



Republic of Fiji

**STATEMENT BY COMMODORE JOSAI VOREQE BAINIMARAMA
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AT THE
HIGH LEVEL MEETING OF THE GENERAL ASSEMBLY TO COMMEMORATE
THE 10TH ANNIVERSARY OF THE DURBAN DECLARATION AND
PROGRAMME OF ACTION
UNITED NATIONS
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Mr. President,

On this occasion of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, my delegation wishes to take this opportunity to reaffirm its unwavering commitment towards the achievement of the objectives of the Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Durban Declaration.

Addressing racism and racial discrimination is central to Fiji; one of the main priorities for my Government is to fully and effectively implement the Durban Declaration and Programme of Action at all levels of our societies. In this regard, we are working towards the dismantling all initiatives that institutionalized racial discrimination, and encouraged racism as a result. This priority is based on the knowledge that it is the State's responsibility to provide equal opportunity to all its citizens, and to encourage tolerance and dignity for and by all. We believe that only by doing so will we be able to achieve harmonious and fair societies that will be able to focus on economic empowerment and equal opportunities for all regardless of race or creed.

Declarations of equality in the law, in constitutions, in human rights provisions, are only the beginning of a long and hard battle to transform unequal societies into communities committed to equality. The hardest battle of all is to dismantle social and legal structures which institutionalize racial discrimination, and then to change attitudinal suspicion between communities.

Fiji has a history of racial discrimination, entrenched by our colonial past, and perpetuated by post-colonial governments to preserve power by dividing our society on ethnic lines. Until 2009, the Fiji Constitution created a Parliament which preserved "communal seats", in respect of which a voter could only vote if he or she came from the same racial group as the candidate. Reserving seats for racial groups in Parliament and government bodies has not worked well in Fiji. The reservations were not based on disadvantage, and they led to the creation of privileged groups from ethnic communities which then continued to perpetuate ethnicity as a distinguishing feature to access financial services, housing, education and political favors. These features of institutionalized racism in Fiji, perpetuated a lack of

national unity, a culture which was undemocratic and led to the growth of nationalistic violence in our society, and which is one of the most important reasons for the reforms which my government is determined to implement for the sake of the Fijians who will call Fiji home in the next generations.

I come to the word "Fijian". For a hundred years, the different ethnic groups in Fiji, were unable to call themselves 'Fijian', because this was a term reserved for the indigenous population. So our citizens were born in Fiji, they carried Fiji passports, they were called 'Fijian' in every other part of the world, yet they could not all call themselves 'Fijian' in Fiji! My government has changed that. Now every citizen of Fiji can proudly call himself or herself "Fijian" with no fear of reprisal. The indigenous population is referred to as the itaukei.

Similarly, there were many schools in Fiji called 'Indian' schools, or 'Fijian' schools. The policy of my government is to abolish all communal names for school, to open them up to children of all ethnicities and to ensure that schools do not perpetuate ethnic polarization.

There are many such structures to dismantle. Appointment and promotion must be on merit. Merit is paramount. This means re-visiting appointment and promotion criteria in the public service, and it means having effective laws in place to protect public servants and people in the private sector from racial discrimination in the workplace. Our Employment laws already have comprehensive anti-discrimination provisions which include a wide definition of fair and unfair discrimination and by amendment to the Public Service Act, these provisions also apply to public servants. Breach of the anti-discrimination provisions can lead to disciplinary action or a case brought before the Employment Tribunal.

The new Crimes Decree, which came into effect in 2010, created an offence of 'Inciting Communal Antagonism', an offence committed when a person makes a statement or spreads a report which is likely to incite dislike or hatred or antagonism of any community, or which is intended to promote feelings of ill-will between different communities in Fiji. The maximum penalty for this offence is 10 years imprisonment, an indication of how seriously my government takes 'hate speeches'.

Communal philosophy has not served our people well. Affirmative action policies which were not based on acceptable definitions of disadvantage, but on racial origin alone, created a more divided society, and one in which many depended on handouts rather than on personal enterprise. Politicians represented particular ethnic groups, and drove policies which were intended to further divide the people of our nation. As in all parts of the world, ethnic origin and religious divisions simply became a tool to maintain power. I am determined that our society will remove the narrow walls of ethnicity and communalism to create unity and strength as a nation.

In Fiji, we are removing electoral provisions that were based on race, which have clearly divided our people over the years. For this reason, we will be introducing a race-free electoral system to lead our country forward towards elections in 2014, at which for the first time will our people have common and equal suffrage. We have rejected special measures which were based on race, particularly those that suppress the rights and dignity of our people. In order to achieve our aspirations, my Government has now put in place appropriate laws and policies that reject racial discrimination in all its manifestations. With Fiji's

political and social history, nothing less but equal treatment of all our ethnic communities, can be accepted.

The electoral system and the education system are two areas under which Fiji has had reservations listed under the Convention (ICERD). Given my Government's priorities and commitment on these issues, Fiji will be closely examining these reservations with a view to removing them. This would provide the institutional commitment to ensure the recognition, justice and development for victims of racial discrimination, which is the theme of today's commemorative meeting.

As noted ten years ago in the Durban Declaration, racism and racial discrimination, xenophobia and related intolerance constitute a negation of the purposes and principles of the United Nations, and with national action by all, we can contribute to eliminate the scourge. To this end, Fiji urges ALL States to exert concerted efforts towards achieving this goal.

Fiji looks forward to working with the international community through the Convention and the Durban Declaration in the efforts to eliminate racism. Fiji trusts that the Declaration to be adopted by this meeting will provide the impetus necessary to achieve full and effective implementation of the Durban Declaration and Programme of Action.

I thank you Mr. President.

