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Fiji: New constitution fails to protect fundamental human rights

Fiji's proposed new constitution falls far short of international standards of human rights law and is another step backwards in guaranteeing human rights protection for all, Amnesty International said.

The draft constitution will be sent to the President Ratu Epeli Nailatikau for assent on 6 September.

“Contrary to the claims of Fiji's government over the last few months, the new constitution actually weakens human rights protections in the country,” said Isabelle Arradon, Amnesty International's Deputy Asia Pacific Director.

The current text upholds decrees that severely restrict free speech, grants the state the power to detain people (potentially indefinitely) without charge or trial in times of emergency. It also gives state officials immunity for a wide range of acts, including crimes under international law such as torture.

“The new constitution not only erodes basic human rights for the people of Fiji, but grants military, police and government officials absolute immunity for past, present and future human rights violations. This will only serve to allow the perpetrators of serious crimes to act with impunity,” said Isabelle Arradon.

Amnesty International has repeatedly raised a number of serious concerns about the draft text since it was first released in April 2013. Although some amendments were made, many of these concerns have not been adequately addressed in the final draft of the constitution due to receive presidential assent on Friday.

Despite the revised constitution, Fiji will remain subject to draconian decrees implemented since the 2006 military coup.

Amnesty International documented a number of human rights violations occurring under emergency regulations (which were in place from April 2009 to January 2011) in its 2009 report, *Fiji: Paradise Lost*.

“The international community must not allow themselves to be misled by the government's claims. They should push the Fiji government to take genuine steps towards respecting and protecting human rights for all,” said Isabelle Arradon.

Background

[“Fiji's draft constitution falls short on human rights standards”](#), Public Statement, 25 April 2013.