



FIJI TRADES UNION CONGRESS

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OUR REF: PUB/01

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FTUC Press Release on AG's Response to ACTU

Press Release No. 16-03/12

The FTUC fully concurs with the statement issued by the Australian Council of Trade Unions on the Public Order (Amendment) Decree. The assessment of the Decree is accurate and in no way misleading as claimed by the regime's AG. The AG appears to want to once again make baseless allegations on the ACTU to actually distract people from the real issues.

The Regime's AG says that ACTU is wrong in claiming that a person can be detained for 16 days and claims that persons can be detained for 48 hours "or up to 14 days." We say even the AG seems to be unaware of the provisions of the Decree or is deliberately misleading the people. The Decree states clearly and I quote "*No person shall be detained under the powers conferred by subsection (1) for a period exceeding 48 hours except with the authority of the Minister on whose directions such a person may be detained for a further period of 14 days*" The word "further" means 48 hours plus 14 days. The ACTU was spot on. The fact is, that the definition of "Terrorism" within the Decree is so wide that it can be applied to almost any activity that is political in nature, religious social teachings, Trade Union activity which includes advocating Human and Trade Union and Workers' rights. Advocating for democracy is also a legitimate Trade Union activity the world over. Will we be allowed in Fiji to pursue these activities freely without any restrictions? Certainly not, with the definition of terrorism within the Public Order (Amendment) Decree.

The AG is fond of trying to compare Fiji with other countries. What he fails to mention is that laws in these countries are made by an elected Parliament who have the full mandate of the people. The AG does not have any mandate as such. This is a fundamental issue for all the citizens of Fiji. The struggle and the challenge for the people in Fiji is to return to democratic rule as soon as possible.

The AG claims that the Regime has "approached the Public Order (Amendment) Decree with utmost transparency and accountability." He surely cannot be serious in saying this. There has been no consultation with the people of Fiji on these amendments. He has not explained to the people the serious issues raised by many organisations on the decree other than to make baseless accusations. What transparency and accountability is he talking of? Even within the Amended Decree, the powers vested on the Commissioner of Police and the Minister are enormous and cannot be challenged in any Court. Is this what transparency and accountability means to the AG? To ensure transparency and Accountability all citizens must have the right to challenge any decision of a Public Officer or Government. More particularly so, when it has to do with their fundamental rights.

The AG attempts to use the comments of some Trade Unionists who attended a briefing with senior police officers on the Decree. He has conveniently forgotten to mention that FTUC condemned the Decree and was not present at this meeting. We gave a detailed analysis of how we saw the decree impacting the lives of common people. We stand by our statement and again call on the Regime to revoke the Amended Decree and restore fundamental rights to the people.

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