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28th Session of the UN Human Rights Council
Item 6 – Adoption of the Universal Periodic Review of Fiji
18 March 2015

The Universal Periodic Review of Fiji comes at an important point in Fiji's history. In 2014, the country held its first general elections in nearly eight years, resulting in the election of a new government of the Fiji First Party, headed by Prime Minister Voreqe Bainimarama. Human rights concerns that persist in Fiji include severe restrictions on media freedom, clampdowns on worker's rights, and torture and ill-treatment in detention.

During the UPR session, member states called for the abolishment of decrees restricting media freedom. In response to questions regarding the Media Industry Development Decree (the "Media Decree"), we deeply regret that Fiji refused to accept recommendations in this regard and simply refused to acknowledge concerns that the framework restricts the right to freedom of expression and encourages censorship.

The Media Decree imposes severe penalties on any publication deemed threatening to "public interest or order," and those convicted under the decree are subject to hefty fines and two years' imprisonment. Government interference and intimidation continue, such as in June last year when the Media Industry Development Authority called for the investigation of two journalism academics for commenting on the military's use of torture, stating that the statements were unsubstantiated and could cause irreparable damage to Fiji.

We note that Fiji allowed the ILO Direct Contacts Mission in October 2014 to examine serious allegations of abuses of worker's right and restrictions on freedom of association. We urge continuing engagement with the ILO and the international community, including global union federations, towards reaching commitment to revise Fiji's labor laws to ensure they fully comply with international labor rights standards.

We welcome calls to the government of Fiji to issue an open invitation to all Special Procedures of the UN Human Rights Council, and welcome its commitment to facilitate the one visit of Special Procedures per year. Noting that member states specifically called on Fiji to facilitate a visit by the Special Rapporteur for torture, we urge the government of Fiji to swiftly permit and facilitate his visit, and to commit to fully investigating allegations of torture and ill treatment by security forces.

Additionally, Fiji should as soon as possible undertake the ratification of additional core human rights instruments such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture, and ensure that local laws align with the provisions of those conventions.

The UPR is an important opportunity to demonstrate that the government of Fiji is committed to real rights-respecting reform. Announcing concrete steps to end abusive media restrictions, facilitating prompt access to UN human rights experts, and ratifying core human rights treaties would be an important way to signal that commitment.