

AMNESTY INTERNATIONAL

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Amnesty International welcomes the government's efforts to recognise economic and social rights, but regrets the rejection of recommendations on freedom of expression, assembly and association

Human Rights Council adopts Universal Periodic Review outcome on Fiji

Amnesty International welcomes the government's recent efforts towards strengthening the protection and promotion of human rights in Fiji, including by becoming the 99th abolitionist country when it repealed the death penalty for all crimes, by promptly investigating and charging those responsible for a recent death in custody, and by announcing its commitment to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The organization also welcomes the review by the government of the Essential National Industries Decree (ENID) which severely restricts collective bargaining rights, the right to strike and the right to form and join trade unions in certain sectors. Amnesty International urges the government to ensure that the decree is amended to meet international labor standards, including compliance with the International Labor Organization treaties that Fiji has ratified, as recommended in the review.¹

While Fiji has made some progress in recognizing economic and social rights, Amnesty International regrets that civil and political rights are not yet equally promoted and protected. A number of past cases of torture and ill-treatment have not been investigated by the Fiji authorities and freedom of expression remains restricted by a range of national laws, including the Media Industry Development Decree.

Amnesty International welcomes Fiji's acceptance of many recommendations, in particular to issue a standing invitation to the UN Special Procedures.² The organization urges the government to accept requests to visit Fiji by the UN Special Rapporteurs on freedom of expression, and on the independence of judges and lawyers, and to fully co-operate with them.³

Amnesty International is disappointed that Fiji was unable to accept recommendations to amend national legislation to ensure these guarantee freedom of expression, assembly and association in line with international human rights law.⁴

The organization welcomes Fiji's commitment to ratify a number of international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and

¹ A/HRC/28/8, recommendation 100.9 (USA)

² A/HRC/28/8, recommendations 101.15 (Belgium), 101.17-101.22 (Costa Rica, Ghana, Portugal, Slovenia, Montenegro, Norway).

³ A/HRC/28/8, recommendations 101.23-101.29 (Uruguay, New Zealand, Israel, Solomon Islands, Switzerland, Denmark, Norway).

⁴ A/HRC/28/8, recommendations 101.33-101.39 (Belgium, Switzerland, USA, Republic of Korea, UK, Germany, Canada).

Other Cruel, Inhuman or Degrading Treatment or Punishment. Amnesty International urges Fiji to promptly complete the ratification and to implement these treaties into national laws.⁵

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Fiji on 18 March 2015 during its 28th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above. Amnesty International had earlier submitted information on the situation of human rights in Fiji:

<https://www.amnesty.org/en/documents/asa18/002/2014/en/>

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⁵ A/HRC/28/8, recommendations 99.3 (Japan), 99.4 (Uruguay, Algeria, India, Switzerland, Kenya, Sierra Leone, Estonia, Italy, Chile, Portugal), 99.7-99.9 (Algeria, Switzerland, Kenya, Sierra Leone, Italy, Portugal, Indonesia, New Zealand, Chile, Portugal, Ghana).