: 8080883

Email Contact: patenunu@gmail.com

Date: 24 Jube 2026

EXECUTIVE SUMMARY

This submission is presented on behalf of the Fiji Melanesian Community, descendants of Melanesian labourers who arrived in Fiji from 1864 from the Solomon Islands, Vanuatu, Papua New Guinea and other Melanesian islands.

For more than 162 years, Fiji Melanesians have contributed to the economic, social, cultural, religious and political development of Fiji. Despite this contribution, the community remains largely invisible within Fiji's constitutional framework.

The Fiji Melanesian Community seeks constitutional recognition, protection of its cultural heritage, equal opportunities for advancement, and meaningful inclusion in national development and decision-making.

This submission does not seek special privileges or separate political status. Rather, it seeks recognition of historical contribution and affirmation that Fiji's diversity is one of its greatest strengths.

1. INTRODUCTION

The Constitution is the supreme law of Fiji and should reflect the history, identity and aspirations of all its people.

The Fiji Melanesian Community traces its roots to labourers recruited and brought to Fiji from various Melanesian islands beginning in 1864 before Fiji was ceded to Great Britain in 1874. Many remained in Fiji after their contracts ended and established families and communities that continue to contribute to the nation today.

Over generations, Fiji became their home. Their descendants are proud Fijian citizens who have participated in every aspect of national life, including public service, education, business, the military, churches, sports and community leadership.

The Constitution should acknowledge this history and ensure that the contribution of Fiji Melanesians is recognised as part of the national story.

2. HISTORICAL BACKGROUND

At the outset, I wish to enlighten the Commission on the history of the Fiji Melanesian descendants. The history began with one of the most painful chapters in Pacific history. Between 1864 and the early twentieth century, thousands of Melanesian men, women and children were recruited, transported and employed in Fiji under what became known as the "blackbirding" labour trade.

While some labourers later entered into agreements voluntarily, many others were deceived, coerced, kidnapped, or recruited under false pretences. The blackbirding system has since been widely condemned by historians as a form of forced labour and human exploitation that operated throughout the Pacific during the nineteenth century.

The descendants of these labourers are today known as Fiji Melanesians and form part of Fiji's multicultural society.

Following the establishment of cotton and other plantations in Fiji during the 1860s, European settlers sought a cheap and reliable labour force.

Beginning in 1864, labour recruiters travelled throughout Melanesia, particularly to:

- Solomon Islands;
- New Hebrides (now Vanuatu);
- Papua New Guinea;
- New Britain;
- New Ireland;
- Other Melanesian islands.

Many recruits were promised employment, trade opportunities, or travel and were often unaware of the conditions they would face.

Historical evidence demonstrates that numerous labourers were recruited through deception and coercion. In many instances, individuals were taken from their villages without fully understanding where they were being taken or whether they would ever return home.

Families were separated and communities disrupted, leaving a legacy that continues to affect descendants today.

The term "blackbirding" came to describe the recruitment of Pacific Islanders through coercion, deception and, in some cases, outright kidnapping.

Historians have documented incidents where recruiters:

- Lured islanders aboard vessels under false pretences;
- Used violence or threats;
- Misrepresented employment conditions;
- Removed individuals from their islands without informed consent.

Many labourers never saw their families again.

The blackbirding trade is now regarded as one of the most significant human rights abuses in Pacific history.

Arrival in Fiji and Labour Conditions

Upon arrival in Fiji, labourers were frequently processed through Levuka, which was then Fiji's colonial capital and principal port. Historical accounts indicate that labourers were inspected and allocated to plantation owners and employers according to labour demand. While the circumstances varied, many labourers experienced conditions that closely resembled systems of servitude. Workers were distributed throughout Fiji, including plantations and estates located in:

- Ovalau;
- Tailevu;
- Rewa;
- Naitasiri;
- Ba;
- Tavua;
- Ra;
- Nadroga;
- Vanua Levu;
- Taveuni;
- Lau and
- Other districts.

Labourers were often separated from relatives and transported to distant locations across the colony.

Melanesian labourers frequently endured:

- Long working hours;
- Poor housing;
- Inadequate medical care;
- Physical punishment;
- Restricted movement;

- Low wages;
- Exposure to unfamiliar diseases.

Many died from illness, accidents and harsh living conditions. Others survived but remained permanently displaced from their ancestral lands. The labour system contributed significantly to the development of Fiji's plantation economy while imposing severe hardship on those who supplied the labour.

By the late nineteenth and early twentieth centuries, criticism of blackbirding and labour abuses increased throughout the British Empire.

Recruitment gradually declined and eventually ceased.

Many Melanesian labourers remained in Fiji because:

- They could not locate their home islands;
- They lacked resources to return;
- Their families had become established in Fiji;
- Repatriation arrangements were inadequate;
- Fiji had become their permanent home.

As a result, Fiji Melanesian communities emerged throughout the country. These communities developed their own churches, schools, settlements, associations and cultural practices while contributing to the broader development of Fiji. Today we have more than 40 settlements all over Fiji.

Contribution to Fiji

Despite the hardships they experienced, Fiji Melanesians contributed significantly to:

- Agricultural development;
- Infrastructure construction;
- Sugar, cotton and plantation industries;
- Church development;
- Public service;
- Military service;

- Community leadership;
- National development.

Their labour helped lay part of the economic foundation upon which modern Fiji was built. Despite of them living more than a century in Fiji and their contribution to Fiji, the history and experiences have received limited recognition in national policies and constitutional arrangements.

3. PRINCIPLES UNDERPINNING THIS SUBMISSION

The Fiji Melanesian Community fully supports:

- One united Fiji;
- Equality of citizenship;
- Respect for the rights of indigenous iTaukei people;
- Respect for all cultural communities;
- Democracy and constitutional government;
- Good governance and accountability;
- Social justice and equal opportunity;
- National unity through inclusion.

4. GAPS IN THE CURRENT CONSTITUTION

As a concerned citizen and a Melanesian descendant with the members of the Melanesian Community we have realised the following gaps in the current 2013 Constitution.

4. 1. No Constitutional Recognition of Fiji Melanesian Descendants

The Constitution specifically protects iTaukei land rights, Rotuman rights, and Banaban interests, but it does not acknowledge the historical presence and contribution of Fiji Melanesian descendants. There is no mention of:

- Fiji Melanesian descendants.
- Their historical contribution since 1864.
- Their cultural heritage.
- Their unique historical experience as a labour migrant community.

We propose that if the reviewed constitution insert a constitutional recognition clause as below;

"The State acknowledges the historical contribution of Fiji Melanesian descendants and other communities whose labour and service contributed to the development of Fiji."

4.2. No Recognition of Minority Cultural Communities

The Constitution guarantees equality but does not specifically protect the cultural identity of minority communities beyond general rights. There is no constitutional guarantee for:

- Preservation of Melanesian languages.
- Cultural traditions.
- Oral histories.
- Historical sites.
- Community heritage.

We propose that "Every cultural community in Fiji has the right to preserve, promote and transmit its cultural heritage and identity"

4.3. No Recognition of Historical Injustices

Many constitutions worldwide acknowledge historical experiences of indigenous peoples, descendants of slavery, or migrant labour communities.

The current 2013 Constitution contains no acknowledgement of:

- Blackbirding.
- Labour recruitment practices.
- Historical disadvantage experienced by Fiji Melanesians.

We propose that the "Constitutional preamble could recognise the contributions and sacrifices of all communities that helped build Fiji"

4.4. No Guaranteed Representation in National Institutions

The Constitution creates equal citizenship but does not ensure inclusion of smaller communities in national decision-making. So, the Fiji Melanesians have no guaranteed voice in:

- Constitutional commissions.
- Advisory bodies.
- National councils.
- Statutory boards.

We recommend for the inclusive representation of minority communities on national bodies where appropriate.

4.5. No Recognition of Long-Established Melanesian Settlements

Many Fiji Melanesian settlements have existed for generations.

Examples include:

- Caubati
- Laqere
- Manikoso
- Namara
- Tacirua
- Matata
- Wailoku
- Kalekana
- Tamavuaiwai
- New Town
- Vilavou
- Lepanoni and others in the various provinces in Fiji.

The Constitution protects property rights and housing rights generally but contains no recognition of long-established historical communities.

We propose that for a constitutional directive requiring Government to develop policies supporting secure tenure and development of long-established settlements.

4.6. No Dedicated Socio-Economic Advancement Framework

The Constitution provides rights to education, economic participation, housing and health for all citizens. It does not recognize that some historically disadvantaged communities may require targeted support to achieve equality of outcomes.

So, we proposed that the constitution should allow affirmative development measures for disadvantaged communities, including:

- **Scholarships.**
- **Skills training.**
- **Business support.**
- **Community development grants.**
- **Establishment of a Fiji Melanesian Council and the Constitution should permit legislation establishing a Fiji Melanesian Council to**:
    - Promote and coordinate community development;
    - Preserve cultural heritage;
    - Support youth development;
    - Advocate on matters affecting the community;
    - Coordinate research and historical documentation.

4.7. No Constitutional Recognition of Melanesian Identity Within Fiji

Although the Fiji Melanesian community have celebrated twice the 150 years commemoration of the arrival of Melanesian Labourers in Levuka in the year 2014 and also the 160 years commemoration in 2024 in Suva, with the verbal recognition by the current Prime Minister, the Constitution does not recognize Fiji's wider Melanesian heritage or the contribution of Melanesian descendant communities as a national identity.

So, we propose for the Recognition of Fiji's multicultural and Melanesian heritage within the Constitution's preamble.

4.8. No Protection of Community Historical Records and Heritage Sites

We see that there is no constitutional obligation to preserve:

- Historical records.
- Community archives.
- Burial grounds.
- Cultural sites.
- Oral traditions.

So, we propose that the Constitution to require the State to protect and preserve the cultural heritage of all communities.

4.9. Electoral Representation Challenges

The current electoral system is based on a single national constituency and equal suffrage. For small communities such as Fiji Melanesians:

- Population size makes representation difficult.
- Community-specific concerns can be overlooked by larger voting blocs.

We propose:

- A national minorities advisory council.
- Reserved appointments to consultative bodies.
- Enhanced community consultation mechanisms.

Rather than reserved parliamentary seats, which may be difficult to justify under the current equality framework.

4.10. No Constitutional Commitment to Historical Research

We have noticed that the current Constitution does not require the documentation of:

- Fiji Melanesian history.
- Contributions of labour migrants.
- Historical experiences of minority communities.

We propose that the constitution support for:

- Research.

- Museums.
- Archives.
- Educational curriculum development.
- National commemorations.

4.11 Immunity Clause

We recommend that the Immunity Clause under the 2013 Constitution to be deleted with other existing provisions within the Constitution and other laws of Fiji.

4.12 Ministers involvement in the line Ministries

We recommend that the Ministers should only make laws and not to involve in the recruitment and operations of the line Ministries.

5. INTERNATIONAL PRINCIPLES

This submission is consistent with international principles contained in:

- United Nations Charter;
- International Covenant on Civil and Political Rights;
- International Convention on the Elimination of All Forms of Racial Discrimination;
- UNESCO Convention for the Safeguarding of Intangible Cultural Heritage;
- International principles relating to minority rights and cultural preservation.

7. OUR VISION

The Fiji Melanesian Community envisions a Fiji where:

- Every citizen is valued equally;
- Diversity is recognised as a national strength;
- Historical contributions are acknowledged;
- Opportunities are available to all;
- Cultural identities are respected;
- No community is left behind.

8. CONCLUSION

For 162 years, Fiji Melanesian descendants have contributed to the development of Fiji through labour, sacrifice, faith, public service, military service, business, education and community leadership.

We are proud citizens of Fiji. We seek neither privilege nor separation. We seek recognition, inclusion, equality and opportunity.

Constitutional recognition of Fiji Melanesians would not diminish the rights of any other community. Rather, it would strengthen national unity by ensuring that the Constitution reflects the full diversity and history of the Fijian people.

As Fiji reviews its Constitution, we respectfully request that the contribution, identity and aspirations of Fiji Melanesian descendants be recognised as part of our shared national future.

"One Nation, Many Histories, Shared Future."

Submitted respectfully on behalf of myself and the Fiji Melanesian Community.

VINAKA SAKA VAKALEVU

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Lote Tawakece

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Constitution Amendment

Lote Tawakece <lotetawakece@gmail.com> Fri, Jun 26, 2026 at 2:48 AM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

1. Three Political Parties only. For example Democrats Party for democracy minded people, Republican Party and a Nationalism Party for nationalist minded group of voters. Because our population is under one million and the registered voters might be 6000-7000,000 citizens. A party with most total votes shall form the government.
2. One citizenship of Fiji Island only and abolish the dual citizenship.
3. Put away the Union Jack from our national flag and remain the blue ocean and the Coat of Arms.
4. Change some old Colonial Laws such as the Mining and Mineral Act 1965 to be converted to Land Owning Unit 100% land and seashore ownership.
5. ITaukei curriculum lessons from primary, secondary and university standard to learn only the history of this nation of Fiji and do away studying other countries historical culture.
6. Ethnicity the iTaukei to be call the Fijian, the Indians shall be called Indo Fijians, part Fijians Europeans shall be called Fijian too and the rest to be call Others. For Citizenship all shall be call the Fiji Islanders.

Thanks.

Lote Rokovau,
Nasavu, Naitasiri.
Mobile 9660787

Dr Paula Tekei

OFFICIAL SUBMISSION TO THE CONSTITUTIONAL REVIEW COMMISSION OF FIJI

Proposed Constitution of the Republic of Fiji: National Unity and Partnership Government

Submitted by:
Revd. Dr. Paula Tekei
Citizen of the Republic of Fiji
June 2026

OFFICIAL RECOMMENDATION

I respectfully submit this recommendation to assist the Constitutional Review Commission in its important responsibility of recommending a Constitution that promotes national unity, democratic governance, justice, reconciliation, and sustainable development for all the people of the Republic of Fiji.

- Establish a National Unity and Partnership Government that encourages cooperation across political, ethnic, religious, and social communities in the national interest.
- Uphold the rule of law, constitutional supremacy, judicial independence, human rights, accountability, transparency, and democratic government.
- Recognise and protect the unique status of the iTaukei people, their customary land, language, culture, and traditional institutions, while guaranteeing equal citizenship and equal protection under the law for every citizen.
- Strengthen independent constitutional institutions to combat corruption, protect integrity in public office, and promote good governance.
- Promote national reconciliation, social cohesion, peaceful dialogue, and respect among all communities as enduring constitutional values.

THE IMMUNITY CLAUSE

One of the most important issues before the Commission is the future of the Immunity Clause relating to the constitutional crises and coups since 1987.

I respectfully recommend that the Constitution provide for an Independent Truth, Accountability and National Reconciliation Commission to examine this issue. The Commission should establish an impartial historical record, hear the experiences of victims and all affected parties, promote truth, acknowledgement, forgiveness, reconciliation, and national healing, and recommend whether the existing Immunity Clause should be retained, amended, or replaced in a manner that balances justice, constitutional stability, and the rule of law. It should also recommend safeguards to

ensure that unconstitutional changes of government never again become an accepted means of political transition in Fiji.

CONCLUSION

The Constitution should unite rather than divide our nation. It should provide a lasting foundation for democracy, justice, reconciliation, respect for the rule of law, and shared national responsibility. I respectfully commend these recommendations to the Constitutional Review Commission and trust that they will contribute to building a peaceful, stable, and prosperous Republic of Fiji for present and future generations.

Respectfully submitted,

Revd. Dr. Paula Tekei
Citizen of the Republic of Fiji

Paula Ravunikau Baleinakorodawa

Submission to the Constitutional Review Commission of the Republic of Fiji (2026)

Reimagining Fiji's Constitutional Future: Towards a Democratic, Inclusive and Relational Constitution

Submitted by:
Paulo Ravunikau Baleinakorodawa

1. Introduction

I welcome the establishment of the Constitutional Review Commission and commend the Government for providing all Fijians with the opportunity to contribute to shaping the nation's constitutional future.

A constitution should not simply prescribe how political power is exercised. It should articulate our collective values, define the relationship between citizens and the State, safeguard rights and freedoms, recognise the diversity of our communities, and provide institutions capable of resolving conflict peacefully while promoting justice and national unity.

More than fifty years after Independence, Fiji has accumulated significant constitutional experience. We have lived under multiple constitutional arrangements, experienced political instability, military intervention, constitutional suspension, constitutional replacement, and democratic renewal.

This review provides an opportunity not merely to amend the 2013 Constitution but to build a constitutional settlement that is widely owned by the people and capable of serving future generations.

2. Guiding Constitutional Principles

The Constitution should be grounded upon the following principles:

- Democracy and popular sovereignty
- The rule of law
- Human dignity
- Equal citizenship
- Respect for indigenous identity, language, culture and the Vanua
- Protection of minority communities
- Transparency and accountability
- Separation of powers

- Peaceful resolution of conflict
- Environmental stewardship
- Intergenerational justice
- Subsidiarity and participatory governance

These principles should guide every constitutional institution.

3. A Constitution Built Through National Consensus

One of the greatest lessons from Fiji's constitutional history is that constitutions imposed without broad national ownership often struggle to achieve legitimacy.

The constitutional review process should therefore be participatory, transparent and inclusive.

Special attention should be given to the voices of:

- women
- youth
- persons with disabilities
- faith communities
- trade unions
- civil society
- traditional leaders
- rural and maritime communities
- the Fijian diaspora

A constitution belongs to all citizens.

4. Strengthening Democratic Institutions

Strong democracies depend upon strong institutions rather than strong personalities.

The Constitution should strengthen:

- Parliamentary independence
- Judicial independence
- Constitutional commissions
- Independent oversight institutions
- Auditor-General
- Electoral management
- Human Rights institutions

Institutional independence protects democracy regardless of which political party forms government.

5. Separation of Powers

The Constitution should reinforce the constitutional balance between:

- Executive
- Legislature
- Judiciary

No institution should exercise unchecked authority.

Checks and balances are essential safeguards against abuse of power.

6. Human Rights and Equal Citizenship

The Bill of Rights should remain central to the Constitution.

Particular attention should be given to protecting:

- freedom of expression
- freedom of association
- freedom of religion
- media freedom
- equality before the law
- gender equality
- children's rights
- disability rights
- access to justice
- due process

Equal citizenship strengthens national unity while allowing cultural diversity to flourish.

7. Recognising Indigenous Governance

The Constitution should acknowledge the unique contribution of indigenous Fijian institutions and knowledge systems.

Traditional concepts such as:

- Vanua
- Veiwekani
- Veidokai
- Talanoa
- Collective stewardship

offer valuable governance principles that complement modern democratic institutions.

Recognition of indigenous governance should enrich—not replace—the democratic constitutional order.

8. Decentralisation and Local Governance

Development decisions are often most effective when made closest to communities.

The Constitution should encourage:

- stronger local government
- empowered provincial institutions
- participatory budgeting
- community planning
- village development planning
- improved municipal governance

Greater decentralisation can improve accountability while strengthening national unity.

9. Climate Change and Future Generations

Climate change now represents one of the greatest constitutional challenges facing Fiji.

The Constitution should recognise:

- environmental rights
- responsibilities to future generations
- protection of biodiversity
- sustainable resource management
- indigenous ecological knowledge
- community participation in climate adaptation
- rights of climate-displaced communities

Future constitutions must protect both people and the natural environment upon which they depend.

10. Customary Land and Resource Governance

The Constitution should continue protecting indigenous ownership of land while promoting transparent, equitable and sustainable resource governance.

Resource development should ensure:

- informed community participation
- fair benefit-sharing
- environmental responsibility
- accountability

- intergenerational stewardship

Land should remain a foundation of identity, culture and national prosperity.

11. Civil-Military Relations

A democratic society requires clear constitutional relationships between civilian government and security institutions.

The Constitution should reaffirm:

- civilian supremacy
- parliamentary oversight
- political neutrality of security institutions
- constitutional professionalism
- democratic accountability

This contributes to long-term political stability.

12. Public Service

The Constitution should promote a professional, impartial and merit-based public service committed to serving all citizens fairly.

Integrity, competence and accountability should guide public administration.

13. Peacebuilding and Social Cohesion

The Constitution should recognise peacebuilding as a continuing national responsibility.

This includes promoting:

- dialogue
- mediation
- reconciliation
- restorative justice
- intercultural understanding
- social inclusion
- community participation

Building peace requires institutions capable of managing differences constructively.

14. Constitutional Culture

No constitution succeeds through legal text alone.

Its success depends upon constitutional culture.

Government, schools, universities and civil society should promote constitutional literacy so citizens understand both their rights and responsibilities.

Constitutional democracy must become part of everyday civic life.

15. Conclusion

Fiji has an opportunity to create a Constitution that is not merely a legal document but a covenant between generations.

Such a Constitution should combine democratic governance with indigenous wisdom, protect human rights while respecting cultural diversity, strengthen accountable institutions, safeguard the environment, and foster peaceful relationships among all communities.

The Constitution should provide a stable framework within which future generations can resolve differences peacefully, participate equally in national life, and work together for the common good.

Respectfully submitted,

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25th June 2026

The Chairman,
Constitution Review Commission
Suvavou House
Suva.

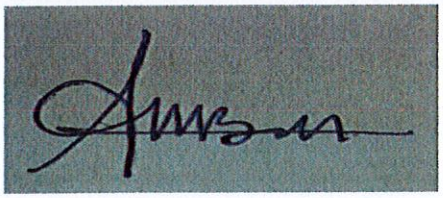
Dear Sir,

Re: SUBMISSION FOR CONSIDERATION REGARDING THE REVIEW TO 2013 CONSTITUTION

Based on constitutional requirement I wish to submit my contribution to the consultation review process and right of citizen to participate in the designing of a constitution of our nation.

Enclosed herewith is my submission for the Constitution Review Commission's consideration.

Thank you.



Rev.Sevuloni Debalevu Takele

Lawyer & Ordained AOG Church Minister

CONSTITUION REVIEW SUBMISSION FOR CONSIDERATION

I wish to highlight few issues with recommendations for CRC consideration:

1. ISSUE 1: MISLEADING PREAMBLE

The issue that I have with this preamble is that it is misleading – the lack of public consultation of the 2013 constitution does not warrant that the citizen of this nation has agreed on the preamble by the use of the word "WE THE PEOPLE". Further the discarded of Prof Yash Gai Draft Constitution and Public Consultation Report is evidence of the lack of consultation on the 2013 Constitution.

Suggest considering the proposed amended Preamble of the 1997 Constitution whereby the amendment is indicated in red font as stated below:

WE, THE PEOPLE OF THE FIJI ISLANDS,

SEEKING the blessing of our God the Father, Son Jesus Christ and Holy Spirit who has always watched over these islands:

RECALLING the events in our history that have made us what we are, especially the settlement of these islands by the ancestors of the indigenous Fijian and Rotuman people; the arrival of forebears of subsequent settlers, including Pacific Islanders, Europeans, Indians, Chinese; the conversion of the indigenous inhabitants of these islands from heathenism to Christianity through the power of the Gospel and the name of Jesus Christ; the enduring influence of Christianity in these islands and its contribution, along with that of other faiths, to the spiritual life of Fiji:

ACKNOWLEDGING our unique constitutional history:

(a) first, the Deed of Cession of 10 October 1874 when Ratu Seru Epenisa Cakobau, Tui Viti and Vunivalu, together with the High Chiefs of Fiji, signifying their loyalty and devotion to Her Most Gracious Majesty, Queen Victoria, and their acceptance of the divine guidance of God and the rule of law, ceded Fiji to Great Britain, which cession was followed in November 1879 by the cession to Great Britain of Rotuma by the Chiefs of Rotuma;

(b) secondly, our becoming an independent sovereign state when Her Majesty Queen Elizabeth II promulgated the Fiji Independence Order 1970 under which the Fiji Constitution of 1970 came into being;

(c) thirdly, the abrogation of that Constitution in 1987 by the Constitution Abrogation Decree 1987;

(d) fourthly, after a period of 3 years, the giving to Fiji of the 1990 Constitution by His Excellency the President, Ratu Sir Penaia Kanatabatu. Ganilau, Tui Cakau, GCMG, KCVO, KBE, DSO, KSt J, ED, with the blessings and approval of the Great Council of Chiefs;

(e) fifthly, the review of that Constitution undertaken under its provisions;

(f) sixth, the abrogation of that 1997 Constitution by the Fiji Constitution Revocation Decree 2000;

(g) seventh, the review of the 2013 Constitution undertaken under its provisions.;

(h) eight, the abrogation of the 2013 Constitution by the Fiji Constitution Abrogation 2026;

(i) nineth, the conferral by the High Chiefs of Fiji in their abundant wisdom of their blessings and approval on this Constitution:

RECOGNISING that the descendants of all those who chose to make their homes in these islands form our multicultural society:

AFFIRMING the contributions of all communities to the well-being of that society, and the rich variety of their faiths, traditions, languages and cultures:

TAKING PRIDE in our common citizenship and in the development of our economy and political institutions:

COMMITTING ourselves anew to living in harmony and unity, promoting social justice and the economic and social advancement of all communities, respecting their rights and interests and strengthening our institutions of government:

REAFFIRMING our recognition of the human rights and fundamental freedoms of all individuals and groups, safeguarded by adherence to the rule of law, and our respect for human dignity and for the importance of the family, WITH GOD AS OUR WITNESS, GIVE OURSELVES THIS CONSTITUTION

Recommendations:

CRC is invited to consider:

a) Using the Preamble of 1997 Constitution
b) Inclusion of proposed amendment to the 1997 Constitution preamble highlighted in red above particularly (f)(g)(h)(i).
c) Removal of Secularism & Pluralistic Ideology but recognition of Christian Ideology due to the fact that majority of the population in Fiji are Christians likewise our history as indigenous people.

2. ISSUE 2: SECULAR STATE – Section 4

The heading for section 4 stated Secular State. Declaring Fiji as a Secular state is inconsistent to the Preamble whereby, we acknowledged the God who created the cosmos including humanity as our witness who changed us from heathenism to Christianity through the name of Jesus Christ.

I am of the view that we need to change the heading Secular State to "Christian Democratic State" but maintain the separation of State and Religious by retaining subsections of section 4 with the inclusion of new subsection to restrict Satanic Worship and belief.

Recommendation:

The CRC is kindly invited to:

a) Consider changing the heading of section 4, delete the word Secular State and replace it with the word Christian Democratic State
b) Maintain the subsection to ensure separation of State and Religion and promote democratic values
c) Include a new subsection to restrict Satanic Worship and belief.

3. ISSUE 3: LACK OF SEPARATION OF POWERS AT EXECUTIVE AUTHORITY – Section 82 & 88

There is a lack of separation of power to the three arms of government, in particular whereby the Chief Justice who is a member of judiciary becomes the President which is the executive authority of the State in the absence of the official President as per section 88. In fact, the Chief Justice is the Vice President of the State by virtue of Section 88 in which

he automatically becomes the President in the absence of the president from Fiji.

Our government system is semi-presidential so it would be good to ensure the separation of power by appointing a Vice President.

Recommendations:

The CRC is kindly invited to consider:

a) Adoption of the provision in 1997 Constitution on the appointment of Vice President, roles & function including removal

4. ISSUE 4: INCONSISTENCY OF SECTION 81(2) AND SECTION 82

If section 81(2) of the 2013 Constitution states that the executive authority of the State is vested on the President, why there is condition in President to exercise its executive authority according to section 82 based on the advice of Cabinet, Minister or some other bodies.

Now, the 1997 Constitution provides that the President can exercise authority base on his/her own independent judgement. This provision is consistent to the intent and direct meaning of Section 81(2). It also symbolic to the concept of Monarch, who through decision made and sealed under signet ring/State Seal, such decision becomes law.

The only way to revoke such decision is through a decision made by another president based on the advise made by Cabinet given to the President pursuant to section 82.

Recommendation:

The CRC is kindly invited to consider:

a) Add new subsection to state that the President can exercise executive authority based on his/her own judgement.
b) Revocation of such decision is possible by the advice of Cabinet to a newly appointed President.

5. ISSUE 5: LACK OF INCLUSIVITY IN THE RIGHT TO EDUCATION – SECTION 31

Section 31 does not specifically mention TVET and higher education which is very important that it is mentioned. The word "further education" is very broad and cluster the TVET, Higher Education and

Semi Training as the same but it has different recognition under the Higher Education Act and Tertiary Education Loan Scheme Act.

Suggest deleting the word "further education" and replace it with TVET education and Higher Education.

Recommendation:

The CRC is kindly invited to consider:

a) Inclusion of TVET education as subsection 31(c)
b) Inclusion of Higher Education as subsection 31(d)

6. ISSUE 6: LIMITED RECOGNITION OF RIGHTS AND PROTECTION OF RIGHTS FOR LANDOWNERS & FREEHOLD OWNERS UNDER SECTION 30(1)(2).

Section 29(4) recognise and protect the rights of landowners on leased lands whereby the returns accorded to them must be fair, equitable, just and reasonable.

Now, why can't the same principle is applicable in section 30(1)(2). It would be fair for the state to apply the same principles when it comes to mineral if it is found on itaukei land, freehold land and registered customary fishing ground.

Recommendations

The CRC is kindly invited to consider:

a) Insert the words "equitable, just, reasonable" after the word fair in section 30(1)
b) Insert the words "equitable, just, reasonable" after the word fair in section 30(2)

7. ISSUE 7: LIMITING THE POWERS OF THE PRIME MINISTER DUE TO INCONSISTENCY TO SECTION 81(2)

The 2013 Constitution concentrated the executive powers to the Prime Minister. Such powers used to be assigned to the President under the 1997 Constitution.
To support the provision under section 81(2), it is fitting that the Head of State must have such authority which

Recommendation

The CRC is kindly invited to consider:

a) Relevant provision under the 1997 Constitution detailing the powers vested upon the President
b) Including those powers vested upon the President in the new constitution

8. ISSUE 8: REMOVAL OF IMMUNITY PROVISION – CHAPTER 10

Based on our history, Coup is not new in Fiji because our tribe has been using it during the dark age Trible wars in Fiji. However, there are ways of reconciling which are by through fixed marriage and some form of traditional servant/slavery arrangement.

The existence of Chapter 10 in the Fiji Constitution would cement the assumption that Coup de ta would be part of our history which has been proven to be true.

My observation is that, Fiji is yet to reach democratic maturity level required of its citizen. Unless this maturity level is reached, the values of democracy becomes our personal values thus increases our true understanding of co-existence, mutual respect with common goal-peaceful and prosperous Fiji.

The fact that Truth & Reconciliation is enacted by parliament to facilitate the nation reconciliation process aiming to begin a new chapter in Fiji political culture and ensuring accountability as it is core foundation and pathway to democratic accountability and maturity needs to be tested by the removal of Immunity Chapter.

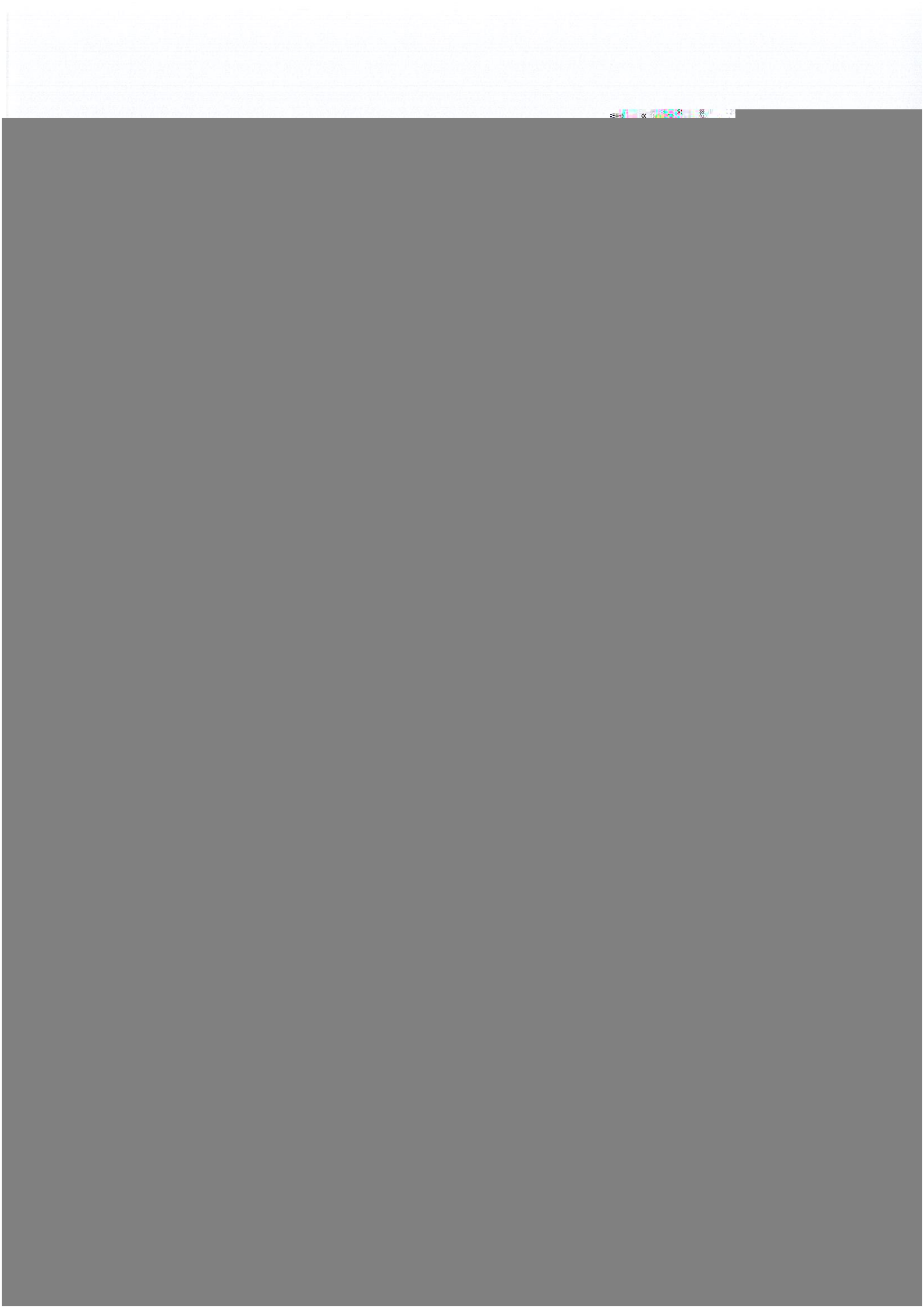
The Truth and Reconciliation should replace the Immunity in Chapter 10.

Recommendation

The CRC is kindly invited to consider:

c) Deleting the Immunity provision in Chapter 10
d) Replacing it with Truth & Reconciliation with intent in moving Fiji towards true democracy.

Asish Vinay Prasad



Solomone Kacirogoci

Gmail Constitution Review Commission <commissioners2026@gmail.com>

PSC Empowerment

Solomone Kacirogoci <a1ternatives679@gmail.com> Mon, Jun 29, 2026 at 2:08 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

Bula vinaka CRC,
I wish to make a submission to this august body on the re-enactment of the PSC's pre-2013 constitutional powers. Currently, their traditional core role of monitoring and enforcing quality standards and good practice in the civil service has been de-centralised to respective Permanent Secretaries (who are more or less his/her Minister's "yesman"). From personal experience, this set-up is pro-dictatorship/nil-accountability, and breeds a highly politicised civil service, with workers at the mercy and whim of superiors (who are likely to be the Minister's personal appointments).

I am proposing that the PSC be returned its pre-2013 constitutional powers and resume its original apolitical stance.

Vinaka.

Solomone Kacirogoci

John Vonokula

SUBMISSION TO THE CONSTITUTIONAL REVIEW COMMISSION OF THE REPUBLIC OF FIJI (2026)

"Reimagining Governance, Strengthening Resource Sovereignty, , Reforming Public Administration, & Advancing an Uncodified Constitutional Framework"

Submitted To:
The Chairperson and Commissioners
Republic of Fiji - Constitutional Review Commission 2026.

Submitted By:
John M. R. Vonokula
Private-Duty Caregiver
Santa Clara, California, United States of America

Date: 29 June 2026

1. PURPOSE AND EXECUTIVE SUMMARY

This submission presents a comprehensive, culturally grounded, and forward-looking framework for constitutional and institutional reform in the Republic of Fiji. It seeks to address longstanding structural challenges, historical inequities, and governance inefficiencies that have constrained national development since independence in 1970.

The central proposition advanced in this submission is that many of Fiji's contemporary political, economic, and administrative challenges stem from the continued reliance on colonial-era governance structures and the highly centralized constitutional arrangements established under the 2013 Constitution.

While political independence was achieved in 1970, many foundational state institutions continue to reflect administrative systems originally designed for colonial management rather than participatory national development. This paper proposes a long-term national transformation agenda aimed at decentralizing authority, strengthening local governance, enhancing resource sovereignty, modernizing public administration, and aligning state institutions more closely with Fiji's cultural realities and development aspirations.

A key recommendation is the exploration of an **Uncodified Constitutional Framework**, drawing lessons from jurisdictions such as the United Kingdom, New Zealand, and Israel. Rather than relying upon a single constitutional text, such a framework would be supported by foundational legislation, constitutional conventions, judicial precedent, and democratic institutions capable of evolving alongside the nation.

The objective is to establish a constitutional order that is adaptive, inclusive, resilient, and reflective of Fiji's diverse communities while remaining firmly grounded in democratic governance, the rule of law, and the values of the *vanua*.

2. TOWARDS AN UNCODIFIED CONSTITUTIONAL FRAMEWORK FOR FIJI

2.1 Constitutional Evolution as a Democratic Strength

An uncodified constitutional system does not imply the absence of constitutional law.

Rather, it denotes a constitutional framework composed of multiple legal and institutional sources, including legislation, judicial decisions, constitutional conventions, and historical agreements.

Such systems have demonstrated an ability to evolve gradually in response to changing societal needs without requiring wholesale constitutional replacement.

This flexibility may provide Fiji with a more adaptive governance framework capable of reducing constitutional deadlock while preserving democratic accountability.

2.2 Rationale for Constitutional Transition

2.2.1 Enhancing Constitutional Adaptability

One of the principal concerns raised regarding the 2013 Constitution is the complexity associated with constitutional amendment procedures.

A more flexible constitutional framework could enable future generations to respond to emerging challenges through democratic legislative processes while maintaining appropriate safeguards for fundamental rights and institutions.

2.2.2 Aligning Constitutional Design with Indigenous Governance Principles

Traditional Fijian governance systems have historically emphasized relationality, consensus-building, and adaptation to changing circumstances.

An evolving constitutional framework may provide opportunities to better recognize and integrate these principles within contemporary state institutions.

2.2.3 Learning from Comparative Constitutional Models

New Zealand's constitutional arrangements demonstrate how foundational legislation, democratic conventions, and judicial interpretation can collectively sustain constitutional stability.

Fiji may consider a similar model anchored by key constitutional statutes, including legislation relating to local governance, land administration, fundamental rights, and public accountability.

2.2.4 Incremental Constitutional Development

Israel's Basic Laws framework illustrates how constitutional architecture can be developed progressively over time.

This approach allows constitutional reform to occur through broad public consultation and legislative consensus rather than periodic constitutional replacement.

2.2.5 Strengthening Democratic Civilian Governance

A modern constitutional framework should clearly define the relationship between civilian institutions and national security agencies.

Democratic governance is strengthened when civilian authority, parliamentary oversight, and constitutional accountability mechanisms are clearly established and consistently applied.

3. FOUNDATIONAL PILLARS OF A RENEWED CONSTITUTIONAL ARCHITECTURE

The proposed constitutional framework is structured around four interrelated pillars:

1. Decentralized Governance and Provincial Empowerment
2. Economic Decolonization and Resource Sovereignty
3. Climate Stewardship and Environmental Governance
4. Public Service Transformation and Human Development

3.1 Pillar One: Decentralized Governance and Provincial Empowerment

The current divisional structure was established during the colonial era primarily for administrative purposes. This submission proposes a review of subnational governance arrangements with the objective of strengthening provincial autonomy and improving local service delivery.

Key proposals include:

1. Establishment of empowered Provincial Assemblies or Provincial Parliaments.
2. Enhanced fiscal decentralization and local decision-making authority.
3. Strengthened District (*Tikina*) and Village (*Bose ni Koro*) governance structures.
4. Inclusive residency-based participation in local governance irrespective of ethnicity, religion, or cultural background.

The overarching objective is to promote local ownership of development while strengthening national unity through shared citizenship and civic participation.

3.2 Pillar Two: Economic Decolonization and Resource Sovereignty

Political sovereignty must be complemented by economic empowerment and equitable participation in national development.

Key reforms include:

1. Modernization of land administration systems.
2. Enhanced economic participation by land-owning units.
3. Expansion of indigenous enterprise development opportunities.
4. Greater community participation in resource-based industries.
5. Strengthened transparency and accountability mechanisms in trust fund administration.

Consideration may also be given to establishing specialized financial institutions dedicated to supporting indigenous and community-led economic development initiatives.

3.3 Pillar Three: Climate Sovereignty and Environmental Stewardship

As one of the nations most vulnerable to climate change, Fiji requires constitutional and legislative mechanisms that strengthen environmental governance and climate resilience.

Key proposals include:

1. Consolidation and coordination of environmental governance functions.
2. Protection of indigenous rights relating to environmental stewardship.
3. Development of equitable carbon market participation frameworks.
4. Recognition and integration of Traditional Ecological Knowledge (TEK) within national adaptation strategies.
5. Strengthening community-based conservation and climate resilience programs.

3.4 Pillar Four: Public Service Transformation and Human Dignity

A modern state requires a professional, accountable, and equitable public service.

Proposed reforms include:

1. Harmonization of employment classifications across government.
2. Strengthening merit-based recruitment and promotion systems.
3. Establishment of transparent performance management frameworks.
4. Creation of a National Leadership Academy to support ethical leadership, policy excellence, and public sector innovation.

These reforms seek to foster a culture of professionalism, integrity, and service excellence throughout government institutions.

4. HUMAN DEVELOPMENT AND SPATIAL EQUITY

4.1 Lifelong Learning and Human Capability Development

Education should be recognized as a lifelong process extending from early childhood through adulthood.

Priority areas include:

1. Expansion of culturally relevant Early Childhood Education.
2. Strengthening technical and vocational education pathways.
3. Development of maritime, agricultural, and entrepreneurship academies.
4. Support for lifelong learning opportunities in rural and remote communities.

4.2 Balanced Educational Development

Policies should promote equitable educational opportunities across all provinces and reduce disparities between urban and rural areas.

Greater emphasis should be placed on regional educational development, local sporting programs, and community-based learning opportunities.

4.3 Community-Centered Healthcare

Healthcare services should be decentralized to improve accessibility and resilience.

Potential measures include:

1. Expansion of village-level health facilities.
2. Strengthening community nursing programs.
3. Enhanced preventive healthcare initiatives.
4. Improved emergency medical transportation systems.
5. Appropriate recognition and regulation of traditional healing practices.

5. NATIONAL SECURITY, DEMOCRACY, AND CIVILIAN OVERSIGHT

A stable democracy requires clear institutional relationships between civilian authorities and security institutions.

This submission proposes:

1. Clarification of the constitutional role of the Republic of Fiji Military Forces.
2. Strengthened parliamentary oversight mechanisms.
3. Reinforcement of democratic accountability principles.
4. Clear legal protections against unconstitutional interference in civilian governance.

The objective is to ensure that national security institutions operate within clearly defined constitutional and legislative boundaries while effectively fulfilling their professional responsibilities.

6. SAFEGUARDING NATIONAL SOVEREIGNTY AND CONSTITUTIONAL CONTINUITY

To preserve key national interests across successive generations, Fiji may consider establishing constitutional protection mechanisms for matters of fundamental national importance.

These may include:

1. Indigenous land ownership protections.
2. Traditional marine resource boundaries.
3. Democratic civilian governance.
4. Provincial governance arrangements.
5. Environmental and climate sovereignty provisions.

Such protections should be balanced with democratic accountability and constitutional adaptability to ensure both stability and responsiveness over time.

The establishment of an independent constitutional oversight body may also be considered to monitor compliance with foundational constitutional principles and safeguard institutional integrity.

7. RECOMMENDATIONS

The Constitutional Review Commission is respectfully invited to consider the following recommendations:

1. Explore the feasibility of an uncodified constitutional framework supported by foundational constitutional statutes.
2. Strengthen provincial governance and decentralize administrative authority.
3. Promote inclusive, residency-based civic participation at local levels.
4. Clarify and reinforce civilian oversight of national security institutions.
5. Modernize land administration and resource governance systems.
6. Enhance transparency and accountability in trust fund and resource management arrangements.
7. Advance climate sovereignty and environmental stewardship mechanisms.
8. Decentralize healthcare and human development services.
9. Reform and professionalize the public service.
10. Establish long-term constitutional safeguards for matters of national significance.

8. CONCLUSION

Fiji stands at a pivotal moment in its constitutional and national development journey.

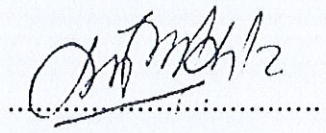
More than five decades after independence, there exists an opportunity to reassess institutional structures inherited from the colonial era and to design governance arrangements that better reflect contemporary realities and future aspirations.

The reforms proposed in this submission seek to foster a more decentralized, accountable, inclusive, and resilient state—one capable of balancing democratic governance, indigenous cultural values, economic sovereignty, environmental stewardship, and social cohesion.

The vision advanced herein is not one of exclusion, but of national renewal: a Fiji where all communities participate meaningfully in development, where governance is rooted in place and accountability, and where constitutional arrangements evolve alongside the needs and aspirations of the people.

The Constitutional Review Commission has a historic opportunity to help shape a constitutional future that is stable, democratic, culturally grounded, and responsive to generations yet to come.

Respectfully submitted,



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25 June 2026

Alfreda Vakarewakobau

29 June 2026

Navetau,

Soso,

Bau,

Tailevu.

Subject: Proposal for Constitutional Review of Social Work Practice and Regulation in Fiji

Dear Members of the Constitutional Review Committee,

Introduction

1. I write to respectfully make a submission and contribute to the Constitutional Review through this national consultation process.
2. Through this submission, I wish to make recommendations that seek to enhance democratic institutions, protect fundamental rights and freedoms, promote inclusive governance, and ensure that Fiji's Constitution remains relevant to its current and future needs.
3. This is guided by the belief that Constitutional reform should be people-centred, evidence-based, and grounded in broad national consensus, while drawing upon international best practices and Fiji's unique historical, cultural, and social context.
4. Through this submission, it is hoped that the review process will contribute to a stronger constitutional framework that safeguards the interests of present and future generations of all Fijians. This is with the view that it will clearly define the scope of a 'transitioned Fiji', strengthen regulatory structures, and to formalize what has remained largely a generic and under-regulated field of practice.
5. **Context and Current Landscape**

   Fiji already has foundational elements of a professional structure. Notably, the Association of Fiji Social Work (AFSW) exists and works collaboratively with ANZASW (New Zealand) and Lili'uokalani Trust (Hawaii, USA) and local agencies such as the Ministry of Women, Children and Social Protection. However, national discourse confirms that the association has struggled to fully operationalize its mandate, and the profession itself continues to lack clear legislative grounding and standardization.

   At the same time, the Fiji Government has acknowledged the critical importance of social workers, who are increasingly addressing rising social issues including child abuse and neglect, substance abuse, domestic violence and elder abuse. These pressures underscore the urgency of strengthening the social work profession.

6. Strategic Problem Statement

Despite these structures, several systemic gaps remain:

i. Absence of statutory regulation

There is no unified legal framework that clearly stipulates:

a. Who qualifies as a "Social Worker";
b. Standards of practice, certification, or licensing;

This contrasts with global benchmarks where professional bodies regulate entry, ethics, and accountability.

ii. Weak institutional capacity of the professional body

While the association exists, it has not achieved sustained operational capacity to:

a. Standardized practice;
b. Enforce ethics; and
c. Advocate at a national policy level;

iii. Tension between global frameworks and indigenous practice

1. Research confirms that in Fiji, international social work models dominate definitions and ethics, creating tensions with Pacific and indigenous approaches.
2. This reflects broader Pacific challenges of balancing Western professionalization with local epistemologies and traditions.

iv. Workforce and system gaps

Fiji faces broader social system challenges including:

a. Skills shortages and workforce gaps;
b. Persistent poverty and inequality, especially in rural areas;
c. Weak governance and coordination in social work delivery;

These directly impact the effectiveness of social work delivery.

Limited integration of community-based and indigenous systems

Pacific social work literature highlights that effective practice must integrate indigenous knowledge systems, community leadership, and relational approaches rather than imposing purely Western model.

v. Establish a different aspect of social work that covers the health sector

1. Fiji currently covers social work in general but do not have a specialized area in the health sector.
2. Lack of knowledge to deal with the vulnerable community that access health in Fiji.

vi. **Alignment with Global Standards**

Internationally, bodies such as the International Federation of Social Workers (IFSW) and International Association of Schools of Social Work (IASSW) define social work as grounded in:

- Human Rights and social justice.
- Standardized education and training systems.
- Ethical codes and accountability frameworks.

While these provide a benchmark, global standards also emphasize the need to adapt to local cultural contexts, not replace them. These reinforces the need for Fiji to adopt a hybrid regulatory model:

- Anchored in global ethical standards;
- Owned and shaped by Fijian and Pacific indigenous values;

7. Costed Pathways for a viable Professional Association

A realistic financial model should be considered to operationalize a functional Social Work Council/Association.

Indicative Cost Components (based on non-profit benchmarks)

i. Core staffing (executive, admin, compliance personnel) – the largest cost driver.
ii. Office and operations costs (rent, ICT systems, utilities).
iii. Legal and regulatory compliance (audit, registration framework).
iv. Programme activities (training, accreditation, public awareness).
v. Governance functions (board operations, consultations).

Typically, non-profit operating costs are largely driven by personnel and core operational overhead, often exceeding baseline operational thresholds before program delivery is even realized.

Three proposed options:

a) **Minimum Viable Association Model**
   1. Leaning staffing, volunteer-supported governance.
   2. Focus on registry, code of ethics, and basic accreditation.
   3. Establishes a regulatory framework that recognizes the importance of health in social work.

b) **Hybrid Government-Supported Model**
   1. Public funding and membership contributions.
   2. Mandate for licensing, Continuing Professional Development (CPD), and workforce development.

c) **Statutory Council Model (Preferred Long-Term)**
   1. Established through legislation.
   2. Mandatory registration and licensing framework.
   3. Full regulatory authority.

8. What Exists v. What is Missing?

Within Fiji's current system, this proposal would also like to map out the current structure together with what needs to be updated:

Present in Fiji	Missing / Underdeveloped
Existing social work association	Strong operational capacity and fundings
Accredited university training pathways	National licensing or registration system
Established social welfare programs	Integrated professional workforce strategy
Strong community and indigenous practices	Formal recognition of indigenous methodologies
Government commitment to social protection	Coherent governance and oversight mechanisms

9. Strategic Recommendations

It is proposed that the constitutional review should:

1. Legally define social work as a regulated profession.
2. Establish a Social Work Council or strengthen the existing Association with statutory authority.
3. Develop national standards aligned with the IFSW while embedding indigenous knowledge systems and incorporating Fiji's indigenous knowledge systems, *vanua values*, Pacific perspectives, cultural safety, and community-centred practice. This would require a multidisciplinary collaboration.
4. Introduce mandatory registration, accreditation, and continuing professional development.
5. Strengthen workforce planning linked to national social protection priorities.
6. Ensure sustainable financing through a blended funding model (government, membership fees and donor support).

10. Conclusion

Fiji is at a critical juncture where social demand is escalating faster than professional capacity. Without urgent reform, the sector risks remaining fragmented, under-recognized, and unable to fully support our vulnerable population. This constitutional review will provide a decisive opportunity to:

i. Legitimize and professionalize the field of social work.
ii. Strengthen accountability and service quality.
iii. Integrate global standards with Fiji's rich indigenous social systems.

I respectfully submit this for urgent consideration.

Yours Sincerely



Alfreda Vakarewakobau (Ms.)

Social Worker

Mojito R Mua

THE CONSTITUTION REVIEW COMMISSION 2026

LEVEL 8, SUVAVOU HOUSE
VICTORIA PARADE, SUVA

SUBMITTED & SIGNED BY



MOJITO R MUA
(29 JUNE 2026)

RESIDENCE: 14 KABA ST; TAMAVUA, SUVA, FIJI

CONTACT: 755 9733

RIHAFU, ELSE'E, MALHA'A, ROTUMA

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A DEDICATION

May the Lord Jesus Christ grant the Chairman and members of the CRC, the wisdom to discern the petitions of the people and propose essential reforms that will shape the future of this nation based on mutual respect, and accepting our differences with sincere understanding among the different cultures under one God.

B PREAMBLE

I make this submission as an ethnic Rotuman and a citizen of Fiji, residing in Suva, Fiji. It is my fate to be born in Fiji as a result of a choice my parents made to settle and raise a family in Fiji. Whatever contributions they may have made to the development of this country is of secondary consideration.

It is interesting to note that such a small country with a population of less than a million would have four Constitutions within a span of fifty years after the forceful removal of democratically elected governments. This serves to remind us that underlying issues fundamental to peaceful coexistence in a multi-cultural society require deep understanding beyond words in a document.

Fortunately, the recovery policies of government have managed to rebuild the level of economic prosperity for the nation with much needed assistance from countries that consider Fiji a strategic advantage among the democratic global alliance. The focus on economic growth introduced a proportionate share of adversity, and today, the cancer with its social problems is beyond anything we have faced in the past.

Other crucial factors that should have been the essential pillars to the stability of this nation have been taken for granted to reveal the silent concerns that politics have often manipulated or considered them trivial. As people become more informed of their rights with varied ideologies propagated through advanced communication medium, the indigenous communities feel they have been marginalised by the bureaucracies and statutes of government.

We have faith in the credibility and academic prowess of the CRC members, therefore, there is no need to enlighten them with aspects that are of common knowledge and readily available in government and public archives or the internet

As an ordinary layperson, I am not qualified to express my views in legal terms or be articulate in my submission. However, I hope to highlight a line of thought that would give some logical perspective to its content so it can be related to by the reader.

C INTRODUCTION

With reference to the Notice to make submissions to CRC, I submit my brief focusing on the observations of an ordinary Rotuman descendant who grew up in Rotuma, then emigrated and lived, studied and worked among the indigenous and non-indigenous communities in Fiji. It gave me the opportunity to personally experience and appreciate the deeper concerns of people from different cultural backgrounds.

Having read the brief in the TOR as outlined by the Chairman and available over the internet, my submission will essentially focus on issues I feel relevant to the future of the island and people of Rotuma, their culture, identity and heritage. I believe some of these views, will also be of some relevance to Fiji as a nation.

In terms of governance, I am aware that statutes are in place to address them although the relevant legislations regarding Rotuma are ineffective and well overdue for review to reflect the changes of modern times and the sentiments of the people without compromising the critical objects of our existence as an indigenous society with its unique culture and language.

D UNIVERSAL RESOLUTIONS ON INDIGENOUS RIGHTS

The **UN Resolution 61/295** – United Nations Declaration on the Rights of Indigenous People adopted on 13 September 2007, safeguards the individual rights of Indigenous people.

The **ILO Convention No. 169 – 1989**, is the major binding international treaty dedicated to protecting the rights of indigenous and tribal peoples.

While Fiji recognises these articles, how they are translated and implemented will depend on the political will of a government that is prepared to accept and recognise the sovereignty of the indigenous people over their land and waters within its defined geographical borders.

E GRATITUDE AND ACKNOWLEDGEMENT

The people of Rotuma will always be grateful with humble reverence to the only true God of the Christians for His protection and guidance over the years.

With 11,000 acres of land in Rotuma, where approximately half is arable to sustain the livelihood of those on the island, we place our trust in the kind providence of the Almighty to grant us our daily needs and protect us from all atrocities caused by human or natural incidents that threaten our tiny island.

Note, total land area for Rotuma is less than one percent (1%) of land in Fiji.

We also owe much to our chiefs for their foresight and sacrifice to make the crucial decision to surrender the sovereignty of Rotuma as an independent colony to a foreign power when faced with desperate circumstances. Any association with Fiji was introduced and annexed later under the new colonial rulers.

Our people are thankful to the Chiefs and people of Fiji for their kind support and acceptance of Rotumans as an indigenous community living amongst them in Fiji. We have always acknowledged the tolerant and compassionate nature of the indigenous people of Fiji therefore, we sincerely honour their kindness without any thought of exploiting their generosity.

We are thankful to government and donor agencies for developments on the island to assist Rotumans enjoy the critical necessities that had improved our living standards on the island.

F CESSION AND DOMINION

Rotuma was ceded as a separate colony to the British crown in 1879 which was formally accepted and ratified on **13 May 1881**. We should note that this was seven (7) years after Fiji was ceded as a separate colony to the Crown on **10 October 1874**.

Cession to the Queen of England was between the Chiefs of Rotuma and the British Monarch and later ratified by the Queen's representative in the Colony of Fiji.

Rotuma was then governed as a separate colony from Fiji, with its own resident Commissioner, but later annexed to be governed from Fiji under a single colonial administration because of the distance and its limited scope with

infrequent access to the island. Since then, subsequent administrations have adopted the same agenda without further review of the initial architecture. We now have laws and bills passed by a representative parliament to reaffirm governance over Rotuma and maintain the status quo.

It is also important to note the boundaries defined for Rotuma under the charter that ceded the islands to Great Britain; comprise the rocks, reefs and islands within;

- **12° to 15° latitude S and 175° to 180° E from the meridian of Greenwich**

Rotumans are fortunate to have many documentaries and research papers published by various authors and scholars who provided informative accounts that referenced various journals and diaries by all who cared to record their individual experiences and dialogue with the natives of Rotuma.

However, none can truly express the deep passion and silent devotion the Rotuman people have for their home island.

G GOVERNANCE AND POLITICS

Prior to the discovery and cession of Rotuma to Great Britain, the Chiefs and people of Rotuma had their own structure of governance and social rules that defined their sovereignty, independent of any other neighboring country.

The chiefs of Rotuma are appointed from chiefly families and have authority to rule over the people within their respective clans and districts. Informing government is merely an instrument to register the appointment under the laws of Fiji. These chiefs and sub-chiefs should be empowered to make laws conducive to the peace and harmony of life in Rotuma while observing the relevant national laws of Fiji.

Today, we follow a system of democracy imposed on us by the colonial masters. Elected representatives to government will come and go depending on the choices people make under the Constitution and laws passed by the Parliament of Fiji. When the laws erode the indigenous rights of the people over their land and waters within the territorial boundaries, then suspicion will arise causing unnecessary tensions.

Administration is **NOT** ownership; therefore, any prospective opportunities over land and resources should be first discussed with the traditional owners and their consent secured before any license is granted. The Council of Chiefs

of Rotuma should be the only authority mandated to decide and speak on behalf of the people regarding all developments on the island after consultation with their people. This should be reflected in the relevant Acts for Rotuma.

Note that allegiance of the people is to the chief of their respective districts, and not necessary to the Council, although collective resolutions are formulated in this forum.

Without any discriminatory intentions or any racist inclinations, it would be ideal to have civil servant appointees for Rotuma who understand the Rotuman culture and traditions, so they can effectively assist and advise the chiefs in guiding the people.

H SOVEREIGNTY

Sovereignty should **not** be considered on the basis of economic prosperity in Rotuma, but rather on its indigenous and unique culture, language, customs and traditions. We may have surrendered this in 1881, but the changes and instruments that altered that original understanding should have considered the intentions of the humble minds that gave up that authority more than a century ago.

When Fiji gained independence in 1970, the question arises whether the people of Rotuma were allowed the privilege to express their views, because the implications are skeptically interpreted by many Rotumans today.

What was surrendered at cession in 1881 in my opinion should be returned to the chiefs and people of Rotuma who gave up their sovereignty over the islands, waters, rocks, and reefs to the British monarchy.

Those who represented the Rotumans during the negotiations may have done so with sincere wisdom to consider the best interest of Rotuma and its people taking into account the conditions of the time.

As a result, whether by design or an oversight, Rotuma was incorporated and assumed part of the Fiji group, either for administrative purposes or an extension to the boundaries of the latter when Fiji gained its independence.

I believe this has to be clarified and history corrected to alleviate any suspicion among the Rotuman people and future generations.

As our leaders of the past have gone, the responsibility now lies with those of today, or we can ignore it and hope that situations and aspirations in the future will take care of itself without confrontation.

I INDIGENOUS INSTITUTIONS

The Great Council of Chiefs of Fiji is the voice that speaks and upholds the interests for all the indigenous people of Fiji with respect to their customs and traditions. However, this entity is overshadowed by the administrative arm of government that regulates the laws for its operations.

The Council of Rotuma which comprise the chiefs and representatives exist as a template under the shadow of the GCC in Fiji. It is important to note that there are vast differences between the two ethnic cultures and traditions while sharing the same concerns over our respective rights as the indigenous people of these lands. It would be futile to try and assimilate the two cultures because the weaker will always succumb to the strong and eventually absorbed into obscurity by the latter.

The people of Rotuma may not be as resourceful as their fellow Fijians, but they should be allowed the opportunity to develop their potential as a people with whatever resources available to them. We have been led for over a century and a quarter, and it is time we are handed the reigns with the guidance of a caring master, and trust in the divine, otherwise Rotumans will be consoled into extinction as an independent society.

Liberty often unites a people sharing common goals and aspirations. However, this is a tremendous task that require honest and sincere leadership where people can place their trust in.

J JUSTICE AND ETHICS

Prior to independence, the chiefs of Rotuma defined the laws according to our customs and traditions. Justice is sometimes slow but often sad and painful without contention unless voluntarily rectified in time by the perpetrators. This is understood and respected amongst the populace without resorting to constant surveillance.

To quote the words of a President, "*The role of Government is to protect the people, not run their lives.*" In this small democratic nation of Fiji, the popular are often elected by the majority to rule in Parliament. However, the decision by the majority is not always the right option. Therefore, it is always prudent

to have an independent body, regulated to ensure the operations of the elected representatives are transparent and fair without undermining the integrity of the offices they are sworn to uphold.

Such an institution would oversee the overall decisions and policies of this republican government are ethically acceptable within the laws of the nation, and those responsible are held accountable for every decision they make while in office. It is unfortunate that popularity often overlook the credibility and integrity of candidates until after they are elected.

If the revised Constitution allows for such an institution, then the Council of Chiefs of Rotuma should be the appointing authority for its representative.

K NATIONALITY

The indigenous people of Fiji have expressed views which I think should be respected, and I will not mind to be referred to as a ***"vulagi"***, instead of the indigenous people having to adopt the ***'itaukei'*** to define their ethnicity.

Allow them to be called Fijians and we are all Fiji Citizens. If this would achieve long term peace and stability among all who make Fiji home, then it is a little compromise for the liberty we enjoy as immigrants. Such an issue should not be used for political advantage and to satisfy the few.

Although born in Fiji, I am a native of Rotuma and I will always be a Rotuman, a **'vulagi'** and a citizen of the Republic of Fiji unless fate provides an alternative.

L RELIGION

Most governments today were founded upon religion of some faith or another. It is an essential attribute to the social structure in Rotuma, to provide a moral compass for our leaders and the people to maintain peace and harmony within its borders. Any variation to this norm causes unnecessary conflict and erodes the peaceful coexistence within the communities, and sadly some families.

It is ironic that Rotumans accepted Christianity after shedding blood amongst the people perpetrated by missionaries from two denominations where one wanted dominance over the other. But when the blood dried and wounds healed, the divide still exist but with humility and mutual respect for each other having a stronger conviction in the same faith they had fought over.

The Republic of Fiji may choose to become a secular state, but in Rotuma the people will always adhere to the principles and doctrine of the Christian faith without compromise to any other belief system. The Council of Chiefs of Rotuma should have the authority to deny or prevent any views that are not acceptable to the people or consistent with their custom and traditions that has maintained the peace and stability enjoyed on the island over the years.

M CULTURE, TRADITION AND IDENTITY

Rotumans find ourselves at a crossroad where culture and modernisation are often blended together to improvise for the limited cultural knowledge and resources available, and adopt ways that are more convenient and less costly.

With a declining population of Rotumans, these cultural practices can only survive the passage of time with essential support from sincere and concerned advocates. An important factor that can assist with preserving our culture is to restructure the curriculum taught in schools in rural communities and selected urban schools.

To be a Rotuman is a matter of choice but each choice must be reminded of the custom and what defines them as Rotuman, irrespective of where they are. There is always a patriotic pride among the Rotuman diaspora, and it is our intention to create our own Register that will identify us as Rotumans (Puk-ne-'Ese) similar to that of the VKB (Vola-ni-Kawa-Bula) for the indigenous people of the Fiji Islands, but adhered to our own culture and tradition.

We hope the related laws of Fiji will allow for the identity of a Rotuman to be reflected on all national records where ethnicity is required. Therefore, it is necessary to review the relevant laws that affect Rotuman identity and its people so that the required changes can be implemented.

N EDUCATION AND TRAINING

Changes introduced over the years inculcated a more inclusive education system that focuses on academic qualifications. On Rotuma, this has seriously affected the understanding and retention of our traditions, cultural values and language. Today, the system has produced many people with certificates and very few with trade skills that can be used immediately in the formal and casual labour market contributing to the overall development needs of the various industries and communities.

A further contribution to this dilemma is the impact of the internet with powerful tools such as AI (Artificial Intelligence). This introduces a new culture not only amongst Rotumans but all citizens of Fiji. It transcends heritage, culture, religion, politics and our way of life which would eventually influence the formulation of national policies.

Today we are confronted by the development of a new cyber culture that will change the behavior of our societies in future. Although this may be outside the ambit of the Constitution Review, I believe the future stability of our people in Rotuma and this nation should be of interest to all stakeholders including government.

The minds of our upcoming generations will find themselves overwhelmed by the vast information manipulated by algorithms on almost any subject and readily available for consumption. We can disregard this as fantasy but we cannot ignore the reality that is happening before our eyes. If we do not strategically manage this invasion, then the nation will potentially face a dilemma in future beyond our control.

Whenever in doubt, Google is the default tutor giving us a very informed society that can either contribute to productivity of the nation, or one that poses more challenges to the authorities.

Therefore, selective mentoring is essential to establish good moral values in the teaching curriculum for schools in Rotuma, so that students are well prepared with respectable virtues to face these new worldviews. If society can provide a sound moral foundation for our children, then there is hope to see Rotumans become good Fiji citizens.

Culture, language and Rotuman history with traditional arts should be taught in schools in Rotuma.

O THE ECONOMY

At the humble beginning of this tiny island colony, the colonialists introduced a cess system based on the estimated revenue earning capacity from land that belong to each family unit. But when the system was replaced by a subsidy from government, the latter exercised extensive control in the affairs of the island with the chiefs exercising traditional authority to guide their people on the expectations of government.

Since then, there have been some initiatives to create an economy through the trade of whatever produce that could be generated commercially on the island. With the support of Government, there were entities established through cooperatives and limited enterprises in Rotuma. These efforts faced real-life challenges that demanded more than just an initiative under government assistance programs.

While economic development is necessary to provide the basic benefits and an improved livelihood for the people on the island, the deterioration of observing basic cultural values that foster mutual respect for authority and the elders is not worth the initiatives.

Any drastic changes to the natural features and limited resources on the island will have a major impact on the environment which Rotumans do not have the luxury to be complacent about.

Today, almost all Rotumans on the island receive some form of assistance from Government or through remittances from families abroad. If given the support and liberty to determine a course for its future, I am confident Rotumans would stand up to the challenge to provide its fair share to complement the assistance from government. Otherwise, we will remain dependent on handouts that keep the people compliant to political assurances that are always unpredictable.

And to say that Rotumans do not have the capability to support its operations would be an insult to the intellectual and ingenious capacities of the people. Note there were Rotumans who have made humble contributions in the various industries of society and the civil service in Fiji and abroad despite our limited numbers.

All we need is the political will and support from key stakeholders to establish a legal framework and an administrative structure that would initiate all the necessary machinery of governance. There are many local professionals with extensive knowledge and understanding that can be engaged for assistance.

P RECOMMENDATIONS

To safeguard the indigenous identity of the Rotuman people, and protect our unique and slowly disappearing language, culture and traditions, it is crucial that the Review Commission consider the following in their recommendations;

1. to acknowledge and define Rotuma as a separate and sovereign country independent of any other nation **prior** to colonisation;

2. to retain the boundaries for the territory of Rotuma as defined under the current statutes;

3. to advocate for sincere efforts by government to empower the chiefs and people of Rotuma the autonomy to deliberate and determine what is most appropriate for them and their resources within the defined territorial boundaries;

4. to provide for statutory representation in the institutions that govern the nation with respect to the interests of Rotuma and its people;

5. to make statutory provision for the indigenous identity of Rotumans to be reflected on all national documents where ethnicity is required to be entered, whether for civic or private purposes;

6. to provide for the education curriculum for schools in Rotuma to include the promotion and protection of the culture, language, identity, history and values that define the characteristics of a Rotuman;

7. to recognise Rotuma as a Christian island state within the republic of the Fiji Islands with adequate protection from external world views;

8. to seriously consider the impact of cyber technology that would influence the behavior of our indigenous communities and adversely affecting our cultural and traditional values;

9. to recognise the sovereignty of Rotuma and their Chiefs as an alliance to work with the Great Council of Chiefs of Fiji address issues that threaten our respective cultures,

10. to enable the chiefs and people of Rotuma independently determine what is appropriate for Rotuma without any obligations;

11. to create an environment with a practicable framework that encourages innovation among potential entrepreneurs,

12. that government acknowledge and effect the review of the two laws that relate to Rotuma as initially submitted by the Council of Rotuma;

    a. **Rotuma Act – Cap 122**
    b. **Rotuma Lands Act – Cap 138**

Q CONCLUSION

With the grace of our Lord Jesus Christ, it is time the people of Rotuman descent concede to stand united and optimize on all the blessings available to them, both in material and intellectual capacities, contributing to the development of our home state within the Republic of Fiji.

As the number of Rotumans continue to dwindle and our existence threatened by global dispersion of communities, we must continue to pursue avenues that would protect and uphold what is most dear to us as the indigenous people of Rotuma. However, we remain faithful that kind providence will guide those in power to establish what is necessary.

Liberty comes with great responsibility, and those who surrender essential liberty to gain short term safety and comfort deserve neither, to paraphrase some wise sayings.

We are grateful to the Government for initiating this review as it acknowledges the cry of its people, more so the indigenous people of this nation.

It is our prayers and hope that the numbers will be present in Parliament to see the passage of the CRC recommendations according to Divine will.

Thank you and may God Bless Fiji and Rotuma.

========== ***end*** ==========

Copy: ***The Chairman (Gagaj Manav)***
Council of Rotuma,
'Ahạu, Rotuma

Selina Kuruleca

30 June 2026

Mr. Sevuloni Valenitabua
Chairperson
Constitution Review Commission

Dear Mr Valenitabua,

Re: Submission on Strengthening Good Governance within the Fijian Civil Service

In response to the invitation by the Chairman and the Secretariat of the Constitutional Review Commission, we the Permanent Secretaries of the Government of Fiji, respectfully make this collective submission to the Constitution Review Commission regarding the strengthening of section 127 of the Constitution of the Republic of Fiji with the objective of reinforcing a professional, impartial, accountable and merit-based civil service.

At the outset, we emphasize that this submission does not seek to diminish ministerial responsibility for policy direction, Cabinet government, or accountability to Parliament. Ministers must remain responsible for the policy priorities, legislative program and public outcomes of their portfolios. The concern addressed in this submission is narrower: human resource management, discipline, establishment control and other operational public service matters should be exercised through lawful, objective, merit-based and reviewable administrative processes, rather than through political concurrence in individual staffing decisions.

The proposed amendments to section 127 of the 2013 Constitution address a critical gap in Fiji's current governance structure: the risk, and the public perception, of politicization in civil service administration. These amendments are justified when evaluated against the internal values of the Constitution and overarching national legislative frameworks.

1. Internal Contradictions with Section 123 (Values and Principles of the Public Service)

The current phrasing of section 127, which requires the "agreement of the Minister" for the Permanent Secretary to appoint, remove, or discipline staff, creates a direct internal contradiction with section 123 of the Constitution on the following bases:

- **Structural Incompatibility with the Separation of Powers**: As a threshold issue, ministerial concurrence in human resource matters is structurally incompatible with Fiji's separation of powers framework. It inherently mixes political direction with administrative control in a manner that sections 123 and 127 are not designed to permit, fracturing the constitutional boundary between executive policy-making and neutral state execution.
- **Merit and Impartiality**: Section 123(i) strictly mandates that recruitment and promotion in the State service must be based on "objectivity, impartiality and fair competition" as well as "merit". Requiring a political figure's agreement for human resource decisions creates an institutional tension with this requirement, as it introduces the possibility, or public perception, of subjective, political considerations into what must constitutionally be an impartial process.
- **Professionalism and Anti-Corruption**: Section 123(a) and (c) further dictate that the civil service must maintain "high standards of professionalism, including professional ethics" and operate "free from corruption". Retaining the ministerial concurrence requirement in section

127(7) and (8) leaves the system exposed to political patronage and nepotism, directly undermining the core ethical principles established in section 123.

2. Alignment with National Legislative and Strategic Frameworks

The National Development Plan (NDP) 2025-2029 and the National Security Strategy (NSS) 2025-2029 are two national policy and strategic frameworks that support the strengthening of institutional integrity, administrative accountability and public trust:

- **The NDP's Good Governance Pillar**: The NDP explicitly commits to institutional and civil service reforms that strengthen the "separation and independence of the three arms of Government". More importantly, the NDP identifies an urgent need to insert "safeguards against abuse of discretionary powers" and remove provisions that allow for the "arbitrary abuse of wide discretionary application of laws" by Ministers and public officers. Section 127's current wording is inconsistent with this reform direction to the extent that it requires ministerial concurrence in individual personnel and administrative decisions.
- **The NSS and Public Trust**: The NSS underscores that "restoring trust in government is an immediate priority for enhancing Fiji's national security, democratic stability, and social cohesion". The strategy notes that without public confidence in state institutions and clear accountability frameworks, meaningful progress is limited. Having Ministers directly involved in the details of civil service disciplinary and appointment matters blurs the line between the political Executive and independent state administration, weakening the democratic accountability that the NSS seeks to rebuild.
- **Robust Safeguards Narrative**
  To counter any concerns that the removal of ministerial concurrence creates unchecked administrative authority, we emphasize that accountability remains exceptionally robust within Fiji's existing oversight architecture. This reform does not replace political discretion with unchecked administrative power; rather, it firmly embeds staffing decisions within a rigorous system of checks and balances, including:

- Mandatory compliance with Public Service Commission (PSC) supervision and institutional policies.
- The statutory requirement to provide written reasons for all appointment, removal, and disciplinary choices.
- Comprehensive internal review frameworks and statutory appeal mechanisms.
- External accountability via the Fiji Independent Commission Against Corruption (FICAC) and the Auditor-General's oversight.
- Continuous exposure to administrative law, judicial review, and parliamentary scrutiny channeled through the responsible Minister.

3. Rationale for Amending Section 127(3) Entirely

- **Separation of Powers**: The Permanent Secretary of a ministry is responsible to the Minister concerned for supporting the lawful implementation of Government policy and the administration of laws within the ministry, and is responsible, in relation to public service management, personnel administration and compliance with section 123, to the Public Service Commission or such other authority as may be prescribed by law.

4. Constitutional Parity and Comparative Consistency

- **Consistency with Existing Constitutional Norms**: A core principle of constitutional drafting is consistency. In comparable constitutional offices, the Constitution already separates institutional accountability from political control over staffing. For example, the Solicitor-General has authority to appoint, remove and institute disciplinary action against staff in the Office of the Attorney-General. Similarly, the Auditor-General possesses exclusive authority over employment matters within the Office of the Auditor-General. These provisions demonstrate that administrative independence where impartiality, legality, and institutional integrity are essential is already an established Fijian constitutional norm.
- **Parity and Commonwealth Practice**: By removing the "agreement of the Minister" from Section 127(7) and (8), standard government ministries will achieve clear constitutional parity with these independent domestic offices. Furthermore, this adjustment aligns Fiji with broader, established Commonwealth administrative practices, reinforcing that institutional independence in civil service staffing is both logical and standard international practice to ensure public servants serve the public impartially, regardless of the government of the day.

Conclusion: A modern, high-performing and citizen-centred civil service requires both democratic accountability and administrative impartiality. Ministers should remain responsible for policy direction and public outcomes, while Permanent Secretaries should be able to manage personnel and administration according to law, merit, and transparency. Amending section 127 in this manner would reduce the risk of political interference, strengthen public confidence in the neutrality of the civil service, align the Constitution with the National Development Plan and National Security Strategy, and support a professional State service capable of serving any elected Government with integrity.

For further information or clarification please contact Selina.kuruleca@justice.gov.fj on behalf of the Permanent Secretaries.

Respectfully

Signed by the Permanent Secretaries of the Fiji Public Service

Dr Sushil K Sharma

Gmail Constitution Review Commission <commissioners2026@gmail.com>

CRC 2103 Constitution Amendment Submission

Dr Sushil K. Sharma <sks.ozmetman@gmail.com> Tue, Jun 30, 2026 at 12:04 PM
To: commissioners2026@gmail.com
Cc: Kesaia Balewai <kesaia.balewai@corrections.gov.fj>, Leah Duru <leahduru94@gmail.com>, "fwesley@fijitimes.com.fj" <fwesley@fijitimes.com.fj>, Saki <swaqanivavalagi@fijitimes.com.fj>, "Dr Sushil K. Sharma" <sks.ozmetman@gmail.com>, "Dr Sushil K. Sharma" <sks_metman@yahoo.com>

Dear Leighton,

Thank you for your interest in my CRC submission. I really appreciate the extent you went out to get my contact details.

I am working on a detailed written submission and it should be ready within the next 7-10 days or so and emailed to you in electronic pdf file format.,

It will be detailed and also isolate the clause by clause or section by section areas where I wish to submit for amendments, removal or addition of clauses.

Apart from that I am also sending in an overview and also commentary on areas that may not be able to be amended yet, but may form part of any future rewrite of the constitution as there are many contentious areas that do not fit into the existing document well. .

Please let me know when the deadline is for the written submission but if it is very soon, then let me know as I do not wish to miss out on this great opportunity to provide my input, given that during the Ghazi Constitutional submission I also had submitted a 196 page report.

Please do write back to me should you wish to have some advice for me to make things easier for you in the format of the written submission.

Sincerely,

Sushil

PS: Please could you make comments on this OPED that I have written recently if you don't mind and have the time please as I need to send it out to the Fiji Times. I am keen to know if there are some glaring mistakes in it. If you think its publication will help the CRC and the citizens, then let me know and recommend its publication as part of the public education to help your team in the final stages of your submissions. It is an OPINIOn piece so there will be areas that you may not fully agree with and any solutions provided need not be exhaustive, as it is a guide to make life easier for the ordinary citizen..

OPINION

12 May 2026
[1068 Words + 3 Tables]

Making your submission become a clause, not a footnote.

Dissecting the 2013 Constitution for CRC Submissions: Bridging the Gap Between Public Aspiration and Constitutional Law

With the Constitutional Review Commission's final report due to the President by 31 August 2026, thousands of Fijians are preparing submissions. This guide shows how to move from civic conviction to constitutional language — and from a voice in the room to a provision in the draft.

Thousands of Fijians are preparing submissions for the Constitutional Review Commission (CRC), bringing deeply held views about governance and the future direction of the State. Many will speak with clarity of conviction and genuine civic purpose. It is not a deficit of participation; it is, in many cases, a deficit of structured participation. A constitution responds to proposals expressed with sufficient precision to be drafted, debated, and enacted. This guide is offered for those who wish to maximise the constitutional impact of their submission. All forms of engagement are welcome — what follows shows how to make yours count.

The Commission: Open Process, Clear Framework

Chairperson Sevuloni Valenitabua and Commission member Dr Neelesh Goundar have confirmed that all submissions are welcome in any form and any language. Citizens are encouraged to speak freely on any issue, including electoral reform and the single national constituency. The Commission's secretariat — comprising Hansard reporters, IT officers, and policy analysts — is recording and documenting all public input. Two experienced overseas constitutional drafters are engaged to translate that input into provisions Parliament can debate and enact. Two teams are currently conducting consultations across Fiji's islands, settlements and towns, with a final report due to the President by 31 August 2026.

Following the Chair's April 24 clarification, the 2013 Constitution remains the operative legal instrument and the Commission's mandate operates within its amendment framework. This means change must pass through prescribed mechanisms, including parliamentary supermajority thresholds and, where required, a referendum. The Commission operates as a fully independent body. Citizens who cannot articulate their submission in legal form may still speak freely — the secretariat will assist where possible in giving those views constitutional shape. Submissions that are already structured around specific provisions, however, are most readily converted into draft legislation.

The Nature of a Legal Submission

A constitutional submission is most effective when it makes a preliminary act of legal drafting. What begins as a public concern is most impactful when transformed into language capable of insertion into the constitutional text. This requires a shift from narrative to structure, and from aspiration to articulation. The Constitution operates through text. The Commission's capacity to generate actionable recommendations is strengthened when submissions identify relevant provisions and propose modifications in precise terms. This guide is designed to help citizens make that shift — not as a barrier to participation, but as a tool for those who want their ideas to have the greatest possible legislative effect. Constitution Review Commission
Chairperson Sevuloni Valenitabua and Commission member Dr Neelesh Goundar recently

appeared on Fijivillage Straight Talk with Vijay Narayan. Fijians are highly recommended to listen to this one hour six minutes of recorded interview that Vijay Narayan has made kindly available on his Fijivillage Straight Talk segment.

Navigating the Constitutional Pipeline

For any submission to result in change, it must pass through a structured institutional pathway. Public input is analysed and distilled by the Commission into findings. From there, the Cabinet determines which recommendations proceed to legislative drafting. Draft amendments are introduced in Parliament, subjected to scrutiny, and must secure the required supermajority. A referendum is required before final assent. At each stage, precision increases and tolerance for ambiguity decreases. The Commission's overseas drafters and secretariat support this process — but citizens who can already frame their ideas in constitutional language give their submission the clearest path through.

Targeting the Actionable Constitutional Space

Within the current framework, there are identifiable areas where reform is legally viable and procedurally accessible. These include elements of parliamentary procedure and institutional accountability mechanisms. Viability depends on how the submission is framed. A general expression of dissatisfaction will not readily translate into amendment. What is most effective is a submission that identifies the relevant provision, articulates a specific deficiency, and proposes a defined modification. Table 1 below provides a step-by-step guide to locating your issue within the constitutional structure. Tables 2 and 3 show how to frame it.

Addressing Politically Contested Domains

Beyond accessible areas lie domains that are constitutionally open but politically complex, including electoral systems and representation models — areas where many submissions have already focused. Here, legal feasibility alone is insufficient; a proposal may be internally coherent yet fail if it cannot secure the supermajority required in parliament, under the amendment provisions. Submissions addressing these matters must anticipate competing interests, recognise existing parliamentary alignments, and present proposals capable of attracting consensus. Without this framing, proposals remain theoretically sound but practically difficult to enact within the existing institutional and political environment.

The Bill of Rights in Practice

The Bill of Rights attracts significant public attention, often framed in terms of fairness and protection. Effective engagement, however, requires more than the articulation of principle — it requires precise interaction with the constitutional text. A submission calling for stronger protections is most effective when it identifies the specific provision governing that protection and proposes a modification to its wording or scope. The Constitution incorporates language, not abstract principles. The task is to translate broad concerns into defined textual changes. Table 3 illustrates the difference between a weak and a strong submission across several common themes. If you plan to make a submission it is advisable that you become familiar with Fiji's constitution if you are able to read in any one of the three languages. The iTaukei, Hindi and English versions of the 2013 Fiji Constitution are available on this link: https://www.laws.gov.fj/Home/information/constitutionoftherepublicoffiji

Securing Executive and Judicial Independence

Questions relating to judicial independence and the distribution of power are central to many submissions. Independence is not sustained by principle alone; it is secured through structure — through clearly defined mechanisms governing appointments, tenure, removal, and safeguards against external influence. Submissions calling broadly for an "independent

judiciary" without engaging these mechanisms remain aspirational. To have effect, ideally, they must identify relevant provisions and propose precise amendments. Only through this level of structural engagement can concerns about institutional integrity be incorporated into actionable constitutional reform.

The Imperative for Public Education

The Commission has confirmed it is conducting broad public education alongside its consultation work. This guide supplements that effort. Citizens cannot reasonably be expected to produce legally coherent submissions without first understanding the document they are engaging with. The Commission's secretariat provides support — but citizens who arrive informed and structured make the Commission's work easier and their own voice more powerful. Public education is not an optional supplement; it is foundational. Fiji does not lack engagement. It lacks the bridge that converts engagement into law.

Dr Sushil K Sharma BA MA MEng (RMIT) PhD (Melbourne) — World Meteorological Organisation (WMO) Accredited Class 1 Professional Meteorologist. Former British Aerospace, The Royal Saudi Air Force and Bahrain Air Navigation Directorate Aviation Meteorologist. Former Associate Professor of Meteorology, Fiji National University, and Operational Meteorologist and Manager, Climate Research and Services Division, Fiji Meteorological Services. The views expressed are those of the author alone and do not represent the views of this newspaper or its employees.

[1068 Words]

The following tables are provided as a practical guide to assist citizens in structuring CRC submissions that can be translated into constitutional amendments. Citizens who cannot structure their submission in this form are still encouraged to participate fully — the Commission's secretariat will assist.

TABLE 1 — NAVIGATING THE 2013 FIJI CONSTITUTION FOR CRC SUBMISSION

Locating Your Issue Within the Constitutional Structure

Step	Question to Ask	What It Means	Action
1	Where does my issue sit?	Rights, governance, judiciary, etc.	Identify relevant chapter
2	Does a section already exist?	Issue already recognised in Constitution	Work within that section
3	Is the section incomplete?	Missing clarity or scope	Propose amendment
4	No section exists?	Gap in Constitution	Propose new clause/subsection

TABLE 2 — ADDING A NEW CLAUSE, SECTION OR SUB-SECTION FOR CRC SUBMISSION

Issue Type	What Citizens Should Do	Example Constitutional Format	Likely Outcome
Existing section incomplete	Amend wording or add subsection	"Amend Section 27 to include..."	High
Clarification needed	Insert additional clause	"Insert Section 27A to clarify..."	High

Issue Type	What Citizens Should Do	Example Constitutional Format	Likely Outcome
New issue not covered	Create new provision	"Insert new Section under Chapter 4..."	Medium
Electoral or structural reform	Propose broader amendment	"Amend electoral framework to..."	Medium–Low
Entrenched constitutional area	Requires major political and legal support	"Amend entrenched provision..."	Low

TABLE 3 — WEAK VERSUS STRONG CONSTITUTIONAL SUBMISSIONS

Weak Submission	Strong Constitutional Submission
"The system is unfair."	"Amend Section 57 to include independent oversight provisions..."
"Government has too much power."	"Insert a parliamentary review mechanism under Section..."
"Judges should be independent."	"Amend judicial appointment provisions to require..."
"Rights should be protected."	"Expand Section... to include protection for..."

From: Constitution Review Commission <commissioners2026@gmail.com>

Sent: Monday, June 29, 2026 2:00 PM
To: Fred Wesley <fwesley@fijitimes.com.fj>
Cc: Kesaia Balewai <kesaia.balewai@corrections.gov.fj>; Leah Duru <leahduru94@gmail.com>
Subject: Fwd: [External] Contact Details - Dr. Sushil K Sharma

Dear Mr Wesley,

Thank you for taking my call earlier kindly following up with regard to earlier request as per email below for Dr Sushil Sharma email contact.

Thank you for assistance which is truly appreciated.

Vinaka and blessed day

Leighton Fatiaki

Research & Policy Team

CONSTITUTION REVIEW COMMISSION
Level 9 Suvavou House, Victoria Parade Suva.
MOB: 9905677

From: **Constitution Review Commission** <commissioners2026@gmail.com>

Date: Mon, Jun 22, 2026 at 2:53 PM
Subject: Contact Details - Dr. Sushil K Sharma
To: <fwesley@fijitimes.com.fj>
Cc: <editor@fijitimes.com.fj>

Dear Mr Wesley,

I write on behalf of the Chair and the Commissioners of the Fiji Constitution Review Commission to seek contact information, specifically email for Dr. Sushil K Sharma (and phone contact should you have it), a regular opinion writer to your renowned newspaper.

The reason for our request is to be able to solicit a written submission from Dr. Sharma or perhaps to allow him an opportunity to make submissions to the Commission.

We thank you in advance for your assistance regarding the above.

Vinaka and blessed day

Leighton Fatiaki

Research & Policy Team

CONSTITUTION REVIEW COMMISSION
Level 9 Suvavou House, Victoria Parade Suva.
MOB: 9905677

Reg Sanday

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Submission

reg sanday <sandayreg@gmail.com> Tue, Jun 30, 2026 at 4:14 PM
To: "commissioners2026@gmail.com" <commissioners2026@gmail.com>

SUBMISSION TO THE CHAIRMAN OF THE CONSTITUTIONAL REVIEW COMMISSION

To: Mr Sevuloni Valenitabua, Chairman
From: Reg Sanday, Economist
Address: Enamanu Rd, Nadi
Date: 30 June 2026

Subject: Submission on the Position of the Reserve Bank of Fiji – Retain the 2013 Framework and Add Full Employment as a Primary Object

Chairman and Distinguished Members of the Commission,

I write to you as an economist and a citizen of this country, residing on Enamanu Road in Nadi, to offer my submission on the constitutional position of the Reserve Bank of Fiji (RBF). This is a matter that goes to the heart of how we organise our economy and whose interests our institutions serve.

I have two proposals:

1. Retain the framework of Section 153 of the 2013 Constitution – it strikes the right balance between operational independence and democratic accountability.
2. Amend Section 153(1) to add "full employment" as a primary object – to ensure the Reserve Bank's feet are firmly planted among the villages, settlements and household farmers of Fiji.

The Cow and the Rope: Understanding the 2013 Framework

Let me use a simple analogy to explain what the 2013 Constitution achieved.

Think of the Reserve Bank as a cow. The cow needs to graze – that is its job. But if the cow roams completely free, with no one holding a rope, it will wander into the bush, eat the wrong things, and forget about the village that depends on it.

Under the 1990 and 1997 Constitutions, the government held the rope too tightly. The cow was led around by the nose, and politicians could pull it whichever way suited them – often in directions that helped them win votes but hurt the economy in the long run.

The 2013 Constitution changed this. Section 153(2) says the Reserve Bank must perform its functions "independently and without fear, favour or prejudice". This means the cow can graze freely – the government cannot tell the Bank what interest rate to set or which direction to take on monetary policy.

But – and this is the crucial part – Section 153(2) also says "there must be regular consultation between the Reserve Bank of Fiji and the Minister responsible for finance". This is the rope. The government holds it. The cow does not roam free. It must regularly come back and talk to the people's elected representatives.

This is the genius of the 2013 framework. The government holds the rope, but the cow is not dragged by the nose. It is a partnership – not domination by politicians, and not technocratic rule by unaccountable bankers.

Why I Urge You to Retain This Framework

Some people argue for complete independence – no rope at all – like the model that operated in New Zealand. Others argue for complete government control – the cow led entirely by the nose – like the pre-2013 era.

Both are wrong for Fiji.

Complete independence is dangerous. Look at what happened in New Zealand. In 2023, the National Party-led coalition government removed the obligation to support full employment from the Reserve Bank's mandate. The Bank

was told to focus only on inflation. With no rope tethering it to the people's welfare, the Bank raised interest rates aggressively. Between 2022 and 2024, it deliberately increased unemployment by nearly two percentage points. That meant over 50,000 New Zealanders lost their jobs – and their families lost their livelihoods. All this to fight inflation that would have come down anyway.

That is what happens when the cow roams free with no rope. The Bank stops caring about people and cares only about financial numbers.

Complete government control is also dangerous. When politicians hold the rope too tightly, they are tempted to pull the cow towards short-term political gains – issuing money before elections, keeping interest rates artificially low – at the expense of long-term economic stability.

The 2013 Constitution avoids both extremes. The cow can graze independently, but the government holds the rope through regular consultation. This is the middle ground – and it is the right ground for Fiji.

My Proposal: Add Full Employment as a Primary Object

While I strongly urge you to retain the 2013 framework, I respectfully submit that we can improve it by amending Section 153(1) – the list of the Reserve Bank's primary objects.

Currently, Section 153(1) lists the following objects:

(a) to protect the value of the currency in the interest of balanced and sustainable economic growth;
(b) to formulate monetary policy;
(c) to promote price stability;
(d) to issue currency; and
(e) to perform other functions conferred on it by a written law.

Notice what is missing: the people. There is no mention of jobs, of livelihoods, of the welfare of the people of Fiji. The Bank is told to care about the currency and prices – but not about whether people have work to feed their families.

I propose we amend Section 153(1) to read as follows (new wording in italics):

(1) The Reserve Bank of Fiji is the central bank of the State, whose primary objects are –
(a) to actively promote and sustain full employment and the economic wellbeing of all the people of Fiji – in our villages, settlements and among household farmers;
(b) to support the fiscal and developmental policies of the State in achieving the public good;
(c) to manage monetary conditions, including price stability and the value of the currency, in a manner consistent with the achievement of full employment and sustainable economic development;
(d) to issue currency; and
(e) to perform other functions conferred on it by a written law.

Why This Amendment Matters

First, it puts the people first. Full employment is not an afterthought – it is the primary object. The Bank must ask, at every decision: "What does this mean for jobs in Fiji?"

Second, it anchors the Bank's feet firmly among the villages, settlements and household farmers of Fiji. The cow's feet are planted in the village, not floating in the abstract world of financial markets. The Bank serves the people of Fiji – not investors, not bankers, not international credit rating agencies. It serves the farmer in the village, the family in the settlement, and the household that depends on a steady income.

Third, it keeps the government holding the rope. Section 153(2) remains untouched. The Bank is still independent in its operations, and the government still holds the rope through regular consultation. But now the rope pulls the cow towards full employment – towards the welfare of every person in this country.

Fourth, it learns from New Zealand's mistake. When New Zealand removed full employment from its central bank's mandate, over 50,000 people lost their jobs. We must not make the same error. The people of Fiji deserve a central bank that cares about their livelihoods, not just about financial indicators.

Full Employment as a Central Bank Objective: International Practice

The proposal to include full employment as a primary object of the Reserve Bank is not radical or unprecedented. It is standard practice in many of the world's leading economies.

United States – The Federal Reserve has operated under a statutory "dual mandate" since 1977: to promote

maximum employment and stable prices. The Federal Reserve Act instructs the Fed "to promote effectively the goals of maximum employment, stable prices, and moderate long-term interest rates".

Australia – The Reserve Bank of Australia operates under a dual mandate to keep prices low and stable and to support full employment. The RBA aims "to have as many people in jobs as possible, while at the same time keeping inflation low and stable".

United Kingdom – The Bank of England's Monetary Policy Committee has a mandate that includes supporting the Government's economic policy, including its objectives for growth and employment. The remit explicitly states that the MPC should "support the Government's economic policy, including its objectives for growth and employment".

Canada – The Bank of Canada's mandate includes promoting the economic and financial welfare of Canada. While the primary focus is inflation control, the Bank explicitly considers the impact of its decisions on employment and economic growth.

Japan – The Bank of Japan Act states that the Bank's monetary policy should be "aimed at achieving price stability, thereby contributing to the sound development of the national economy". This is interpreted to include supporting employment and economic growth.

European Central Bank – The ECB's mandate, while primarily focused on price stability, includes the objective of supporting the general economic policies in the European Union, including "a high level of employment and social protection".

New Zealand (Pre-2023) – Until 2023, the Reserve Bank of New Zealand Act specified "full employment" as the first goal of monetary policy, followed by price stability. The removal of this mandate in 2023 has been widely criticised and has resulted in significant job losses.

South Korea – The Bank of Korea Act states that the Bank shall "contribute to the sound development of the national economy by maintaining price stability" and "pursue the goal of promoting economic growth and employment".

Brazil – The Central Bank of Brazil operates under a mandate that includes ensuring price stability and fostering full employment.

The inclusion of full employment as a central bank objective is therefore consistent with the practice of major economies across the Americas, Europe, Asia and Oceania. Fiji would be joining the mainstream of international central banking practice by adopting this amendment.

A Note on Economic Philosophy

The 2013 Constitution's "independence" clause should be read as operational autonomy in technical matters, while the "regular consultation" clause firmly subordinates that technical work to the democratically elected government's fiscal strategy. The government holds the rope – not to "restrain" the Bank, but to direct it towards the public purpose: full employment for the people of Fiji.

My proposed amendment reflects this view. It places full employment at the very top of the Bank's mandate. It subordinates price stability to the achievement of full employment. And it keeps the government holding the rope, ensuring that the Bank remains accountable to the people through their elected representatives.

Recommendation

For the reasons set out above, I respectfully recommend that the Commission:

1. Retain Section 153(2) – keeping the Reserve Bank operationally independent but requiring regular consultation with the Minister responsible for finance. The government holds the rope.
2. Amend Section 153(1) to include full employment as a primary object, using the wording I have proposed. This ensures the cow's feet are firmly planted among the villages, settlements and household farmers of Fiji.
3. Leave the Reserve Bank of Fiji Act 1983 to govern the day-to-day operations of the Bank, as provided for in Section 153(5).

The 2013 Constitution struck the right balance. With this small but significant amendment, we can ensure that balance serves not just the currency, but the people – in our villages, in our settlements, and among our household farmers.

Thank you for considering this submission. I am happy to provide further elaboration if required.

Reg Sanday

Economist
Enamanu Rd, Nadi

ANNEX A: SUPPLEMENTARY

To: Mr Sevuloni Valenitabua, Chairman
From: Reg Sanday, Economist
Date: 30 June 2026

Subject: Personal Background and Support for the Submission of Mr Peceli Vuniwa

Chairman,

I write to you in a personal capacity to provide context to my submission and to express my strong support for the submission of Mr Peceli Vuniwa of Nasomo, Vatukoula.

My Personal Background

I am an individual citizen making this submission at the personal level. While I am not written in the Vola Ni Kawa Bula (VKB), I exercise my right of direct descent from my grandmother, Esiteri Voreqe Rukutabua of Koroboya Village, Yalatina District, now of Ba but previously part of Colo.

My grandmother was the daughter of Rukutabua, who fought against colonial intrusion in all three Colo Wars – in 1871, 1873 and 1876. He was taken as a prisoner of war and sold as a slave at Levuka in 1873. He returned to fight in the 1876 "Little War" of Sir Arthur Gordon. My grandmother, and her father Rukutabua before her, stood firm for the Colo people.

For many years, my family – where my grandmother, my grandfather Edward Sanday, my elder brother William Fredrick, and my Uncle John William – are buried in a family cemetery to this day at Koro Number One, near the village of Nadelei, which was previously part of the old province of Colo North.

My connection to this land and to the people of Colo is not a matter of administrative record alone. It is a matter of blood, of burial grounds, and of belonging. I stand on the shoulders of my grandmother, and her father Rukutabua, and the ancestors who came before them.

Support for Mr Peceli Vuniwa's Submission

I have read Mr Vuniwa's submission dated 24 June 2026 and I support it in full. His call for:

(a) the restoration of Colo North Province, and
(b) the establishment of a fourth confederacy – Yasavakara

reflects the long-standing aspirations of the people of western Fiji and the Colo people. These are not new claims. They have been voiced by our ancestors – by Mosese Dugumoi (Navosavakadua), by Avolosi R. Nawai, by Osea Saunivalu, and by Ratu Sailosi Gusolevu – all of whom were exiled by the colonial state for asserting the distinct identity of the west.

The three confederacies (Kubuna, Tovata and Burebasaga) were originally Methodist Church divisions in the 1850s, controlled from Viwa, Bau, Tailevu for the administration of church matters. They were subsequently adopted by colonial administration for convenience. This arrangement has never sat easily with western Fijians, who continue to have significant linguistic, political and cultural differences from eastern Fijians.

The Bukarau Consultancy and the Great Council of Chiefs

The desire of the Colo people for recognition was affirmed by the Bukarau consultancy team that visited Colo North in 2024 on behalf of the Native Lands and Fisheries Commission. The review team, led by Lavi Rokoika and supported by consultants including Tevita Bukarau, began consultations on 2 September 2024 and visited 33 venues across all 14 provinces, engaging 182,000 Fijians.

This aspiration was later endorsed in 2025 by the Great Council of Chiefs. The GCC Chair, Ratu Viliame Seruvakula, revealed that the motion was brought up by members of Colo North and was agreed to unanimously. The GCC remains supportive of the establishment of a Colo North Province, with the aim of providing relevant support and development to highland communities which have long been neglected.

The restoration of Colo North Province and the recognition of Yasayasa Vaka Ra as a fourth confederacy would give effect to Fiji's binding obligations under ILO Convention 169 (ratified in 1998) and its policy commitment to the United

Nations Declaration on the Rights of Indigenous Peoples (endorsed in 2023). These instruments require consultation, consent, and the recognition of distinct identities.

A New, Inclusive and Just Constitution

Below I have outlined the changes needed for a new, inclusive and just Constitution.

Proposed Constitutional Amendments

I propose the following amendments to the 2013 Constitution to give effect to these aspirations:

1. Recognition of the Yasayasa Vaka Ra Confederacy

A new section should be inserted providing for the recognition of the Yasayasa Vaka Ra as a fourth confederacy. The confederacy shall comprise the provinces of Serua, Nadroga, Ba, the Yasawas, Ra, and the new province of Colo North.

Proposed wording:

The State recognises the Yasayasa Vaka Ra as a fourth confederacy, comprising the provinces of Serua, Nadroga, Ba, the Yasawas, Ra, and the Province of Colo North. The Yasayasa Vaka Ra shall have the same status, rights and privileges as the existing confederacies of Kubuna, Tovata and Burebasaga.

2. Restoration of Colo North Province

A new section should be inserted providing for the restoration of Colo North Province with boundaries reflecting the traditional yavusa and vanua of the Colo people.

Proposed wording:

(1) The Province of Colo North is hereby restored as a province of the State.
(2) The boundaries of the Province of Colo North shall be determined by the Commission on Provincial Boundaries, after consultation with the traditional leaders and yavusa of the Colo people.
(3) The Province of Colo North shall be part of the Yasayasa Vaka Ra Confederacy.

3. Resource Ownership

A new section should be inserted providing that ownership of resources beneath the surface of iTaukei land reverts to customary landowners.

Proposed wording:

(1) Subject to this section, the ownership of all minerals, petroleum and other resources beneath the surface of iTaukei land shall vest in the customary landowners of that land.
(2) The State may regulate the exploration and extraction of such resources, provided that:
(a) the free, prior and informed consent of the customary landowners is obtained;
(b) the customary landowners receive a fair and equitable share of the benefits; and
(c) adequate provision is made for the protection of the environment and the welfare of affected communities.

4. Qoliqoli Rights

A new section should be inserted providing a mechanism for qoliqoli owners to question and validate their qoliqoli boundaries and declaring ownership of qoliqoli by its traditional owners.

Proposed wording:

(1) The traditional owners of qoliqoli (traditional fishing grounds) are recognised as the owners of those qoliqoli.
(2) A mechanism shall be established by written law for qoliqoli owners to question, validate and register their qoliqoli boundaries.
(3) This section gives effect to the promise made by Queen Victoria to the Great Council of Chiefs at Nailaga, Ba, affirming qoliqoli ownership by traditional owners.

5. Free, Prior and Informed Consent

A new section should be inserted incorporating the principle of free, prior and informed consent for decisions affecting indigenous lands, resources and governance.

Proposed wording:

(1) The State shall not take any legislative or administrative measure that may affect the lands, territories, resources or governance of indigenous peoples without obtaining their free, prior and informed consent.
(2) This section applies to:
(a) the exploration, development or exploitation of mineral, water or other resources on indigenous lands;
(b) the alteration of provincial or confederacy boundaries;
(c) any other matter that may significantly affect the rights or interests of indigenous peoples.
(3) This section is without prejudice to any other rights or obligations under ILO Convention 169 or the United Nations Declaration on the Rights of Indigenous Peoples.

Thank you for considering my personal submission and my support for the submission of Mr Peceli Vuniwa.

Reg Sanday
Economist
Enamanu Rd, Nadi

ANNEX B: SUBMISSION OF MR PECELI VUNIWA

(As provided by the author)

SUBMISSION TO THE FIJI CONSTITUTION REVIEW COMMISSION

From: Peceli Vuniwa
Address: Nasomo, Vatukoula
Date: 24 June 2026

To: Mr Sevuloni Ratumaiyale Valenitabua
Chairman, Constitution Review Commission

1. INTERNATIONAL LEGAL OBLIGATIONS: ILO 169 AND UNDRIP

Fiji has binding international legal obligations regarding the rights of indigenous peoples. These provide the framework for this submission.

1.1 ILO Convention 169 (Ratified 1998)

Fiji ratified the International Labour Organization's Indigenous and Tribal Peoples Convention, 1989 (No. 169) on 3 March 1998. As a State Party to this Convention, Fiji is legally bound to implement its provisions. This is not a matter of policy choice but a binding international obligation that has been in force for over 25 years.

The key provisions of ILO 169 relevant to this submission include:

· Article 6: Governments must consult indigenous peoples through appropriate procedures and in good faith before adopting legislative or administrative measures that may affect them.
· Article 7: Indigenous peoples have the right to decide their own priorities for development and to exercise control over their own economic, social and cultural development.
· Articles 13-19: Indigenous peoples' rights to lands and resources must be recognised, and adequate procedures established to resolve land claims.
· Article 14: The rights of ownership and possession of indigenous peoples over lands they traditionally occupy shall be recognised.

1.2 UNDRIP (Endorsed 2023)

In June 2023, Fiji's President Ratu Wiliame Katonivere announced that Fiji had taken the "critical step of supporting" the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), following a Cabinet decision. The President stated: "We join the international community in affirming the fullest expression of Indigenous peoples' aspirations. Fiji's support for UNDRIP is complementarity to its commitment to ILO Convention 169."

While UNDRIP is a non-binding declaration, Fiji's formal endorsement through Cabinet decision signals a clear policy commitment. Together with the legally binding obligations under ILO 169, these instruments provide a comprehensive framework for constitutional reform.

2. THE CONFEDERACY QUESTION

The three confederacies (Kubuna, Tovata, and Burebasaga) originated as divisional categories of the Methodist Church in the 1850s, controlled from Viwa, Bau, Tailevu for the administration of church matters. These divisions were administrative categories for church governance. With the exception of maybe the Tovata, they were not natural or traditional categories.

Subsequently, these Methodist church divisions were adopted by colonial administration for administrative convenience. The colonial government found the eastern hierarchies easier to comprehend and administer, so the many smaller separate western socio-political entities were simply "written in" to Kubuna and Burebasaga.

Being drafted into these administrative categories has never sat easily with western Fijians, who continue to have significant linguistic, political and cultural differences from eastern Fijians. This arrangement divides westerners, suppresses their united voice, and subordinates them to eastern power structures.

3. THE FOURTH CONFEDERACY: YASAYASA VAKA RA

The call for recognition of the Yasayasa Vaka Ra as a fourth confederacy has a long-standing history, rooted in the distinct identity of western Fiji. Evidence of this distinct identity is found in the separate language that exists between western and eastern Fiji.

This aspiration was affirmed by early resistance leaders from the west, including:

· Mosese Dugumoi or Navosavakadua from Drauniivi, Ra, leader of the Tuka Movement of the 1880s and 1890s
· Avolosi R. Nawai of Narewa, Nadi, early 1900s
· Osea Saunivalu of Yalatina, Ba, along with Ratu Sailosi Gusolevu of Ra and Aisake Sivo of Bulu, Ba, leaders of an uprising in the period 1914-1918 that led to mass conversions to Catholicism and Seventh Day Adventism

All of these western leaders were exiled by the colonial state. Saunivalu and Gusolevu were key figures in the mass conversion of upper Ba to Catholicism and Ra and Nadarivatu to Seventh Day Adventism.

The desire for recognition of the Yasayasa Vaka Ra reflects the long-standing aspiration of western Fijians to preserve their identity and culture separate from the eastern, more hierarchical chiefly structure. The west has historically maintained a more egalitarian social structure, with language and customs distinct from the east.

This aspiration continued into the independence era and was formally advocated following the 1970 constitution. The election of Timoci Bavadra as Prime Minister in 1987 was part of this movement – it represented the first time political power shifted to the west, challenging the eastern dominance that had prevailed since colonial times. The shift of power his election caused was a significant factor in the 1987 coups.

4. COLO NORTH PROVINCE

The restoration of Colo North Province is a related priority. Colo North will be part of the new Yasayasa Vaka Ra Confederacy due to similarities of language, custom, and traditional inter-linkages, including the Koicalevu connection.

Prior to 1942, Colo North was among several provinces whose boundaries were changed during the colonial period. In 1942, Ratu Sir Lala Sukuna reorganised the Fijian Administration, abolishing some provinces and redistributing their people among neighbouring provinces. The people of Colo North were distributed among the five provinces of Ba, Ra, Nadroga, Naitasiri and Navosa. Sukuna's administration created new tikinas by amalgamating smaller existing tikinas, a step designed specifically to reduce parochialism and break down local identities. This administrative restructuring also divided villagers so they could not be mobilised politically.

Under colonial law, when colonial control was the main motivation, parochialism was frowned upon. However, under ILO 169 and UNDRIP, parochialism is treated differently. These instruments grant group rights for indigenous peoples within a wider structure, recognising that distinct identities and local governance are not obstacles to unity but foundations upon which a stable and inclusive state can be built.

The amalgamation was presented as administrative efficiency rather than a response to the wishes of the affected people. The chiefs of the seven yavusa in Colo North have been unanimous in their desire for their own province, as recorded in 1986.

5. RESOURCE OWNERSHIP AND THE SIX-FEET RULE

5.1 Current Legal Framework

Under Fiji's Constitution and the Mining Act, all minerals in Fiji, including precious metals and stones, are owned by

the State regardless of whether they are found on iTaukei or freehold land. Petroleum resources are also owned by the State under the Petroleum (Exploration and Exploitation) Act 1978.

While landowners retain ownership of the land itself, mineral ownership remains reserved to the State. Under the Fair Share of Mineral Royalties Act 2018, landowners currently receive 80 percent of mineral royalties paid to the State, while the government retains 20 percent. However, the iTaukei Land Trust Board has stated that the current royalty structure does not provide a fair return to landowners. The Provincial Council of Lomaiviti and other indigenous groups have called for a significant review of mining legislation, noting that resource-rich owners remain financially disadvantaged under current arrangements.

5.2 Qoliqoli Rights

Qoliqoli (traditional fishing grounds) rights were drawn up during colonial times, with some groups losing out and others gaining. There should be a mechanism for qoliqoli owners to question and validate their qoliqoli boundaries.

The new Constitution must provide for this mechanism as well as declare ownership of qoliqoli by its traditional owners. This would give effect to the promise made by Queen Victoria to the Great Council of Chiefs at Nailaga, Ba in the 1880s or 1890s, affirming qoliqoli ownership by traditional owners.

5.3 ILO 169 and UNDRIP Requirements on Resources

Article 14 of ILO 169 requires that the rights of ownership and possession of indigenous peoples over lands they traditionally occupy shall be recognised. Article 26 of UNDRIP affirms that indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Article 32(2) of UNDRIP requires states to obtain free, prior and informed consent prior to the approval of any project affecting indigenous lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

The current arrangement, where the State owns all minerals regardless of surface land ownership, is inconsistent with these provisions. Customary landowners effectively have no ownership rights over resources beneath their land.

6. APPLYING ILO 169 AND UNDRIP TO CURRENT ARRANGEMENTS

6.1 Non-Discrimination (ILO 169 Article 3; UNDRIP Article 2)

Current provincial boundaries and confederacy arrangements may have the effect of discriminating against western Fijians and the Colo people by denying them recognition as distinct groups with rights to self-determination and autonomy.

6.2 Self-Determination and Autonomy (UNDRIP Articles 3 and 4)

The current confederacy arrangements that subsumed western socio-political entities into eastern confederacies without consultation do not reflect the right of indigenous peoples to determine their political status. The recognition of the Yasayasa Vaka Ra as a fourth confederacy and restoration of Colo North Province would give effect to these rights.

6.3 Distinct Institutions (UNDRIP Article 5)

The current arrangements suppress distinct western and Colo identity. Recognition of these groups' distinct institutions would align Fiji's constitutional framework with UNDRIP.

6.4 Free, Prior and Informed Consent (ILO 169 Article 6; UNDRIP Articles 19 and 32)

The 1944 amalgamation of provinces was imposed without the consent of the affected people. The imposition of confederacy structures was likewise an administrative act without consultation. Western Fijians and the Colo people were not consulted in a manner consistent with free, prior and informed consent.

The 2013 Constitution itself has been criticised for failing to entrench indigenous group rights and for removing the Great Council of Chiefs without prior consultation, contrary to ILO 169 obligations. As noted by representatives of Fiji's high chiefs, "ILO 169 is very specific. It says that before you change any policy in relation to native people, before you make any law change that impacts on their lives, you must obtain their consent, you must consult with them, you must obtain their views."

Furthermore, resource development on iTaukei lands has proceeded without the requirement of free, prior and informed consent from customary landowners.

7. RECOMMENDATIONS

(a) Recognition of Yasayasa Vaka Ra Confederacy
The Constitution should recognise the Yasayasa Vaka Ra as a fourth confederacy, reflecting the distinct identity and aspirations of western Fijians.

(b) Restoration of Colo North Province
The Constitution should provide for the restoration of Colo North Province with boundaries reflecting the traditional yavusa and vanua of the Colo people. Colo North shall be part of the Yasayasa Vaka Ra Confederacy.

(c) Resource Ownership
The Constitution should be amended to provide that ownership of resources beneath the surface of iTaukei land reverts to customary landowners. The current State ownership of all minerals is inconsistent with ILO 169 Article 14 and UNDRIP Article 26.

(d) Qoliqoli Rights
The Constitution should provide a mechanism for qoliqoli owners to question and validate their qoliqoli boundaries and declare ownership of qoliqoli by its traditional owners, consistent with Queen Victoria's promise to the Great Council of Chiefs at Nailaga, Ba.

(e) Consent Requirements
The Constitution should incorporate the principle of free, prior and informed consent for decisions affecting indigenous lands, resources, and governance, consistent with ILO 169 Article 6 and UNDRIP Articles 19 and 32.

(f) Royalty Reform
The royalty structure should be reviewed to ensure fair return to landowners, consistent with the iTaukei Land Trust Board's submission to the Fiji Law Reform Commission.

8. CONCLUSION

The three confederacies, originally Methodist Church divisions in the 1850s controlled from Viwa, were adopted by colonial administration for convenience and imposed on peoples who were not traditionally part of them. This arrangement suppresses the voice of western Fijians and divides them into eastern power structures.

Fiji's legally binding obligations under ILO 169 (ratified 1998) and policy commitment to UNDRIP (endorsed 2023) require that indigenous peoples be consulted, that their consent be obtained before changes affecting them, and that their rights to lands, territories and resources be recognised.

Recognition of differences within a national framework can form the basis of a united Fiji. Administrative boundaries that reflect the identity and governance structures of all communities provide the foundation for stability and development.

Peceli Vuniwa
Nasomo, Vatukoula
24 June 2026

SUMMARY OF PROPOSED CONSTITUTIONAL AMENDMENTS

For ease of reference, I summarise below all the constitutional amendments proposed in this submission and its annexes:

Subject Proposed Amendment
Reserve Bank – Full Employment Amend Section 153(1) to include full employment as a primary object
Fourth Confederacy – Yasayasa Vaka Ra Insert new section recognising Yasayasa Vaka Ra as a fourth confederacy, comprising Serua, Nadroga, Ba, Yasawas, Ra, and Colo North
Colo North Province Insert new section restoring Colo North Province as part of Yasayasa Vaka Ra
Resource Ownership Insert new section providing that ownership of resources beneath iTaukei land reverts to customary landowners
Qoliqoli Rights Insert new section recognising traditional ownership of qoliqoli and providing a mechanism for boundary validation
Free, Prior and Informed Consent Insert new section incorporating FPIC for decisions affecting indigenous lands, resources and governance

Reg Sanday
Economist
Enamanu Rd, Nadi
30 June 2026

Shruti Chand

CONSTITUTION REVIEW SUBMISSION

Subject: Proposed Expansion of Section 56 of the Constitution of the Republic of Fiji 2013

I respectfully submit that Section 56 of the Constitution of the Republic of Fiji 2013, which outlines the qualifications for candidates standing for election to Parliament, should be expanded to include a minimum educational qualification requirement.

Section 56 currently provides requirements for candidates including citizenship, residency, voter registration and other eligibility conditions. However, there is no provision requiring a candidate to possess a minimum educational qualification.

This proposal is based on personal observations and experiences regarding the importance of educational knowledge in governance and national decision-making. Members of Parliament are responsible for making decisions that affect the nation's economy, social development, and future growth. Many of these decisions require an understanding of economic principles, public policy, international relations, and the broader impacts of legislation.

Individuals with educational backgrounds in economics and related fields are often equipped with skills that allow them to better understand markets, financial systems, and long-term national development strategies. Such knowledge can help reduce impulsive decision-making and encourage policies that promote sustainable growth and national progress.

However, I also recognise that access to education has not always been equal for everyone. Some individuals may not have had the opportunity or financial means to pursue formal education earlier in life but may still possess the ability and desire to serve the nation effectively. Therefore, I propose that where formal qualifications are absent, individuals should be allowed to demonstrate their knowledge and competence through an examination or assessment process that evaluates their understanding of governance, economics, and public administration.

This proposal does not seek to discriminate against any group of citizens. Rather, it seeks to strengthen governance by ensuring that elected representatives possess a minimum level of educational preparedness while still providing alternative pathways for capable individuals to participate in the democratic process.

A stronger Parliament contributes to stronger governance, better policy-making, and improved national development.

Submitted respectfully

Shruti Chand

Merewalesi Laveti

FJ Submission to the Fiji Constitution Review Committee

Strengthening Sustainable Development, Rights Protection, Climate Equity, Indigenous Governance, and Rule of Law

Submitted by: Merewalesi Laveti, 537 Villa Frangipani place, Pacific Harbour.
Date: 26 May 2026

1. Introduction

This submission outlines key recommendations to strengthen the **2013 Constitution of the Republic of Fiji** to ensure:

- Sustainable and equitable development across all 14 provinces
- Protection of individual rights and freedoms
- Integration of climate change and environmental justice
- Strengthening of indigenous governance and land-owning units
- Reinforcement of the rule of law and constitutional supremacy

2. Strengthening Foundational Constitutional Values

Reference:

- **Section 1 – The Republic of Fiji**

Recommendation:

Amend Section 1 to include:

"sustainable development, climate resilience and intergenerational equity."

Rationale

- Section 1 already defines national values such as equality, dignity, and rule of law
- Explicitly adding sustainability ensures:
    - Long-term stewardship of natural resources
    - Alignment with Fiji's climate vulnerability realities
    - Also ensures that national budgets demonstrate equitable allocation across all 14 provinces
- Provides a guiding principle for courts and policymakers when interpreting all other constitutional provisions examples, this clause can used by the Courts to assess large-scale development projects compromise long-term environmental sustainability (e.g. coastal reclamation)

3. Expanding Environmental and Climate Rights

Reference:

- **Section 40 – Environmental rights**

Recommendation:

Strengthen Section 40 with climate-specific language.

Rationale

- Current environmental rights are broad and do not explicitly include climate change risks
- Fiji is highly exposed to:
    - cyclones
    - flooding
    - sea-level rise
- Constitutional recognition will:
    - establish state obligation for climate action
    - ensure access to early warning systems and preparedness
    - enable citizens to legally challenge environmentally harmful developments
- Reinforces links between environmental protection and human rights (health, housing, livelihoods)

4. Strengthening Equality and Non-Discrimination

Reference:

- **Section 26 – Equality and freedom from discrimination**
- **Recommendation:**

Include geographic and climate vulnerability as grounds of protection.

Rationale

- Section 26 guarantees equality, but does not address structural geographic disparities
- People in:
    - maritime islands
    - remote rural areas
      face systemic disadvantages
- Expanding protection ensures:
    - equitable access to services

- inclusive national development

- Supports "leave no one behind" principle

5. Enhancing Indigenous Land and Resource Governance

References:

- **Sections 28–30 – Land and resource rights Recommendation:**

Introduce Free Prior Informed Consent and recognition of customary governance.

Rationale

- Existing provisions strongly protect ownership
- However, there is a gap in:
  - decision-making authority
  - benefit-sharing mechanisms
- Recognizing mataqali and traditional structures:
  - strengthens legitimacy of development
  - ensures community/mataqali consent before any form of development
  - Benefit sharing arrangement - % of revenue from any development are discussed and consent from Mataqali or land owning unit is granted
- Supports locally led development and conflict prevention

6. Promoting Equitable Provincial Development

References:

- Sections 31–39 – Socio-economic rights

Recommendation:

Add a provincial equity obligation.

Rationale

- Rights to housing, health, water, and education exist
- However, access is uneven across provinces
- Constitutionalising equity:
  - compels government to allocate resources fairly
  - reduces disparities between urban and rural areas
  - Use Provincial -level indicators to track disparities (income, health, access, transport access)

- Supports balanced national development

7. Constitutional Recognition of Local Governance

Reference:

- Centralized structure under Chapter 3 – Parliament

Recommendation:

Introduce decentralization provisions to empower provincial councils to: approve some scale of local infrastructure projects, enable village-level planning, allocate funding directly to community driven development projects (e.g. solar electrification, fisheries management, agriculture etc).

Rationale

- Current system is highly centralized
- Local and traditional governance systems:
    - are closest to communities
    - are critical for service delivery in remote areas
- Strengthening them:
    - improves responsiveness
    - enhances accountability
    - promotes ownership of development initiatives

8. Strengthening Access to Information and Participation

References:

- Section 25 – Access to information
- Section 23 – Political rights

Recommendation:

Expand to include climate and environmental information.

Rationale

- Effective participation requires:
    - timely information
    - risk awareness
- In climate and disaster contexts:
    - access to early warning information is life-saving
- Enhances:

- transparency
- citizen engagement
- community resilience

9. Protection Against Climate-Induced Displacement

Reference:

- **Section 35 – Freedom from arbitrary eviction** [statsfiji.gov.fj]

Recommendation:

Include climate displacement protections.

Rationale

- Fiji is already experiencing:
  - relocation of coastal communities
- Existing provisions do not address:
  - planned relocation
  - climate-induced displacement
- Strengthening this ensures:
  - dignity of affected populations
  - proper consultation and compensation
- Aligns with emerging global norms on **climate mobility**

10. Strengthening Accountability Mechanisms

References:

- **Human Rights and Anti-Discrimination Commission (Sections 45–46)**

Recommendation:

Expand oversight functions.

Rationale

- Constitutional rights require enforcement mechanisms
- Expanding mandate ensures monitoring of:
  - climate justice
  - inequality
  - indigenous rights
- Improves:

- transparency
- compliance
- policy effectiveness

11. Reform of Immunity Provisions to Strengthen Rule of Law

References:

- Chapter 10 – Immunity
- Section 2 – Supremacy of the Constitution

Recommendation:

Repeal or reform immunity provisions.

Rationale

- Immunity provisions undermine:
  - rule of law (Section 1)
  - constitutional supremacy (Section 2)
- Create unequal legal standards, conflicting with:
  - Section 26 – equality before the law
- Reform would:
  - restore accountability
  - strengthen public trust
  - reinforce democratic governance
- Transitional options (e.g., truth commissions) can ensure:
  - national reconciliation
  - stability

12. Consolidated Constitutional Clause

"In accordance with Sections 1, 26, 28 and 40 of this Constitution, the State shall promote equitable, inclusive and climate-resilient development across all provinces of Fiji, ensure the protection of individual and collective rights, strengthen indigenous land governance systems, and empower local communities to participate fully in decisions affecting their land, resources and future."

13. Strengthening Health, Social Protection and Community Economic Development

Reference:

- Section 32 – Right to economic participation
- Section 31 – Right to education

Recommendation:

Expand economic participation rights:

"The State shall promote inclusive, village-based and community-driven economic development, including support for small enterprises, agriculture, fisheries, and traditional livelihoods."

Rationale

- Current provisions support economic participation but:
  - are not specific to rural/village economies
- Many Fijians rely on:
  - subsistence farming
  - fisheries
  - informal sector livelihoods
- Strengthening this ensures:
  - economic empowerment at grassroots level
  - reduced urban migration
  - resilience of local economies

14.5 Linking Health, Social Protection, and Development

Recommendation:

Add cross-cutting provision:

"The State shall integrate health, social protection, and economic development policies to strengthen community resilience, reduce poverty, and promote inclusive growth."

Rationale

- Health, poverty, and economic vulnerability are interconnected
- Integrated approach ensures:
  - better development outcomes
  - reduced inequalities
- Supports:
  - SDGs
  - national development planning

15. Strengthening Parliamentary Accountability, Transparency and Performance

15.1 Regulating Salaries and Benefits of Members of Parliament

Reference:

- **Chapter 3 – Parliament** [fiji.gov.fj]
- (Relevant operational areas: Parliamentary procedures and governance of remuneration)

Recommendation

Insert a constitutional provision:

"The remuneration, allowances, and benefits of Members of Parliament and Ministers shall be determined through an independent and transparent mechanism, subject to public disclosure, objective benchmarks, and legislative oversight."

Add safeguards:

- Prohibit MPs from directly determining or voting on their own salary increases
- Require independent body approval before any changes
- Link salary adjustments to:
    - national economic performance
    - inflation
    - fiscal sustainability

Rationale

- Prevents conflict of interest, where MPs influence their own compensation
- Ensures fairness and alignment with national economic conditions
- Promotes public trust and transparency
- Aligns with principles of good governance and accountability

15.2 Strengthening Parliamentary Oversight of Government

Reference:

- Chapter 3 – Parliament (legislative authority and oversight functions) [fiji.gov.fj]

Recommendation

Amend constitutional provisions to require:

"Parliament shall exercise robust oversight of the Executive through mandatory reporting, performance review mechanisms, and strengthened committee systems."

Include:

- Strengthened sectoral committees (health, education, agriculture, climate, etc.)
- Mandatory annual ministerial performance reporting to Parliament

- Expanded powers to:
    - summon officials
    - access information

Rationale

- Current oversight mechanisms can be strengthened for:
    - accountability of the Executive
- Enhances:
    - transparency
    - performance monitoring
- Ensures Government policies translate into measurable results

15.3 Introducing Performance-Based Governance

Recommendation:

Insert a constitutional principle:

"The Government shall operate on principles of performance-based management, transparency, and results-oriented service delivery."

Rationale

- Encourages shift from:
    - input-based planning → results-based governance
- Supports effective delivery of:
    - health, education, infrastructure services
- Aligns with international best practice in public sector management

15.4 Strengthening Anti-Corruption and Financial Accountability

Reference:

- Section 121 – Accountability and Transparency Commission

Recommendation

Expand accountability provisions to include:

"All public officials, including Members of Parliament, shall adhere to strict standards of financial disclosure, ethical conduct, and accountability, subject to independent monitoring and enforcement."

Rationale

- Reduces risks of:
    - corruption

- misuse of public funds

- Ensures public resources are used for:
  - national development priorities
- Strengthens integrity of government institutions

15.5 Enhancing Citizen Participation and Transparency in Parliament

Recommendation:

Insert provision:

"Parliament shall ensure transparency, public participation, and access to information in legislative processes."

Rationale

- Strengthens democratic participation
- Improves quality of decision-making through:
  - public input
- Enhances trust between citizens and Government

Optional Consolidated Clause

You may add this:

"Parliament shall operate in a transparent, accountable and performance-oriented manner, ensuring that remuneration of its members is independently determined, that the Executive is subject to rigorous oversight, and that public resources are managed in the best interests of all citizens."

16. Reform or Replacement of the Fiji Independent Commission Against Corruption (FICAC)

Reference

- **Section 115 – Fiji Independent Commission Against Corruption (FICAC)**
- **Section 121 – Accountability and Transparency Commission**

Issue

While FICAC was established to combat corruption, concerns have been raised regarding:

- Perceived lack of independence and impartiality
- Potential politicisation of investigations
- Overlap with other institutions responsible for:
  - accountability
  - prosecution
- Erosion of public confidence in anti-corruption processes

Recommendation

Option A: Removal and Replacement (Preferred Structural Reform)

Remove **Section 115 (FICAC)** and replace it with:

"An Independent Anti-Corruption and Integrity Commission shall be established, operating with full constitutional independence, transparency, and accountability to Parliament."

Option B: Reform (if full removal is not feasible)

Amend Section 115 to ensure:

1. **Full independence from Executive influence**
    - Transparent appointment process involving:
        - Parliament
        - Opposition
        - Judicial representatives
2. **Clear separation of powers**
    - Investigative functions separated from prosecution
    - Strengthen role of:
        - **Director of Public Prosecutions (DPP)**
3. **Enhanced oversight mechanisms**
    - Parliamentary accountability
    - Judicial review of decisions

Proposed Constitutional Clause

"Any anti-corruption body established under this Constitution shall operate independently of political influence, uphold fairness and due process, and be accountable through transparent reporting and oversight mechanisms."

Rationale

1. Strengthening Rule of Law

- Anti-corruption systems must be:
    - impartial
    - free from political influence
- Ensures credibility of investigations and prosecutions

2. Enhancing Public Trust

- Public confidence in anti-corruption institutions is critical
- Perceptions of bias weaken:
    - legitimacy of governance
    - citizen trust

3. Improving Institutional Efficiency

- Overlapping mandates create inefficiencies
- Clear separation ensures:
    - effective investigations
    - fair prosecution

4. Aligning with Constitutional Principles

- Reinforces:
    - Section 1 – rule of law, equality
- Supports:
    - Section 26 – equality before the law

Examples

- Establish a new **Independent Integrity Commission**:
    - reports directly to Parliament (not Executive)
- Public annual reporting:
    - number of cases investigated and outcomes
    - number of grievances addressed accordingly
- Appointment of Commissioner through:
    - multi-party parliamentary approval
- Independent oversight panel including:
    - judiciary and civil society representatives

Summary Conclusion

This submission presents a comprehensive and forward-looking reform agenda for the 2013 Constitution of Fiji, aimed at aligning constitutional provisions with the country's evolving development challenges and vulnerabilities. It argues that the Constitution should move beyond a traditional legal framework to become a strategic foundation for sustainable, inclusive, and climate-resilient development.

At its core, the submission emphasizes that Fiji's Constitution must explicitly integrate sustainable development, climate resilience, and intergenerational equity as guiding national principles. By doing

so, it would ensure that all laws, policies, and public investments are aligned with long-term environmental stewardship and equitable development across all provinces.

A central theme is the need to strengthen rights-based approaches to development. This includes expanding constitutional protections to cover climate change impacts, geographic inequalities, and climate-induced displacement, thereby safeguarding vulnerable populations—particularly those in remote, maritime, and high-risk areas. The submission underscores that environmental protection, social equity, and human rights are interconnected and must be treated as such within the Constitution.

The submission also highlights the importance of empowering indigenous governance systems, especially in relation to land and natural resources. By incorporating principles such as Free, Prior and Informed Consent (FPIC) and recognizing customary decision-making structures, the Constitution can support more inclusive, legitimate, and conflict-sensitive development processes.

To address persistent disparities, the submission calls for equitable provincial development and decentralization, ensuring that local and traditional governance structures play a stronger role in planning, resource allocation, and service delivery. This is presented as essential for reaching underserved communities and achieving balanced national development.

Strengthening governance, accountability, and the rule of law is another key pillar. The submission recommends reforms to parliamentary oversight, public financial accountability, anti-corruption institutions, and immunity provisions. These changes aim to restore public trust, ensure transparency, and reinforce the supremacy of the Constitution.

Finally, the submission promotes a shift toward people-centered and performance-based governance, with greater emphasis on community-driven economic development, integrated social protection, and citizen participation in decision-making.

Overall Conclusion

In essence, the submission argues that constitutional reform is not only a legal exercise but a critical opportunity to reposition Fiji's governance framework to better respond to climate risks, socio-economic inequalities, and development needs. By embedding sustainability, equity, local empowerment, and accountability into the Constitution, Fiji can strengthen its resilience, uphold the rights of all citizens, and achieve more inclusive and sustainable national development.

Lionel Young

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Secular State. Section 4: Secular State

Lionel Young <lionel.avb.young@gmail.com> Thu, May 7, 2026 at 11:05 AM
To: commissioners2026@gmail.com

Good morning FCRC 2026 Team,

Attention:Mr. Sevuloni Valenitabua and Dr. Neelesh Goundar.

I hope these email finds you all well.

I begin my argument, with the words below, especially on the essence of a human beings safe passage through life:

A philosophical mindset is a cognitive approach centered on critical inquiry, reflection, and seeking wisdom. It involves questioning fundamental assumptions, analyzing concepts, and examining the nature of reality and values. Key pillars include developing self-awareness, asking deeper questions, shifting perspectives, and utilizing analytic reasoning to navigate complex problems.

Furthermore to the definition above, I would like to present you all with the basis of my apologetics in reference to section 4 of the 2013 Constitution.

1]Social Cohesion.
Agape Love, in my opinion is the major social fabric. It is a natural instinct of humans to possess duty of care for the sake of humanity. The evidence of this agape love is sometimes over looked and it is the realisation that a human being cared for you that is why we are even able to exist, think, communicate, interpret and reciprocate our understanding through various mediums for the purpose of achieving outcomes especially positive ones towards improving society.

This Agape Love principle can be wit A human is not labelled or branded with a particular religious label nor ideology during to conception and proir to childbirth.

Currently from my perspective based on my beliefs and in reference to the book of Exodus Chapter 20 of the King James Version Bible; the two Statues before the parliament building in Suva that's directly opposite Holiday Inn is violating my conscience and also violating Social Cohesion by the subliminal stance that we should honour these two mortal beings and not remember the ELOHIM in the book of Exodus 20KJV.

2]Economic Stability
Based on history, when religion dictates the affairs of the state or vice versa, wars occur and economic activity comes to a grinding halt.

Furthermore, when section 4 is violated, people rights become confined within the parameters of the ruling or dominant religion. These confinement, if were to practically visualise this volatile situation; it would be like a steam pressure vessel in the Fiji Sugar Corporation. The pressure being "regulated" by this domineering religion; therefore it can be regulated to explode hence religious wars or it can be regulated to be complacent thus resulting in the domination of other ideologies that further confuse the student who is trying to learn from their own experiences with the help of the correct spirit of agape love.

Furthermore to section 22 of the constitution, their should be a dedicated park for people to practice clean debates that don't disturb the peace.

Torika Delailoa Uluilakeba

Constitutional Review Commission:

Proposal on Strengthening Children's Rights in the Constitution of Fiji

Presented by Torika Delailoa Uluilakeba – Global Leader Fiji for the World Forum on Eary Care and Education, Educator in Early Childhood Development

Chairperson, distinguished members of the Constitutional Review Commission,

Children are the cornerstone of the future of Fiji. Yet, despite this truth, they remain among the most vulnerable members of our society, often without a strong or direct voice in the decisions that shape their lives. I present this submission to strengthen the constitutional protection of children's rights, development, and participation in Fiji.

Definition of a Child

For clarity and constitutional consistency, a child is any person below the age of eighteen years.

Fiji must also recognize that childhood is a critical developmental stage requiring protection, nurturing, and guidance in accordance with a child's evolving capacities.

A. Right to Education

Every child has the fundamental right to free, compulsory, and quality education from early childhood through to secondary level.

No child shall be denied access to education on the basis of gender, disability, ethnicity, religion, socio-economic status, or geographic location.

Importantly, no child should be pushed out or permanently excluded from school as a form of punishment. Schools must implement fair, transparent, and restorative disciplinary systems. Discipline must never become a mechanism that strips a child of their right to learn.

Parents and guardians retain the right to choose education pathways aligned with their values, provided national standards are met.

To support healthy development:

- A child should begin kindergarten at age five, not be prematurely advanced to formal Grade 1.
- A child shall only be enrolled into Grade 1 upon reaching six years of age by July of the enrolment year.
- Most importantly for those with unique developmental needs, including neurodevelopmental conditions such as ADHD (attention deficit hyperactivity disorder), ODD (Oppositional Defiant Disorder) and ASD (autism spectrum disorder), must not be rushed through their education. Such development needs should only have their learning pathways according to their age, development readiness and individual pace.

These measures will safeguard cognitive readiness, emotional stability, and reduce unnecessary learning stress.

B. Right to Survival and Development

Every child is entitled to life, health, nutrition, shelter, safety, and a secure environment.

The government must ensure access to free, compulsory, and quality education at all levels, alongside systems that support holistic child development.

C. Right to Protection

Children must be protected from all forms of violence, including physical, emotional, and sexual abuse, neglect, exploitation, child trafficking, child sex tourism, and harmful traditional practices. Neglect must be clearly recognized as a form of harm. This includes the failure to provide adequate care, supervision, emotional support, education, nutrition, or medical attention. Neglect can be silent, but its impact on a child's development is deeply damaging and long-lasting.

Children must also be protected from bullying in all its forms—physical, verbal, psychological, and cyberbullying.

Children in conflict with the law must be treated through a rehabilitation-first approach, recognizing their capacity for reform and reintegration into society.

D. Children Living in Homes Affected by Violence, Abuse, and Neglect

A critical and often overlooked reality is that many children in Fiji attend school while living in homes affected by domestic violence, emotional abuse, and neglect.

These children carry invisible burdens into the classroom.

The consequences are significant:

- Difficulty concentrating and retaining information due to trauma, stress, and lack of emotional safety
- Frequent absenteeism caused by unstable home environments or lack of care and supervision
- Emotional withdrawal, aggression, or behavioral challenges often misinterpreted as discipline issues
- Reduced academic performance and diminished self-esteem
- Long-term effects on brain development, emotional regulation, and learning capacity

When a child is exposed to violence or neglect at home, the classroom becomes not just a place of learning, but often a space where trauma surfaces without support.

Therefore, schools must be equipped and supported to identify, respond to, and refer children affected by violence and neglect through counselling services, safeguarding frameworks, and strong collaboration with social welfare and child protection systems. Trauma must not be punished; it must be understood and addressed.

E. Right to Participation

Children have the right to express their views freely in matters affecting them, with due weight given according to their age and maturity.

This includes the establishment of child advisory councils or forums to ensure children contribute meaningfully to national policy development.

F. Right to Identity and Belonging

Every child has the right to a name, nationality, identity, and family belonging.

Children must be protected from arbitrary separation from their parents unless it is necessary for their safety and best interests.

Right to Purity in Early Childhood Development

1. *Protection from Premature Technology Use*
   Children at the early childhood level shall not be subjected to direct use of digital technology, including screens, devices, and artificial intelligence, in any time in schools.

2. *Focus on Human Interaction*
   Early childhood education shall prioritize face-to-face interaction, constructional and risk play, storytelling, and cultural practices that strengthen human interaction for social skills, empathy, and communication.

3. Gradual Introduction of Technology
   Technology may only be introduced at later stages of education, when children reached puberty level as that stage, they have established foundational social and emotional skills, and only in ways that enhance—not replace—human interaction.

4. Non-Disruption of Social Skills
   The government shall ensure that technology does not disrupt the natural development of social skills, creativity, and cultural identity in young children.

5. Parental and Community Partnership
   Families and communities shall be empowered to safeguard children's early years, promoting environments of purity, cultural values, and human connection.

Further Notes:

- Child Development Science: Research shows that excessive screen time in early childhood delays language acquisition, weakens attention spans, and reduces social interaction.
- Cultural Integrity: Protecting children from premature technology use preserves traditional practices of storytelling, play, and communal learning.

Conclusion

Fiji has a constitutional responsibility to protect not only the survival of its children, but their dignity, development, voice, and future.

By treasuring these rights in the Constitution, we affirm that children are not passive dependents, but active citizens-in-development whose wellbeing determines the strength of our nation.

Let us commit to a Fiji where every child is protected from violence, abuse, and neglect; where every child is educated with dignity; and where every child is heard, valued, and empowered.

Thank you.

Aquila Yabaki

Gmail Constitution Review Commission <commissioners2026@gmail.com>

test

Akuila Yabaki <akuila.yabaki@gmail.com> Wed, Apr 29, 2026 at 9:39 AM
To: Constitution Review Commission <commissioners2026@gmail.com>

My first submission. Why I'm against staying quiet about the influence of Christ in Fiji or any country whose constitution is grounded in a Christian heritage.

The Immaterial Logos and the Material World: Why Christ's Influence Must Be Named in Constitutions of Christian Heritage

In the daily rhythms of human life, we constantly navigate two intertwined realities: the immaterial and the material. A software program—pure information, logic, and code—directs robotic arms on a manufacturing line to shape physical products. The DNA molecule is a string of atoms, yet the genetic information it carries is an immaterial blueprint that builds living bodies, organs, and ecosystems. A constitutional review commission gathers in debate, its ideas and shared principles immaterial, yet it produces a document that governs courts, borders, and the concrete freedoms of citizens. These are not metaphors. They reveal a fundamental pattern: the immaterial (information, reason, will, conscience) originates, patterns, and directs the material world.

At the center of this pattern stands Jesus Christ, the eternal *Logos*—the divine Word, Reason, and Information of God. Patristic theology, from Justin Martyr and Irenaeus to Athanasius, the Cappadocians, and Augustine, unfolded this truth with breathtaking consistency. The *Logos* is not a created intermediary or abstract principle. He is the uncreated, immaterial Son through whom "all things were made" (John 1:3). He spoke the cosmos into ordered existence, embedding rational principles (*logoi*) into every level of reality—from the laws of physics to the moral order of human conscience. Then, in the incarnation, the immaterial *Logos* entered the material world He created: "The Word became flesh and dwelt among us" (John 1:14). He did not merely teach about the divide between spirit and matter; He bridged and healed it from within.

This is why Christ is unique among religious leaders. Prophets deliver a word from God. Sages offer paths to enlightenment or detachment. Enlightened teachers diagnose desire as the root of suffering. None, however, *is* the eternal immaterial Creator who personally assumes a human body and soul to confront sin at its source. Sin, as the Fathers diagnosed it, begins immaterially—in the disordered desire of the will, the turning of the conscience away from the *Logos*, the prideful interior movement Augustine traced to the heart's "I willed it." That invisible inclination then manifests materially: in actions, corruption, suffering, and death. The incarnate *Logos* meets it on both levels. He takes on our full humanity—tempted yet sinless, suffering, and dying—precisely to heal the rupture. Only the One who patterned creation could re-pattern it from the inside. As Athanasius wrote, "He became what we are that we might become what He is."

This same dynamic shapes human history and law. Rights are not self-generated inventions of autonomous individuals or majorities. They are discoveries of an immaterial moral order revealed through the *Logos*. Historian Tom Holland, in *Dominion*, demonstrates this with unflinching honesty. Even as a non-believer, he shows that the modern world's deepest assumptions—human dignity, the equal worth of the weak and the strong, the notion that the state must answer to a higher justice, the very idea of rights themselves—do not spring from pagan antiquity, Enlightenment reason alone, or secular humanism. They are downstream from the Christian revolution: the scandal of a crucified God who died for slave and free, Jew and Gentile, declaring every person made in the divine image. Secular societies live on borrowed Christian capital. To

forget this is to risk the "limitations of the temporal"—a slide into nihilism where rights become whatever power or consensus decrees, and human persons are reduced to material units of utility or biology.

No nation with Christian heritage can honestly evade this reality when shaping its constitution. Consider Fiji. The 1997 Constitution explicitly recalled the islands' conversion "from heathenism to Christianity through the power of the name of Jesus Christ" and invoked "the blessing of God." Its preamble grounded rights, justice, and harmony in that transcendent source. The 2013 Constitution shifted to a secular framework, declaring Fiji a "Secular State" with religion and state separate, and its preamble silent on God or Christian heritage. Yet as the current Constitutional Review Commission hears submissions in 2026, Fijians like business owner Semi Tukana and others urge a return: recognize the Christian God as foundational to national identity, not to impose faith but to honor history, values, and the moral grammar that sustains freedom for all. They argue, rightly, that erasing this acknowledgment does not create neutrality—it severs the immaterial root that gives material law its enduring legitimacy.

The same holds for any country shaped by the *Logos*' influence—whether the American Declaration's "endowed by their Creator," European natural-law traditions, or Pacific constitutions once steeped in missionary witness. To name Christ's influence is not optional cultural piety. It is intellectual and moral realism. It acknowledges that we are not self-creating gods but creatures stamped with the *imago Dei*—immaterial reason, conscience, and relational capacity mirroring the Trinity. It confronts the reality of sin in our collective conscience while pointing to the redemption offered by the incarnate *Logos*. And it guards against the nihilism that follows when rights float free of their transcendent source, becoming vulnerable to the next strongman, ideology, or fleeting majority.

In the end, the pattern we see in software directing machines, DNA building bodies, and ideas forming nations is the same pattern Christ embodies perfectly. The immaterial *Logos* creates, enters, reveals, and redeems the material world. To write a constitution without acknowledging this heritage is to pretend we invented the moral universe rather than received it. For Fiji and every nation touched by Christian revelation, honesty about how life and history actually work demands we name the influence of the One who makes both immaterial conscience and material justice possible. Only then do we live not under the tyranny of the temporal but in the freedom of those who know their rights—and their dignity—come from the eternal Word who became flesh for us.

Akuila Yabaki Jr.
723 1082
[Quoted text hidden]

Mohan Singh

Mohan Singh.

Lot 15 Kinoya,

15TH June 2026

To:

The Fiji Constitution Review Commission

Fiji

Subject: Submission on Constitutional Review

Dear Commissioners,

I am writing to provide my views on the review of the Constitution of the Republic of Fiji.

As a citizen of Fiji, I believe that all citizens should enjoy equal rights and opportunities regardless of their ethnic background. The Indo-Fijian community has made significant contributions to the development of Fiji through agriculture, business, education, healthcare, public service, and many other sectors. These contributions have helped shape our nation and should be fully recognized and respected within the Constitution.

I also wish to highlight concerns relating to land security. Many Indo-Fijian families continue to live with uncertainty and fear regarding the future of the land on which they live and work. The expiry of leases often results in families being forced to leave homes and farms that they have occupied and developed for generations. This creates financial hardship, emotional distress, and social instability.

I respectfully propose that land leases be extended to 99 years to provide greater security and confidence for families and businesses. Longer lease periods would encourage investment, development, and long-term planning while benefiting both landowners and tenants.

Furthermore, there are many Indo-Fijians who occupy mataqali lands and, in some cases, face difficulties in their relationship with landowners. Situations of uncertainty and unequal

treatment can create tension and hardship for families. The Constitution should promote fairness, mutual respect, and protection for all citizens living on leased land.

I also believe that all citizens should have equal access to the sea, rivers, and land. For the Indo-Fijian community, many religious and cultural ceremonies are conducted in rivers and the sea. Equal rights of access should be protected to ensure that all communities can freely practise their faith and cultural traditions.

In conclusion, I respectfully request that the Constitution continue to strengthen equality among all citizens, recognize the contributions of the Indo-Fijian community, provide greater security of land tenure through longer lease arrangements, and ensure equal access to natural resources and places of cultural and religious significance.

Thank you for the opportunity to make this submission. I trust that the Commission will carefully consider the views of all citizens as it works towards a Constitution that promotes unity, fairness, and prosperity for all Fijians.

Yours faithfully,

Mohan Singh

Aceni Tanumi Jnr

Gmail **Constitution Review Commission <commissioners2026@gmail.com>**

Submission to the Constitution Review Commission – Aceni Tanumi Jnr

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Sat, Jun 13, 2026 at 2:24 PM
To: commissioners2026@gmail.com

To the Chairperson and Members of the Constitution Review Commission,
Please accept this as my formal submission regarding the review of the 2013 Constitution.

My name is Aceni Tanumi Jnr. I am here because I am worried about the future of our resources and our independence.
We talk about sovereignty, but that's just a word if we don't own the keys to our own house. Whether it's our ports, our shipping lanes, or our fuel lines—if we don't hold the keys to those gates, we aren't really owners of our land; we are just tenants. I want this Commission to make sure our Constitution protects our right to own the things that power our country.
Right now, Fiji is being pulled back and forth between different superpowers. Some come with loans, some come with grants, but to those of us in the village, it's all the same—it's just 'apples and pears.' Both sides are just trying to be the landlord of our sea. We've seen us voting with the big powers in the UN on things that don't seem to help us here at home. We need to stop letting these global 'Highway Wars' decide our position.
So, I have three simple requests:
First, any time someone wants to build a wharf or a major project here, there must be a law that gives our mataqali a share of the ownership.
Second, we must stop using our land and our future as collateral for debts we can't control.
And finally, we must always keep the keys. If we don't hold the valves, we aren't citizens—we are servants to someone else's bank account. We need a Constitution that keeps the keys in our own hands.

Sincerely,

Aceni Tanumi Jnr,
Moblie: 9460551.

Gmail **Constitution Review Commission <commissioners2026@gmail.com>**

Formal Submission on National Financial Sovereignty and Infrastructure Control

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Thu, Jun 18, 2026 at 6:14 PM
To: commissioners2026@gmail.com

To the Constitution Review Commission,

I am writing to formally express my concern regarding the structural loss of national financial sovereignty, specifically concerning the implementation of the National Payment System (NPS).
Evidently, the current architecture—mandated by the NPS Act 2021—functions on a "vendor-locked" proprietary system that transfers long-term control of our national payment rails to a foreign, private entity. This model creates a perpetual fiscal drain through hidden service fees and licensing costs, while stripping the nation of the ability to develop local technical capacity.
A Constitution should protect the sovereign integrity of our nation. I submit that any constitutional review must address the need for financial systems that are owned and controlled locally, ensuring that Fiji is not merely a "customer" of a global financial grid but an owner of its own economic infrastructure.
Aceni Tanumi Jnr
Mobile: 9460551

Gmail **Constitution Review Commission <commissioners2026@gmail.com>**

Formal Submission to the Constitution Review Commission – Proposal for Digital Sovereignty and Data Rights

3 messages

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Sun, Jun 21, 2026 at 7:54 PM
To: commissioners2026@gmail.com

To: The Chairperson, Constitution Review Commission
Attention: The Secretariat
Date: 21 June 2026
Dear Commissioners,

I am writing to you today as a concerned citizen and entrepreneur, deeply invested in the future prosperity and stability of our nation. As Fiji moves toward a "digital-first" economy and adopts advanced public infrastructure, I believe it is imperative that our supreme law—the Constitution—evolves to explicitly protect the digital rights of our people.
The current legal framework lacks the necessary safeguards to protect citizens in an increasingly digitized society. To ensure that technology serves the people of Fiji and upholds our national sovereignty, I respectfully propose the constitutional recognition of the following five fundamental rights:
The Right to Data Portability: Citizens must have the legal right to access, transfer, or request the deletion of their personal data from all public and private digital systems.
The Right to Algorithmic Transparency (The Right to Explanation): Citizens must have the right to a clear, human-understandable explanation when automated systems or algorithms impact their lives, such as in the denial of services or identification processes.
The Right to Data Minimization: Public and private institutions should be legally restricted to collecting only the minimum amount of personal data strictly necessary to provide a specific service.
The Right to Purpose Limitation: Data collected for one legitimate purpose must be legally prohibited from being repurposed, sold, or shared for unrelated activities without the citizen's explicit, informed consent.
The Right to Independent Oversight: The Constitution should mandate the creation of an independent Data Commissioner, empowered to audit government technology, oversee "digital infrastructure" contracts, and ensure systemic transparency.
These measures are not intended to impede our national development, but to ensure that our digital growth is built upon a foundation of trust, accountability, and the protection of every Fijian's individual rights.
I appreciate the Commission's work in conducting this vital review and welcome the opportunity to discuss these proposals further should the Commission require additional input.

Sincerely,

Aceni Tanumi Jnr
[Lot 30, Tovata Road, Makoi, Stage 3, Nasinu, Fiji]
[9460551]

Constitution Review Commission <commissioners2026@gmail.com> Thu, Jun 25, 2026 at 4:20 PM
To: Aceni Tanumi Jnr <acenitanumi27@gmail.com>
Cc: Sevuloni Ratumaiyale <sratumaiyale55@gmail.com>

Thank you for your submission, Mr Tanumi Jnr. Your submission has been duly received and will be taken into consideration as part of the review process.

Kind Regards
Ms. Leah Duru

Research and Policy Team to the CONSTITUTIONAL REVIEW COMMISSION
Level 9 Suvavou House, Victoria Parade Suva.
MOB: 9922748

Gmail **Constitution Review Commission <commissioners2026@gmail.com>**

Submission regarding National Security and Legislative Frameworks – Strengthening Constitutional Provisions

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Mon, Jun 22, 2026 at 3:12 PM
To: commissioners2026@gmail.com

Date: 22 June 2026

To:
The Chairperson,
Constitution Review Commission,
Suva, Fiji.

From:
Aceni Tanumi Jnr
Koroisoso, Naceva, Kadavu
acenitanumi27@gmail.com
9460551

1. Purpose of Submission
I am writing to provide a formal submission for the Constitution Review Commission's consideration. As a citizen and entrepreneur operating in the maritime and aquaculture sectors, I am concerned about the limitations in our current legislative framework regarding the intersection of illicit drug trafficking and national security.
2. Perspective
My perspective is grounded in the practical realities of our nation's maritime vulnerabilities. I observe that current legal mechanisms are fragmented, creating gaps that hinder the state's ability to respond to modern, high-level organized crime. I am particularly concerned that we lack a unified legal instrument equivalent to a "Narco-terrorism Act" to specifically address the nexus between drug syndicates and threats to our national sovereignty.
3. Key Issues and Recommendations
Legislative Fragmentation: While the Illicit Drugs Control Act 2004 and the Public Order Act 1969 exist, they operate as separate entities. This structure is insufficient for addressing the coordinated, cross-border threats posed by modern drug-trafficking networks.
Proposal for Unified Framework: I recommend that the Commission consider recommending a legislative review to create a unified framework. This framework should specifically target the financing of terrorism through the illicit drug trade and provide more robust legal tools for law enforcement to expedite cases that involve massive quantities of illicit substances.
National Interest: Proactive constitutional and legislative reform in this area is essential to protect Fiji's economic and social stability from the influence of transnational criminal organizations.
4. Conclusion
I believe that by modernizing our laws to specifically address the combination of drug trafficking and terror-related activities, we can move beyond reactionary measures and provide the state with the necessary mandate to effectively combat these threats.
I am available to provide further clarification or to make an oral submission should the Commission require further testimony on this matter.

Respectfully,

Aceni Tanumi Jnr

Gmail Constitution Review Commission <commissioners2026@gmail.com>

Formal Submission Regarding the Absolute Repeal of Chapter 10 (Immunity Provisions)

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Tue, Jun 23, 2026 at 2:36 PM
To: commissioners2026@gmail.com

To the Chairperson and Members of the Constitution Review Commission,

Please accept this as my formal, standalone submission regarding the comprehensive review of the 2013 Constitution of the Republic of Fiji.

My Identification:
Name: Aceni Tanumi Jnr
Yavusa: Nakoroisoso
Mataqali: Naivakacuru
Tokatoka: Daku
District/Province: Naceva, Kadavu
Contact: 9460551 / acenitanumi27@gmail.com

1. The Principle of True Democratic Equality
Section 1(c) of the 2013 Constitution declares that the Republic of Fiji is founded on the values of "an independent and impartial judiciary" and "the rule of law." However, the inclusion of Chapter 12, Part D (Sections 155 and 156), which grants absolute, unreviewable immunity to specific individuals who seized state power by physical force, fundamentally contradicts this foundation. A nation cannot logically claim to have a single "rule of law" when its supreme text maintains a dual-track system: a strict cage of accountability for the everyday citizen, and an absolute shield of exemption for the powerful.
2. The Historical Precedent and National Security Risk
For two thousand years of global legal history, systems that have allowed rulers to sit entirely above accountability have inevitably trapped their nations in continuous cycles of instability. By keeping past coup immunity locked into our supreme law, the current architecture inadvertently signals to future generations that physical force is the ultimate author of legality—that if an individual successfully holds the state by force long enough to rewrite the text, the law will permanently sanitize their actions. To break this cyclical vulnerability and protect Fiji's long-term national security, the law must be applied equally, without historical exceptions.
3. Formal Constitutional Recommendation
As a citizen, traditional landowner, and maritime entrepreneur, I submit that for Fiji to anchor its long-term sovereignty and build true civilizational stability, we must establish a flat legal plain where no uniform, title, or past office shields an individual from judicial review.
I formally request that this Commission recommend the total and unconditional repeal of Chapter 12, Part D (Sections 155 and 156) regarding immunity for coup makers, ensuring that all past, present, and future actors stand equally before the independent courts of Fiji.
This submission stands as a distinct, independent position alongside my previous correspondence regarding resource ownership and financial sovereignty. I request that this position be formally recorded in the Commission's final report to the President and Parliament
.
Yours sincerely,

Aceni Tanumi Jnr
Contact Mobile: 9460551
Email: acenitanumi27@gmail.com

Gmail

Constitution Review Commission <commissioners2026@gmail.com>

Formal Submission Regarding Regional Infrastructure Equity and Maritime Transport Rights (Section 34)

Aceni Tanumi Jnr <acenitanumi27@gmail.com> Tue, Jun 23, 2026 at 4:16 PM
To: commissioners2026@gmail.com

To the Chairperson and Members of the Constitution Review Commission,

Please accept this as my formal, standalone submission concerning regional infrastructure gaps and the transport realities facing the maritime provinces in the current constitutional review.

My Identification:
Name: Aceni Tanumi Jnr
Yavusa: Nakoroisoso
Mataqali: Naivakacuru
Tokatoka: Daku
District/Province: Naceva, Kadavu
Contact: 9460551 / acenitanumi27@gmail.com

1. The Reality of Geographical and Economic Isolation
While Section 34 of the 2013 Constitution outlines basic socio-economic rights, it treats transportation as a secondary public service rather than an essential right. In the maritime context of Kadavu, specifically the Naceva district, the absence of reliable, completed land infrastructure directly cuts our communities off from basic economic survival. The uncompleted dirt access roads connecting our economic and administrative hubs—Vunisea and Kavala Bay—to our village of Koroisoso are highly weather-dependent. Heavy rain frequently turns these cuts into impassable mud, leaving the grassroots completely isolated.
2. The Financial Double-Tax on Outer-Island Economies
When land infrastructure fails, rural farmers, seaweed harvesters, and small-scale aquaculture operators are forced onto the open ocean. This creates an unsustainable "double-tax" on maritime citizens:
Unregulated Freight Exploitation: While passenger fares on inter-island ships are price-controlled, the grassroots are hit with highly erratic, unregulated cargo and cartage fees at jetties like Kavala simply to move their cash crops and root vegetables to the Suva markets.
The Fuel Hostage Dilemma: Relying on small fiberglass outboard boats (gasi) to bypass broken roads forces villagers to absorb the massive, volatile cost of marine fuel. A citizen living on their ancestral land in Naceva shouldn't be financially penalized or economically crippled just because of where they live.
3. Formal Constitutional Recommendation
True constitutional equality means that development and economic protection must be uniformly felt across both urban centers and outer islands. For the maritime provinces to survive and grow their local economies safely, transport can no longer be treated as an afterthought.
I formally request that this Commission recommend:
An amendment to Section 34 to explicitly recognize Maritime Transport Equity as a fundamental socio-economic right for all citizens in non-mainland provinces.
A constitutional directive requiring the state to implement transparent, uniform price-stabilization models for maritime freight/cargo and to prioritize the completion of essential provincial ring roads to connect isolated villages directly to main ports.
This submission represents a distinct, practical position regarding my home district's survival, standing alongside my previous filings on resource equity and digital rights. I request that these concerns be formally logged into the Commission's final record.

Yours sincerely,

Aceni Tanumi Jnr
Contact Mobile: 9460551
Email: acenitanumi27@gmail.com

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Aceni Tanumi Jnr <acenitanumi27@gmail.com> Sun, Jun 28, 2026 at 6:17 PM
To: Constitution Review Commission <commissioners2026@gmail.com>
Cc: Sevuloni Ratumaiyale <sratumaiyale55@gmail.com>

Noted with thanks.
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