

Resolution No. 1

FIJI

The 4th ITUC-AP Regional General Council meeting in Hong Kong, 23 -25 November 2010:

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| NOTES | the deteriorating situation in respect of economy, human and trade union rights within Fiji; |
| NOTES WITH CONCERN | the rising unemployment, underemployment and poverty amongst the people of Fiji, including the declining sugar industry which is the livelihood of almost one third of the population; |
| OBJECTS | to the administration of Justice Decree (Decree 9 Of 2009) and its amendment Decrees 10 of 2009, 25 of 2009 and 14 of 2010 that take away the Unions right to challenge in any court decision of Government or Government owned entities to make any employee redundant or change any terms and conditions of employment, despite a collective agreement remaining in force; |
| OBSERVES | that these Decrees are in violation of ILO Core Labour Standards which Fiji has ratified and is obligated to respect, the Cotonou Agreement which obligates Fiji to respect the core labour standards and Fiji's own Labour Laws; |
| CALLS ON GOVERNMENT | to immediately revoke all the Decrees promulgated by the Regime that restricts or denies Human and Trade Union Rights and ensure that the respect for core ILO Standards and Conventions be strictly observed and to enter into negotiations with trade unions in the public sector and other government entities; |
| CONCERNED | that the Fiji judiciary is not independent and the recruitment of judges leaves much to be desired. This compromised judiciary and undermines the effectiveness and integrity of other accountable institutions such as Human Rights Commission and the Office of the Auditor-General; |
| NOTES | the PER (Public Emergency Regulations) is foisted upon Fiji's people and defies the respected principles of accountability, transparency and good governance. Overall, the PER allows the regime to operate as an authoritarian government without democratic scrutiny |

and accountability. They make a mockery of the rule of law;

DEMANDS

- i) immediate revocation of the PER;
- ii) the immediate restoration of the 1997 Constitution as it represents a profound and comprehensive commitment to the principles of equality, non-discrimination, human and trade union rights, and social and economic rights. At its heart lies a substantial Bill of Rights which includes specific provisions on personal liberty and freedoms, labour relations, education and property;
- iii) to hold immediate elections so that democracy is restored in the country and set the platform for other issues such as international aid and investor confidence to human and trade union rights.