



FIJI TRADES UNION CONGRESS

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Fiji Stands Condemned

ACTU/ NZCTU FACT FINDING FIJI MISSION – BANNED?

The Fiji Regime appears to be morphing into a “*panic mode*” as it again resorts to heavy-handed action by the Attorney General announcing that the proposed ACTU/NZCTU Fact Finding Mission to Fiji this week will not be tolerated. This morning the FTUC received communication from the regime that all applications for permit to meet the delegation has been rejected and no meeting will be allowed. This is most unfortunate particularly when the AG is attempting to tell the world that workers’ rights are intact and goes on to make personal attacks on Trade Union Leaders. The FTUC condemns the Regime’s refusal to allow the Trade Union delegation into Fiji.

The spate of draconian Decrees issued this year that specifically target to destroy the rights of the workers in all sectors of this nation has been touted by the Govt propaganda machine as being just, fair, beneficial etc. If that is the case, *then what is there to hide?* Why take steps to block the experienced and credible international labour specialists and experts from inspecting them first hand? If the industrial relations status in Fiji is truly so rosy, fair and just, as they claim, then the Mission will discover the bare truth and freely broadcast them.

Unlike the regime, the local and international labor movement continues to uphold trade union and human rights. The beliefs and practices that are fair and, just, including the universally held principles found in UN Declaration on Human Rights and the ILO Conventions. The visiting team will operate under such widely accepted tenets. Thus their visit would be a beneficial event for the country to gain from. Furthermore, the same Regime had openly invited the Australian and New Zealand Trade Unions to "come and see for themselves" the reality on the ground. It now appears that the regime did not expect the Unions to take up the invitation and is now making outrageous claims of them being biased and unfair.

The ACTU/NZCTU Mission to Fiji follows in the footsteps of the August 2011 ILO Fiji Mission and other local and overseas scrutiny of the ongoing and worsening human rights, trade union rights and the FNPF pension situation. All of these unnecessary curtailments have severely affected the current and future workers' rights, benefits and even their very standard of living, which is already low. In a country, which is officially declared to have 45% of the population living at or below the poverty line, these actions will continue to aggravate their living standards which are already marginal.

We do not see any concrete or positive actions taken by the Regime to contain, halt or reverse the ever rising costs of living in the country. In fact, all their actions are in support of and for the direct benefits of the corporate sector with their vested interests. Therefore the Employers recent claim that all decrees are fair and comply with international standards is understandable, as it is outrageous.

These previous Decrees that curtailed the workers' rights were: State Services Decree of 2009 (Decree # 06 of 2009); Administration of Justice Decree (#09); Administration of Justice (Amendment) (Decree No. 10); Administration of Justice (Amendment) Decree of 2010 (Decree No. 14). Under these imposed edicts, the Government was able to ride rough shod over the rights and future prospects of the thousands of public service staff, by abolishing their appeal rights, removing salary upgradings, lowering retirement age etc. On top of that, all existing awards and rulings, plus pending cases before ER Tribunal or ER Court were quashed. They also gave themselves unfettered right to introduce any structural change they desired. The public sector reform statement that comes out from the PSC, PS is a whitewash and unfettered and independent survey from civil servants will show the extent to which the civil service has fallen into abyss. In 2011 alone, the Employment Relations Amendment Decree of 2011 (Decree No. 21); Public Service Act (Amendment) 2011 (Decree #36) were issued. The former completely abolished the protection of the comprehensive Labour Laws of Fiji from nearly 16000 Public Employees. There was no cause for it, except maybe to allow the regime to make executive decisions that can no longer be challenged, no matter what the merits.

Then came the *Essential Industries Decree* of 2011 (#35) which cover four industries and eleven corporations. Via this move, they decimated the rights and existence of many trade unions and thousands of workers. There is nothing fair, just or of any redeeming value in these decrees and their contents or intent. They appear to be the last gasp actions of desperate or defeated employers. Are these the facts that they are attempting to hide? These are facts and the International Community

has condemned these violations including the ILO. These were the facts that were referred to by the President of ACTU to which the AG has taken offence. It is time that the AG takes responsibility for his actions and not blame others who merely state the facts as they are.

The AG expects independence and fair treatment by the ACTU and NZCTU yet will not practice the same values in imposing these oppressive decrees with the people of Fiji. What gives AG the power to impose himself on the people of Fiji? Has he thought about the fairness of his actions? Who does he represent? The decrees are in black and white and there is no running away from the fact that they blatantly violate workers' rights and human rights. This is a recognized fact by the International Community and has been roundly condemned. The most recent Kyoto Resolution of the ILO Asia Pacific Conference comprising of Governments in the region, Employers and Workers Organizations also condemned these same violations by the regime. So is the AG suggesting that the whole world is biased and ill-informed except himself? What do the long term Public Emergency Regulations and Media gagging Decrees suggest? There is nothing fair and acceptable to workers and the people Fiji.

The worst is yet to come and unfold in future years. It is the assault on the cherished heritage of the workers covering their entire working life and retirement benefits. The FNPF has been hijacked by regime supporting employer groups. Under the guise of so called or perceived future losses that "may occur" in five decades time, they are decimating the rightful and established benefits of the workers and the pensioners now. Simply put, under the current economic climate and the future of ever increasing higher cost of living, the Regime has taken steps to reduce the pension benefits by astronomical margins. They have ignored the sincere outcry from the affected FNPF Members who are the rightful owners of the Fund. These workers will face an excruciating future when the demise of their retirement pension will be a foregone conclusion.

The FTUC as workers' representatives call on the regime to rescind these oppressive decrees , remove the PER so that people in Fiji can freely exercise their human rights, and restore media freedom, and a swift return to democracy by free and fair elections. The fear of further exposure of their illegal actions and corrupt objectives has led the Regime to place this ban on the proposed ACTU/NZCTU Mission. Believers of truth and justice will surely see clearly through the regime's stance.

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