

Report and Recommendation

to

His Excellency, the President

on

the Peoples Charter for Change, Peace and Progress

and the

State of the Nation and Economy Report

Executive Summary

The National Council for Building a Better Fiji (NCBBF) has completed the task assigned to it by Your Excellency, the President. This includes, inter alia, the following:

- Critical and an in-depth analysis of the political, social and economic problems and challenges facing Fiji and the production of a comprehensive "State of the Nation and Economy" (SNE) Report with detailed findings and recommendations on measures and actions to address the problems and challenges; and
- a **Peoples Charter for Change, Peace and Progress** that sets out a considered way forward for Fiji, to ensure sustainable democracy and good and just governance; social and economic development; and in particular, to attain national unity.

The NCBBF acknowledges the progress that Fiji has made since independence in 1970 in its political, social and economic

development. However, as the SNE Report indicates, such progress has been hindered by divisive political governance, persisting political instability and ineffective institutions. These factors, in addition to the lack of clarity surrounding the role of the military, have, directly or indirectly, contributed to Fiji's *coups* since 1987. Fiji's economy has been performing far below its potential, mainly due to massive declines experienced during and after political upheavals in 1987, 2000, 2001 and 2006. Fiji lacks unity and a common national identity. The people are more aware of their communal and ethnic identity than their national identity, and this is reflected in the long standing, yet unresolved, discussion over a common name for our citizens. One of the most fundamental problems facing Fiji is the lack of unity. The Peoples Charter for Change, Peace and Progress has been formulated to address these problems and aspirations.

Vision

The Peoples Charter sets out a way forward for Fiji, to rebuild it into a non-racial, culturally vibrant and united, well-governed, truly democratic nation; a nation that seeks progress and prosperity through merit-based equality of opportunity and peace. The vision for rebuilding Fiji, by empowering the people through the adoption of the Peoples Charter, is based on the quest for the common good, and on the following fundamental shared values, vision, principles, and aspirations:

- equality and dignity of all citizens;
- respect for the diverse cultural, religious and philosophical beliefs;
- unity among people driven by a common purpose and citizenship;
- good and just governance;
- sustainable economic growth;

- social and economic justice;
- equitable access to the benefits of development including access to basic needs and services;
- safeguarding, preserving and valueing our environment; and
- merit-based equality of opportunities for all.

The purpose of the Peoples Charter is not to replace our Constitution as that represents the supreme law of our country. In fact, the goals are to strengthen the Constitution, and to lay a more solid foundation for the rebuilding of our nation, as one country and one people, drawing upon the richness of our diversity of cultures, heritage, and traditions.

The relaying of a more solid foundation, to rebuild a better Fiji for all, rests on eleven key pillars:

- Ensuring Sustainable Democracy and Good and Just Governance;
- Developing a Common National Identity and Building Social Cohesion;
- Ensuring Effective, Enlightened and Accountable Leadership;
- Enhancing Public Sector Efficiency, Performance Effectiveness and Service Delivery;
- Achieving Higher Economic Growth While Ensuring Sustainability;
- Making More Land Available for Productive and Social Purposes;

- Developing an Integrated Development Structure at the Divisional Level;
- Reducing Poverty to a Negligible Level by 2015;
- Making Fiji a Knowledge-based Society;
- Improving Health Service Delivery; and
- Enhancing Global Integration and International Relations

The NCBBF carried out extensive, nation-wide consultations to gauge public opinion on the critical issues and challenges facing the country. This was done as an integral part of the process of the preparation of the SNE Report and a Draft Peoples Charter. Effective measures were put in place, and adhered to, to ensure the authenticity and robustness of the consultation process and in obtaining and recording public opinion. In this context, the NCBBF welcomed the appointment, by your Excellency, of a three-member Independent Monitoring Group (IMG) to oversight the consultation and Peoples Charter process.

The NCBBF recognises that Fiji needs to restore parliamentary democratic governance and that this must be achieved as soon as possible. However, parliamentary democratic governance needs not only to be restored, through an election, but must be durable, going forward. This can only be done by ensuring free and fair elections, equal suffrage, adherence to the rule of law, and effective functioning democratic institutions. The NCBBF maintains that the case for the reform of Fiji's electoral system is compelling and that the needed changes must be implemented **before** the next general election. Fiji needs to put in place an electoral system that more accurately reflects the will of the people and which is based on equal suffrage.

The draft Peoples Charter was printed in English as well as the vernacular languages and widely circulated across the nation. A

large number of public meetings were held, and house-to-house visits made covering both the rural and urban areas, to explain the contents of the draft Peoples Charter. Fiji's adult population i.e. those of age 18 years and above, were given the opportunity to freely express their views on the draft Peoples Charter.

As of 10 December, 2008, of the 533,782 people in Fiji aged 18 years and above, the Peoples Charter process had outreached and consulted a total of 424,660 persons, this representing 80 per cent of the adult population. Of this number, a total of 372,311 persons provided their feedback by completing the Response Forms; and of this, a total of 342,592 or 92.0 per cent affirmed their support for the draft Peoples Charter. An additional 11,300 or 3 per cent of those completing the Response Forms, also expressed support for the draft Peoples Charter but subject to certain changes being incorporated. Those not supporting the draft Peoples Charter totaled 14,481, this representing 4.4 per cent of the respondents. The total number of respondents who expressed support for the Draft Peoples Charter without any changes to its contents, i.e. 342,592, constitute 64.2 per cent of the total adult population aged 18 years and above.

In summary, the support nationwide for the Peoples Charter is overwhelming. The NCBBF, therefore, submits that the Peoples Charter is broadly embraced by the people of Fiji, and that it represents a considered way forward for the country, to ensure sustainable democratic governance.

The NCBBF, therefore, recommends several steps to facilitate the effective implementation of the Peoples Charter and the related recommendations contained in the SNE Report. This includes the establishment of the proposed National Peoples Charter Council (NPCC), with broad-based representation, to serve as a permanent mechanism for facilitating and strengthening the partnership involving the government, the civil society and the private sector. It also includes due consideration being given to providing the Peoples Charter legal recognition, as necessary and appropriate; and for

ensuring its implementation by the current Interim Government and the incoming, successive governments, at least up to year 2020.

The Peoples Charter is a clear and strong reflection of the aspirations of the people of Fiji. It provides a set of commitments for change and reform which, based on the extensive nation-wide outreach and consultation process, has been broadly accepted as the best way forward by the people of Fiji. It is a commitment by the people, at the level of the individual, family, and communities, to achieve change, peace and progress, to rebuild a better Fiji. The people of Fiji have participated keenly in the consultation process to affirm that they seek change, and they have expressed their commitment to it by overwhelmingly endorsing the Peoples Charter.

Introduction

On the 25th of September 2007, the Interim Government, as part of Your Excellency's mandate to move Fiji forward, fully endorsed a proposal to launch a national initiative to Build a Better Fiji for All, through a Peoples Charter for Change, Peace and Progress (Peoples Charter). The National Council for Building a Better Fiji (NCBBF) was subsequently established by Your Excellency to undertake this initiative, through a nation-wide, informed consultation process to diagnose the problems which Fiji faces, and to seek solutions to these problems.

This Report outlines the work carried out by the NCBBF relating to:

- i) the preparation of the "State of the Nation and the Economy" (SNE) Report;
- ii) formulation of the Draft Peoples Charter for Change, Peace and Progress;
- iii) the nation-wide public consultation process, which includes the recording of public opinion, on the Draft Peoples Charter; and
- iv) consideration of public opinion, revisions to the draft Peoples Charter, and adoption of the final version for submission to Your Excellency the President.

This Report also contains a number of recommendations adopted by the NCBBF on measures that need to be taken to facilitate the implementation of the Peoples Charter, including the urgent measures needed to restore parliamentary democracy.

NCBBF Role and Responsibility

The work undertaken by the NCBBF was guided by the terms of reference as assigned to it by Your Excellency, the President, namely, to:

- i) undertake the preparation of an SNE Report, ensuring that it was independent, facts-based, policy and issues-oriented and forward-looking in its contents;
- ii) ensuring that the findings and conclusions of the SNE Report were made available to the people with full disclosure, with the dissemination of information being in forms that can be readily accessed, and understood by the wider community across Fiji;
- iii) formulating, on the basis of the SNE Report and the nation-wide community consultations and feedback on it, a draft Fiji Peoples Charter for Change, Peace and Progress;
- iv) ensuring that Fiji's communities, at all levels and across the nation, are consulted and able to participate and express their opinions fully on the Draft Peoples Charter; and
- v) incorporating the views of the people into the final version of the Peoples Charter, before submitting this to your Excellency.

In carrying out its work, the NCBBF was mindful of its responsibility, i.e. to ensure:

- i) effective country-wide participation in the consultation process and dissemination of information to the people;

- ii) developing broad-based ownership in the formulation of the Peoples Charter;
- iii) respecting the views of the public and each National Council member; and
- iv) ensuring genuine dialogue and discussion through a process of consensus building.

Organisational Structure and Work Programme

At its first meeting on 16th January, 2008, the NCBBF established three National Task Teams (NTTs) consisting of National Council members to focus on specific areas of the terms of reference assigned by Your Excellency, the President. The NCBBF, in turn, assigned to each NTT specific terms of reference, to focus on priority topics to gauge public opinion, and to faithfully summarise and report back to the NCBBF on its deliberations and recommendations.

Each NTT set up Working Groups (WGs), comprising NTT members and representatives of the public and private sectors and the civil society. The nine WGs that were so established involved just over 200 persons, most from outside of the public sector. The WGs analysed and addressed a range of critical issues relating to their respective priority areas of responsibility and made appropriate recommendations to their respective NTT. To assist with their analytical and diagnostic work, each WG commissioned a number of Issues and Discussion Papers (IDPs) on selected topics. A total of 51 IDPs were produced, 22 of these by prominent experts who brought to bear specialized expertise and experience on the various critical issues and topics and, 29 by the Technical and Support Secretariat (TASS) of the NCBBF (see *Attachment 1* for the list and topics of the IDPs).

The areas of responsibility assigned to each NTT and WG are listed below:

- **NTT 1 on Good Governance:**
 - a. WG1 – Governance, Leadership, Constitutional & Electoral Reforms;
 - b. WG2 – Institutional and Public Sector Reforms; and
 - c. WG3 – Role of Fiji’s Security Forces in National Development.

- **NTT 2 on Growing the Economy:**
 - a. WG4 – Clarifying the Role of Government, Private Sector and Civil Society for Stronger Growth & Greater Equity and Sustainability;
 - b. WG5 – Development of the Financial Services Sector; and
 - c. WG 6 – Development of the Resource-based Sectors.

- **NTT 3 on Social-Cultural Identity and Nation Building:**
 - a. WG7 – Poverty, Social Justice and Human Rights;
 - b. WG8 – Meeting Basic Needs: Education, Health and Housing; and
 - c. WG9 – National Identity and the Role of Religion, Culture and Education in Nation Building.

Consultation Document

The preparation of the "State of the Nation and Economy" (SNE) Report was undertaken through a process of extensive, country-wide consultation and participation. To facilitate such a participatory process, the NCBBF produced a Consultation Document written in English, *Vosa Vaka-Viti* and Hindi, which was issued in February 2008 and widely distributed throughout the country. The Consultation Document was divided into two parts: Part 1 described the current situation of Fiji and Part 2 outlined a list of the probable causes of Fiji's problems and raised a number of critical questions and issues that need to be addressed.

The work undertaken by the nine Working Groups, the three National Task Teams, and the feed back obtained through the nationwide consultations covering over 1000 villages and settlements across the country, served as the basis for the production of the SNE Report.

Timetable

The original timetable for the completion of the Peoples Charter work was prepared, working back from March, 2009 i.e. the initial timeline for the next general election. This meant completion of the public consultations on the draft and presentation of the Peoples Charter by the end of October, 2008, to allow sufficient time for consideration of electoral reforms prior to the convening of general elections. This schedule had to be subsequently adjusted, firstly, to allow for more time to complete the deliberations and consultations of the Working Groups and National Task Teams and secondly, to undertake more extensive, nation-wide public consultations on the Draft Peoples Charter, including on the NCBBF proposals for electoral reform.

The NCBBF held 7 meetings between 16th January and 11th December, 2008, as follows:

- a. **16th January, 2008:** the inaugural meeting to adopt its work programme to enable the completion of the Peoples Charter.
- b. **27th March, 2008:** to extend the time for the completion of tasks assigned to each National Task Teams and their respective Working Groups and to deliberate on strategies to promote greater involvement from the people in the process.
- c. **15th April, 2008:** to give priority to the issue of electoral reform to enable early completion of the review of Fiji's electoral system.
- d. **23-24th June, 2008:** to consider the review of the electoral system and adopt proposals for electoral reform.
- e. **4-5th August, 2008:** to consider the Reports of each NTT, approve the SNE Report and the Draft Peoples Charter and adopt the strategy for nation-wide public consultations.
- f. **15th October, 2008:** to extend public consultations on the Draft Peoples Charter to mid-December to enable more effective nation-wide consultations at all levels.
- g. **11-12th December, 2008:** to consider public opinion on the Draft Peoples Charter and endorse the final version for submission to Your Excellency, the President.

Budget and Administration

The NCBBF was supported in its work by a Technical and Support Secretariat (TASS) consisting mainly of civil servants seconded from various Government Ministries and Departments and also a few expert overseas consultants, and staff recruited from the private

sector and civil society in Fiji. In the absence of any external funding support from Fiji's development partners, the whole PCCPP undertaking was funded by the Interim Government. From the outset, and throughout the period of the operations of NCBBF and TASS, the Interim Government honoured its commitment to let the PCCPP process be undertaken independent of it, without interference or undue influence.

The State of the Nation and Economy (SNE) Report

Following consideration of each WG and NTT Report, and the feedback from the country-wide outreach and consultations, the "State of the Nation and Economy" (SNE) Report was produced. The SNE Report contains a comprehensive analysis of the political, legal, economic and social issues and challenges facing Fiji. As per the terms of reference given to the NCBBF, the SNE Report is independent in its assessment, facts-based, policy and issues-oriented, and forward looking in its contents.

A brief summary of the findings of the SNE Report is set out below:

- i) Failures of governance have been attributed to ongoing political instability. Several factors have contributed to this. Fiji's communal voting and representative system has made race-based policies inevitable since independence while the Alternative Vote system has at times failed to accurately reflect the will of the people. Leadership, particularly at the national level, has at times been too focused on specific community and/or personal interests rather than on the national or public interest. For various reasons, which include a lack of financial and human resources, Fiji's democratic and accountability institutions have not been able to carry out their functions effectively and efficiently. These factors, in addition to the lack of clarity surrounding the role of the military, have, directly or indirectly, contributed to Fiji's coups, instability, and a general slide downhill in terms of social and economic development.

- ii) Fiji's public sector, which includes the civil service, is generally inefficient and ineffective in terms of both its capacity and performance. The delivery of public services, particularly in the health and education sectors, and the overall effectiveness of the public sector, as well as its size, now require urgent attention. Attempts at reforms in the last ten years have not achieved the desired results for various reasons, chief among them being, a lack of political will to implement the changes needed to ensure a public service that is performance and service-oriented, and which is accountable and ethical.
- iii) Fiji's economy has been performing far below its potential. Economic performance over the past two decades has been erratic with massive declines experienced during and after political upheavals between 1987 and 2006. In the wake of the coups of 1987 and 2000, efforts to restore stability and to re-establish economic growth have faltered, with any success short lived. There are many reasons for the poor performance of Fiji's economy in recent decades. The persistence of political instability, incidents of inter-communal violence, and crime have exacerbated the country's economic and social problems. Investors, both local and foreign, seek stability and certainty because these reduce the risks of their investment decisions. Persistence of political instability has led to an erosion of confidence, and scared investors away. There has not been enough capital investment to generate the new jobs needed by the growing number of school leavers and the large numbers of unemployed who are seeking employment. The incidence of poverty has increased sharply.
- iv) Fiji lacks unity and a common national identity. People tend to identify more with their ethnicity, province

and/or religion, indicating a need to promote a national identity that binds all the people. Several factors have contributed to this, chief among them is a lack of understanding of, and at times lack of respect for, Fiji's different religions and cultures and a failure to entrench a culture of respect for basic human rights. This sense of inward looking ethnic identity has been reinforced by divisive and ethnically based institutions of government, communal based electoral systems, advocacy and entrenchment of ethnic problems and the lack of political will to create a national identity. Thus, people are more aware of their ethnic identity than of their national identity, and this is reflected in the long standing discussion, yet unresolved, over a name for our citizens. One of the most fundamental problems facing Fiji is a lack of unity.

While the NCBBF does acknowledge the progress that Fiji has made in terms of its political, social and economic development since independence, this continues to be hindered by the deep-rooted political, economic and social problems, as summarised above. The SNE Report offers a critical analysis of these problems and sets out a comprehensive list of recommendations designed to address them.

The Draft Peoples Charter for Change, Peace and Progress

The findings and recommendations to address the challenges facing Fiji, as contained in the SNE Report, and the consultations undertaken at the local, community, and national levels through the extensive outreach and consultation process, formed the basis for the preparation of the Draft Peoples Charter that was endorsed by the NCBBF at its 5th meeting in August, 2008. In formulating the Draft Peoples Charter, the NCBBF identified the most pressing problems and challenges facing the country, as highlighted in the SNE Report, and drawing on the feedback received from the

general public during the nation-wide outreach and consultation process.

Eleven key pillars are set out in the Draft Peoples Charter as the foundation for the rebuilding of Fiji as a nation. These key pillars are:

- Ensuring Sustainable Democracy and Good and Just Governance;
- Developing a Common National Identity and Building Social Cohesion;
- Ensuring Effective, Enlightened and Accountable Leadership;
- Enhancing Public Sector Efficiency, Performance, Effectiveness and Service delivery;
- Achieving Higher Economic Growth While Ensuring Sustainability;
- Making More Land Available for Productive Purposes;
- Developing an Integrated Development Structure at the Divisional Level;
- Reducing Poverty to a Negligible Level by 2015;
- Making Fiji a Knowledge-based Society;
- Improving Health Service Delivery; and
- Enhancing Global Integration and International Relations.

To achieve the objectives of each key pillar, specific actions are required. These are set out in summary in the Draft Peoples

Charter and presented in detail in the SNE Report. Therefore, the Peoples Charter and the SNE Report should be taken as a composite whole.

Public Consultations on the Draft Peoples Charter

The NCBBF carried out extensive, nation-wide consultations on the Draft Peoples Charter. This involved the:

- i) publication (in English and the vernacular), and distribution throughout the country, of the Draft Peoples Charter, the Executive Summary of the SNE Report, and a pamphlet on Electoral Reform; and
- ii) direct consultation with the people to gauge public opinion on the Draft Peoples Charter. A Response Form to record public opinion was utilized (see attached copy).

The NCBBF identified all adult persons, aged 18 years and over, as the targeted audience for consultations on the Draft Peoples Charter. 250,000 copies of the Peoples Charter Documents were published, and these were distributed to as many people as possible across the country. In addition, information on the contents of the Draft Peoples Charter and the SNE Report were communicated extensively through the radio and print media. The documents were also made available through the Internet on both the NCBBF and the Ministry of Information websites. 200,000 English, 30,000 Fijian and 20,000 Hindi copies of each document were distributed throughout Fiji from the 21st August to 30th November, 2008.

Public outreach teams consisting of NCBBF and TASS members, public servants, and representatives of various non-government organisations were established for each Division to undertake direct public consultations through:

- i) public meetings in villages, settlements and urban centres throughout the country;

- ii) house-to-house visits in towns, cities and most rural settlements; and
- iii) presentations to public servants in all Government Ministries and Departments and other State institutions, statutory bodies and business houses.

A brief presentation on the Draft Peoples Charter and clarification of any issues were provided during each visit and public forum, before people were requested to provide their views and opinions on the Draft Peoples Charter through the Response Forms provided.

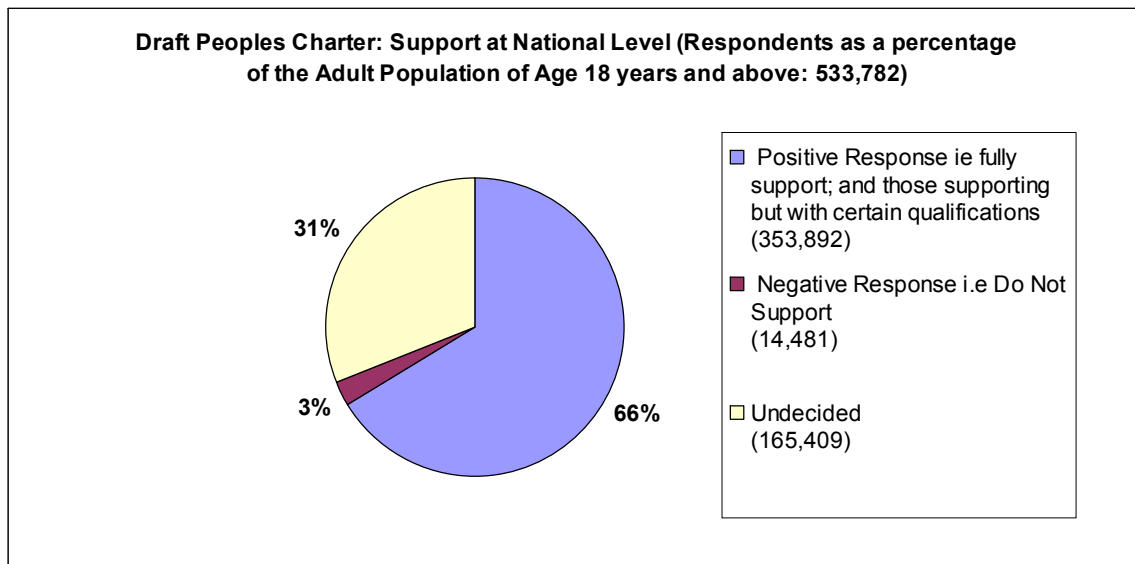
The following measures were put in place to ensure the transparency and authenticity of the consultation process to record public opinion:

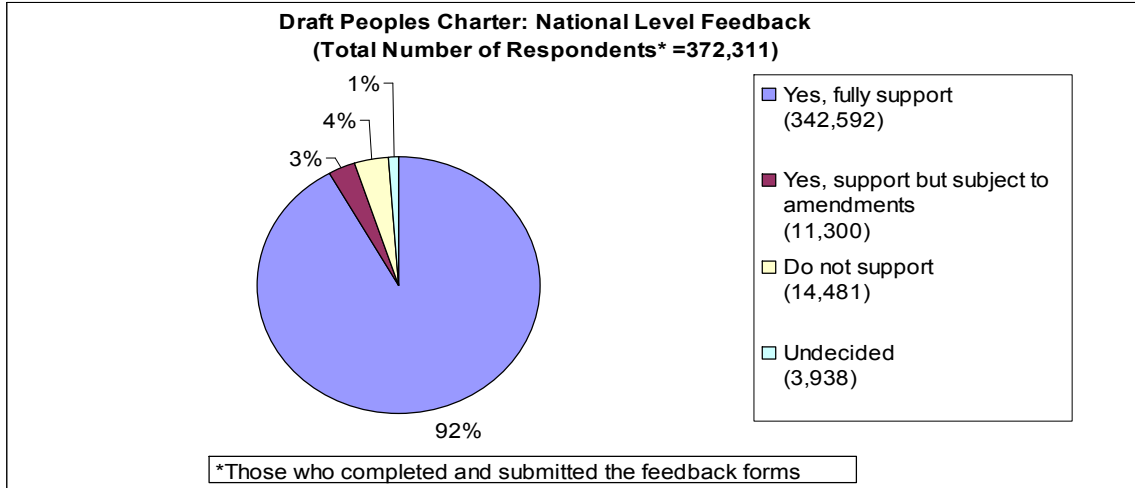
- A presentation explaining and clarifying the contents of the Draft Peoples Charter was to be made at all public meetings before the people were requested to fill in, of their own free will, their Response Forms;
- Respondents were informed of their right to make one of the three choices, and to do this of their own free will, to: either accept; or accept with reservations; or simply reject the Draft Peoples Charter;
- Respondents were requested to identify themselves to ensure verification as a member of the targeted audience and to avoid more than one response from individuals; and
- Respondents were given the opportunity to submit any opinions, comments and/or reservations about the Draft Peoples Charter on their Response Forms.

Final Version of the Peoples Charter

Public consultations on the Draft Peoples Charter were completed in early December, 2008.

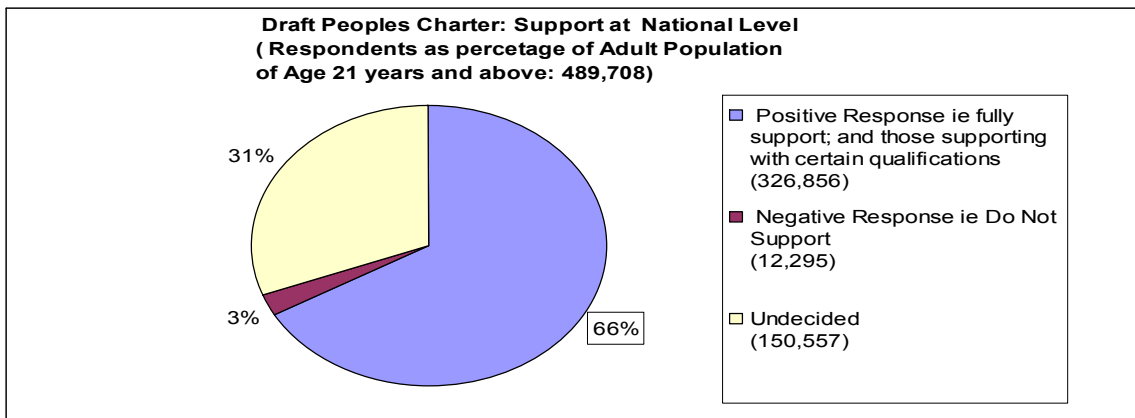
The NCBBF received a Report from its Technical and Support Secretariat (TASS) on the outcomes of the nationwide consultation process. As of 10 December, 2008, of the 533,782 people in Fiji aged 18 years and above, the Peoples Charter process had outreached and consulted a total of 424,660 persons, this representing 80 per cent of the adult population. Of this number, a total of 372,311 persons provided their feedback by completing the Response Forms; and of this, a total of 342,592 or 92.0 per cent affirmed their support for the draft Peoples Charter. An additional 11,300 or 3 per cent of those completing the Response Forms, also expressed support for the draft Peoples Charter but subject to certain changes being incorporated. Those not supporting the draft Peoples Charter totaled 14,481, this representing 4.4 per cent of the respondents. The total number of respondents who expressed support for the Draft Peoples Charter without any changes to its contents, i.e. 342,592 constitute 64.2 per cent of the total adult population aged 18 years and above. See Attachment 3, and the charts below.

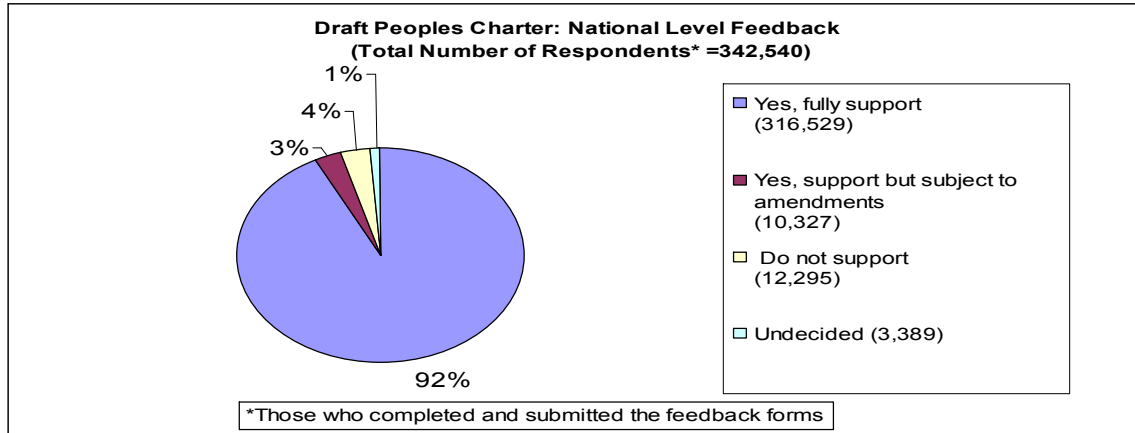




Of the total adult population of age 21 years and above i.e. 489,708 people, the consultation process outreached 391,586 or 80 per cent. Of these, a total of 342,540 persons completed the Response Forms; and of that, 316,529 or 92.4 per cent indicated support for the Draft Peoples Charter, without any changes to its contents. A further 10,327 or 3 per cent of the respondents expressed support but with some qualifications; and a total of 12,295 or 4 per cent of the respondents did not support the Draft Peoples Charter. Thus, the total number of respondents who expressed support for the Draft Peoples Charter without any changes to its contents, constitute 64.6 per cent of the total population aged 21 years and above.

See Attachment 3 for the relevant statistics and the charts below.





In summary, the support nationwide for the Peoples Charter has been overwhelming. The NCBBF, therefore, submits that the Peoples Charter has very strong, broad-based support of the people of Fiji.

The NCBBF also received from TASS a feedback matrix on the public consultations, in particular on the specific comments and/or reservations expressed by the public on the Draft Peoples Charter. Based on this Report, certain changes were made to the Draft Peoples Charter, this done mainly to clarify and allay concerns expressed by the public in relation to:

- i) the formation of the Government following a general election i.e. the size and composition of the Cabinet under Pillar 1;
- ii) the role of the military; by adding an additional principle to the list of thirteen for ending the *coup* culture, under Pillar 1;
- iii) clarification of interfaith dialogue and the status of the *Vola Ni Kawa Bula*, under Pillar 2;

- iv) removing the requirement for the national anthem in all three languages, under Pillar 2;
- v) enhancing the role of women leaders and defining and explaining the leadership qualities included in the Leadership Model, under Pillar 3;
- vi) more specific measures to improve the efficiency and effectiveness of the public sector, under Pillar 4;
- vii) the importance of environmental sustainability, under Pillar 5;
- viii) clarification of the continued role of the Native Land Trust Board in the administration of native land, under Pillar 6;
- ix) the development of an integrated development structure at the divisional rather than provincial level, under Pillar 7;
- x) specifying the need for access to education for the disabled, under Pillar 9; and
- xi) the composition of the National Peoples Charter Council.

Following the above changes the Final Version of the Peoples Charter was prepared for submission to Your Excellency, the President.

The Peoples Charter calls for specific actions to be taken under its eleven key pillars to rebuild a peaceful and progressive Fiji. A summary of these specific measures is set out below:

1. Pillar 1: Ensuring Sustainable Democracy and Good and Just Governance:

- the abolition of communal voting and representation and adoption of an Open List PR electoral and voting system;
- improving the effectiveness of democratic institutions, by putting in place measures to ensure greater accountability of the Government to Parliament and strengthening the accountability framework through the enactment of Freedom of Information and Media laws and capacity building of accountability institutions;
- the implementation of and adherence to 14 key principles for ending the “coup culture”;
- clarifying and enhancing the role and effectiveness of the disciplined services by ensuring greater coordination on national security interests, a greater commitment to the concept of human security for the military, and setting specific targets to improve law and order; and
- entrenching a culture of human rights in Fiji through Anti-discrimination legislation and capacity building of the Human Rights Commission.

2. Pillar 2: Developing a Common National Identity and Building Social Cohesion:

- promoting the importance of a national identity to facilitate reconciliation and rebuilding by amending the Constitution to change the official name of the country to ‘Fiji’ and adopting the common name ‘Fijian’ for all citizens;
- promoting a national moral vision and cooperation and understanding among religions and cultures through

interfaith dialogue and formal education initiatives, which include multi-cultural education, teaching of vernacular languages, a National Youth Scheme, and conducting flag ceremonies and singing the national anthem in all schools and important state functions; and

- removing racial categorisations involving the gradual phasing out of institutional names that denote racial affiliations and elimination of racial profiling by Government and other institutions and entities while recognising that the status of the Vola ni Kawa Bula (VKB), Native Lands Commission (NLC), and the Native Lands Trust Board (NLTB) records, since they apply specifically to the affairs of the i-Taukei, will **not** be affected.

3. Pillar 3: Ensuring Effective, Enlightened and Accountable Leadership:

- enactment of the Code of Conduct to enforce proper conduct standards and increase the accountability of holders of high public office;
- ensuring effective leadership by increasing public awareness about the types of leadership qualities people should look for in public leaders through the adoption of a Leadership Model and through greater commitment to leadership training; and
- enhancing, supporting, and ensuring the participation of women leaders at all levels of decision-making.

4. Pillar 4: Enhancing Public Sector Efficiency, Performance Effectiveness and Service Delivery:

- strengthening public service transparency and accountability by removing political interference and

strengthening the independence of the Public Service Commission;

- greater commitment to public sector reform as regards service delivery, civil service and public enterprises reform by accelerating the right-sizing of the public sector, greater commitment to performance management, and introducing i) service charters; ii) a national code of corporate governance; and iii) a director development programme; and
- strengthening the capacity, leadership and coordination of policy development and implementation.

5. **Pillar 5: Achieving Higher Economic Growth While Ensuring Sustainability:**

- ensuring the government, the private sector and civil society play an appropriate role in supporting and facilitating private sector-led growth;
- updating the regulatory and legal framework governing business and commercial activity and ensuring compliance with best international practice;
- ensuring greater accountability in government's fiscal and economic policies through amendment to the Financial Management Act;
- strengthening the financial services sector by establishing a Financial Services Commission and developing a Capital Markets Master Plan; and
- placing greater priority on environmental protection and sustainability by strengthening institutional capacity and promoting sustainable management of natural resources.

6. Pillar 6: Making More Land Available for Productive Purposes:

- to improve accessibility for all land users through sustainable lease arrangements that ensure security of tenure and equitable returns; creating a market for leased land; developing land use mechanisms; enabling indigenous Fijian landowners greater access to leased land; and formalising *vakavanua* arrangements; and
- making more land available for social purposes like housing and infrastructure development in both rural and urban areas with Government playing a key facilitating role.

7. Pillar 7: Developing an Integrated Development Structure at the Divisional Level:

- mainstreaming indigenous Fijian development interests into national development plans and programmes by merging the development roles and functions of relevant Ministries and Departments to eliminate duplication and ensure optimum use of resources; and
- further improving the delivery of development services by upgrading the professional capacity and skills at the divisional level and integrating Development Boards at the national, divisional, provincial, and district levels.

8. Pillar 8: Reducing Poverty to a Negligible Level by 2015:

- establishing a National Programme to Reduce Poverty to meet Millennium Development Goal targets; improve coordination on poverty alleviation programmes; and ensure timely compilation, research and analysis of poverty statistics;
- introducing a national minimum wage; and

- improving the effectiveness and fairness of social justice (affirmative action) programmes and legislation.

9. Pillar 9: Making Fiji a Knowledge-based Society:

- ensuring access to quality education for all, which includes increasing access to tertiary and higher education;
- reforms to the education system that include establishing a modular system; a statutory body for non-formal learning; a coherent tertiary education system; and implementing a progressive and responsive curriculum, which includes enhancing skills base and vocational training;
- improving the financing of education, which include a system to ensure adequate distribution of education grants based on the disadvantage of schools; and
- strengthening early childhood education, especially in the rural areas and the outer islands.

10. Pillar 10: Improving Health Service Delivery:

- increasing health financing as a proportion of GDP by 0.5% annually to 7% within the next ten years and other options for financing such as social health insurance;
- strengthening institutional arrangements by establishing a Health Policy Commission; and centralising decision making and decentralising service delivery; and
- increasing private sector participation in health service delivery.

11. Pillar 11: Enhancing Global Integration and International Relations:

- strengthening local capacity to: engage in global trading by increasing private sector participation; enhance bilateral and multilateral relations; improve investment, trade facilitation and negotiations; and
- advocate Fiji's interests in regional and international institutions such as the Pacific Islands Forum, the Commonwealth, and the United Nations.

Some General Comments and Observations

Since the Peoples Charter initiative was first launched, those who have remained steadfastly opposed to the Interim Government mounted a vigorous campaign to discredit and derail this undertaking. The NCBBF, in responding to the various distracting claims made about this initiative, and the process, has consistently maintained that the Peoples Charter:

- i) affirms that the Constitution represents the supreme law of Fiji and seeks only to strengthen and enhance its effectiveness as the legal framework for the conduct of government and the people. The Peoples Charter provides a set of commitments for change and reform which, based on the extensive outreach and consultation process, has been affirmed by the people of Fiji. It is a commitment by the people to each other about change, peace and progress to rebuild Fiji as a nation. It is the people of Fiji who are seeking change and, under the Peoples Charter, have committed themselves to change for the better. This commitment by the people has been expressed freely and without intimidation; and
- ii) is not anti-*i-Taukei* ; in fact it did take into account the UN Declaration for the Rights of Indigenous Peoples

(September, 2007), and that it seeks to promote and protect the interests of all communities in Fiji. Equal opportunity, regardless of gender or race, is the most effective way to successfully address problems created by ethnic divisions. As a policy measure, affirmative action should only be introduced when there is a genuine need to correct any imbalance created by equal opportunity. On-going commitment to the principles of good governance that involve a respect for basic human rights and the rule of law, true representative democracy, and transparency and accountability in public administration, will result in the continued protection of indigenous Fijian interests and ensure other communities have the same opportunity to improve their livelihoods.

Implementation of the Peoples Charter

While the political negotiation and dialogue involving the Interim Government, the political parties and other key stakeholders, through the President's Political Dialogue Forum, is now imminent, to map the way forward for Fiji, the NCBBF, noting the overwhelming public support for the Peoples Charter, considers it appropriate to identify possible measures that can be taken to facilitate the formal adoption and implementation of the Peoples Charter.

The NCBBF has already undertaken a comprehensive analysis of the administrative mechanisms needed to ensure the effective implementation of the Peoples Charter, currently anticipated to be undertaken in four phases, up to the year 2020. The bulk of the implementation implications fall upon the people of Fiji and communities at large. By embracing it, and assuming ownership of the Peoples Charter, the people of Fiji are expected to ultimately compel successive elected Governments to take responsibility, with due diligence and commitment, to implement the Peoples Charter.

The Peoples Charter recommends the establishment of an independent National Peoples Charter Council (NPCC) to oversee and facilitate implementation, particularly through the national budgets. The NPCC, given its proposed broad-based representation, is to serve as a permanent mechanism for facilitating a strong partnership of the government, the civil society and the private sector. *In particular, the NCBBF recommends that the functions of the NPCC include:*

- i) monitoring implementation of the Peoples Charter generally focusing on the outcomes and Key Performance Indicators;*
- ii) providing a forum for consultation for all stakeholders, among government, private sector and all other sectors of society, on national development issues; and*
- iii) maintaining continuous outreach to the communities and civic education on the Peoples Charter, good governance issues, national identity and related capacity building.*

Other recommendations are for the establishment of sub-committees and a secretariat to service the NPCC, the latter role to be performed by the National Planning Office under the Prime Minister. Implementing the Peoples Charter will basically involve monitoring by the NPCC, and reporting to Parliament, and the inclusion in this process through sub-committees and the secretariat consisting of relevant Government Ministries and Departments and State institutions, the private sector and civil society.

The NCBBF is of the opinion that in order to facilitate the effective implementation of the Peoples Charter, future consideration must be given to providing it appropriate legal recognition. Several options exist to provide the Peoples Charter and administrative mechanisms like the NPCC, appropriate legal status. The NCBBF considers that these options should become part of any political

dialogue taking place, to return Fiji to parliamentary democracy, given the strong public support for the Peoples Charter.

There is of course a need to identify the measures under the Peoples Charter that must be implemented before the next general elections. The NCBBF is of the firm view that before any general election can take place, electoral reform, along the lines as proposed under the Peoples Charter, must be undertaken, and that such changes must be adopted through legal and constitutional means. There is strong public support for this. The major issues arising out of the electoral reform proposals that need to be addressed are:

- i) a review of the composition of Parliament, namely the size of the House of Representatives and the continued existence and/or make-up of the Senate as proposed by the NCBBF in the SNE Report; and
- ii) the amendment of the Constitution and the Electoral Act 1998 to implement all electoral reform proposals as set out in the Peoples Charter.

These measures must be undertaken before a general election is held in order for Fiji to be able to restore and sustain parliamentary democratic governance. There is a need for electoral reform that puts in place a system that more accurately reflects the will of the people, does not disenfranchise a large percentage of the electorate, and is based on equal opportunity for all voters. It is a fact that certain parts of the current Constitution, particularly provisions setting out the communal voting system, have helped to entrench, perpetuate, and legitimise race-based, divisive politics. A major impediment to Fiji's return to parliamentary democracy is that the current voting and electoral system is itself undemocratic.

Conclusion and Recommendations

In considering a way forward for Fiji, the NCBBF has in its analysis of the critical problems affecting the country and consideration of the measures needed to ensure a more prosperous Fiji, reached the following conclusions:

- i) The Peoples Charter is a clear reflection of the desire and commitment of the people of Fiji to change, peace and progress. Ultimately, it is the people who will be responsible for driving the full implementation of the Peoples Charter. At least almost two-third of the total voter population, of age 18 years and over, have been consulted and have expressed an opinion on the Peoples Charter. Based on the consultation process, there is overwhelming public support for the Peoples Charter.
- ii) The Peoples Charter presents the best opportunity to achieve sustainable democracy and good and just governance in Fiji. It is the basis for future development. It identifies the critical issues that Governments must address to ensure Fiji is able to achieve sustainable democracy and meet its potential in terms of social and economic development. One of the main objectives of the Peoples Charter is to commit future Governments to addressing the critical problems affecting the country rather than diverting resources to what are essentially non-priority areas. The Peoples Charter does provide for specific action and the SNE Report contains many recommendations on how to meet its objectives. However, future Governments, with a mandate from the electorate, will have the flexibility to make decisions on how best to implement and achieve the objectives of the Peoples Charter.
- iii) The wide-spread publication and distribution of the Peoples Charter documents is already a success in terms

of involving the people in the decision making process and promoting awareness and a basic understanding throughout all communities in Fiji of the critical problems and challenges facing Fiji today. Further increasing this level of understanding, through the proposed NPCC and a process of ongoing continuous consultation and related feedback mechanisms, in villages, settlements and communities across the country can empower the people to make informed decisions about the actions needed to improve their livelihoods, and also to hold their leaders accountable.

The NCBBF recommends that the proposed NPCC be put in place with due urgency, with broad-based representation, to serve as a permanent mechanism for facilitating a strong partnership involving the government, the civil society and the private sector; and further, that the National Planning Office in the Prime Minister's Office serve as the Secretariat of the NPCC.

- iv) The NCBBF maintains that electoral reform be implemented before the next general election through legal and constitutional means. It is vital for Fiji's future that reforms be carried out to put in place a system that more accurately reflects the will of the people and is based on equal opportunity.

The NCBBF, therefore, recommends that the Interim Government present options to the President's Political Dialogue Forum that is to be facilitated by the United Nations and Commonwealth Secretariat, with a view to reaching consensus among all key stakeholders and the political parties on changes to the law to implement electoral reform, before the next general election.

- v) In view of the overwhelming public support for the Peoples Charter, ***the NCBBF recommends that His Excellency the President :***
- a) ***Receives, and notes that the Peoples Charter for Change, Peace and Progress and the State of the Nation and the Economy Report, together, constitute a composite whole, providing a practical framework for the achievement of the common interests, and for the common good, to chart the way forward to building a better Fiji for all;***
 - b) ***while recognising that the bulk of the responsibility for implementation will fall upon the people of Fiji and communities at large, endorses to the Interim Government to take the steps necessary to ensure the implementation of the Peoples Charter for Change, Peace and Progress and the related recommendations as contained in the SNE Report;***
 - c) ***asks the Interim Government to ensure that the full version of the Peoples Charter gets disseminated widely to the people of Fiji; and***
 - d) ***asks the President's Political Dialogue Forum, that is to be convened and facilitated jointly by the Commonwealth Secretariat and the United Nations, to discuss the formal adoption of the Peoples Charter including the SNE Report, recognising that in view of their strong, broad-based support for it, the people of Fiji will expect incoming successive elected Governments, with due flexibility, to make their own decisions on how best to implement the Peoples Charter.***

We submit herewith this, Your Excellency, our Report and Recommendations in regard to the preparation, adoption and implementation, of the **Peoples Charter for Change, Peace and Progress.**

*National Council for Building a Better Fiji
Parliamentary Complex, Veiuto, Suva
15th December, 2008*