

# COUNCIL OF ROTUMA'S CONSTITUTION REVIEW CONSULTATION SUBMISSION

09/07/12 to 12/07/12

## **1. Executive Summary of the Final Outcome of Consultations Conducted Throughout Rotuma By a Committee That Was Appointed By the Council of Rotuma to Prepare Its Submission to the Constitution Review Commission (CRC).**

### General Outline of Outcome

Listed hereunder is the final outcome of four days of an island-wide consultations throughout the Seven Districts of Rotuma during the period Monday 9th - Thursday 12th July 2012 by a Committee that was appointed by the Council of Rotuma to solicit the views of the community regarding the proposals and changes which the present Interim Government (IG) would like to be enshrined into Fiji's New Constitution.

The views and findings recorded herein reflect a Consensual Collective and genuine desire and aspirations of the Chiefs and people to ensure that the integrity, Well-being and Interests of the Rotuman people - for present and future generations are safeguarded and guaranteed within the realms of any future Governments of the Republic of the Fiji Islands.

Furthermore, it is also the considered opinion of the Committee that the Chiefs and People of Rotuma fully understand and support the IG's efforts in moving Fiji forward from the present political impasse in accordance with the aims and objectives of the Peoples Charter for Change, Peace and Progress thus stamping out the country's Coup Culture by promulgating a New Constitution that is going to be Fair, Inclusive and Representative of the people - including Rotumans who are a Minor Ethnic Indigenous community.

### Perceptions - Major Concerns

The Eleven Pillars of the Peoples Charter for Change, Peace and Progress were used as a basis and guide during the consultations and the following major concerns were explicitly and emotionally expressed to the Committee;

#### **a. Pillar One - Ensuring Sustainable Democracy, Good and Just Governance**

The proposed Electoral Reforms would inevitably result in Rotumans losing their only "safe" seat in the House of Representatives with the removal of the Communal Voting System.

In fact, the Chiefs and people are alarmed at the negative impact and implications of such a change because they understood and realize that they would be effectively Marginalised and completely Disenfranchised. Such a drastic change to the country's political make-up would result in Rotumans' unique status as the only other indigenous race with its inherent identity and "Sovereignty" under the Compact of the past Constitutions and the appropriate United Nations Conventions and Protocols would be nullified.

Consequently, it is the Unanimous desire and wish of the Chiefs and People of Rotuma that the status quo be maintained - Rotuma's only "safe" seat be retained under any new voting arrangement.

Similarly, Rotuman's only other seat in the Parliamentary Senate be retained, but a Second Seat be allocated and reserved explicitly and exclusively for Women.

To re-affirm Rotumans indigeneity, relevant provisions should be factored into the Compact of the New Constitution to reflect similar status to the i-Taukei (Fijians) i.e. i-Taukei (Rotuman) and that the Rotuma Act and Rotuma Lands Act be amended accordingly to adequately cover and safeguard Ownership Rights, Access to and Utilisation of Land and Marine resources and the protection and preservation of the Environment.

The Chiefs and members of the community fully endorse and support the IG's initiatives to ensure Good and Just Governance and the promotion of Transparency and Accountability with the implementation of a Selection Criteria for all leaders within Government, the Church and Vanua (traditional chiefs).

#### **b. Pillar Two - Developing a common National Identity - Building Social Cohesion**

The national name of: "THE REPUBLIC OF THE FIJI ISLANDS" is fully supported and endorsed. However, the adoption of the common name of "FIJIANS" for all the nation's citizens is NOT supported.

The Chiefs and people unanimously concurred that each ethnic group and race within our multi-ethnic and diverse society should retain and be proud of their respective racial ethnic identity and in this regards, our small island community should retain our unique Polynesian heritage and identity and be known and referred to as i-Taukei (Rotumans).

Present and future governments should continue to encourage and promote our nations concept of "Unity in Diversity."

Freedom of Worship/Religion should continue. However, as devout Christians, the Chiefs and People would like to see the nation declared a Christian State in which Ecumenical interaction within all Christian denominations should be encouraged. Inter-Faith worship and sharing of Spiritualities are certainly not to be condoned nor supported for obvious reasons.

The promotion and teaching of Vernacular language, customs and traditions in schools is fully endorsed. As leaders of tomorrow, Youths should be given more prominent leadership roles within the community and the revitalisation of the National Youth Scheme is welcomed.

Traditional, Cultural and Religious protocols which hinder progress, prosperity and social/cultural cohesion and harmony should be dispensed with.

**c. Pillar Three - Ensuring Effective, Enlightened and Accountable leadership**

The Chiefs and people fully endorse and support the immediate Enactment and Enforcement of a Code of Conduct for all leaders at all levels of society - Public/Private Sectors, Academia, Church/Religious bodies, Corporate entities with emphasis on integrity, Honesty, Accountability and High Moral values.

The promotion and teaching of "Leadership Principles" to the Youth and school children is supported.

**d. Pillar Four - Enhancing Public Sector Efficiency, Performance, Effectiveness and Service Delivery.**

Everyone agreed with the IG' s view that the Public Service delivery role has often failed to meet the expectations of the people and fully support the enactment of a National Code of Corporate Governance and the Application and Enactment of Merit-based appointments and promotions within the Public Service and Government Corporate bodies.

**e. Pillar Five - Achieving Higher Economic Growth while Ensuring Sustainability**

The community applauds the IG's initiatives and development plans in this regard and fully supports the promulgation of appropriate statutes to improve the lot of the isolated rural communities thus maintain and sustaining Food Security as well.

**f. Pillar Six - Making More land Available for Production and Social Benefits**

Everyone concurred that the island's total land mass is too small for any major commercial farming or other business ventures, therefore provisions should be inculcated into the Rotuma Act and Rotuma Lands Act - and covered by the Constitution to ensure proper land Use and Management procedures and practices are understood and complied with.

**g. Pillar Seven - Establishing an Integrated Development Structure at the Divisional Level**

The Chiefs and people commend this IG's initiative and would like to maintain the present arrangement that all National and Provincial Development be streamlined and specific projects for Rotuma are to be coordinated through the Prime Ministers Office in his capacity as Head of Government and Minister directly responsible for Rotuma.

**h. Pillar Eight - Reducing Poverty to a Negligible level by 2015**

The Chiefs and people endorse the introduction of a National Minimum Wage level for all employees and support Affirmative Action Programmes to increase income generating

capacity and productivity and prosperity, especially in outlying Isolated rural communities thus curbing the urban drift.

**i. Pillar Nine - Making Fiji a Knowledge- Based Society**

All Government initiatives towards the full and successful attainment of this - Making Fiji a Knowledge - Based Society is fully supported by the community.

**j. Pillar Ten -Improving Health Service Delivery**

Everyone agreed that a Healthy community is one that is progressive and prosperous and fully supports all IG's plans to improve Health Case and Treatment of the Sick.

**k. Pillar Eleven - Enhancing Global Integration and International Relations**

Everyone agreed that the nation's "coup culture" and stigma associated with it must end and Fiji return to a Democratic System of Government of our own choosing and liking by 2014 as planned by the IG.

In this regard, the Chiefs and people support all genuine initiatives to improve the National Economy, its Social-Political standing and return the nation as a Respectable and Responsible member of the global community of nations as soon as possible.

**Conclusion**

The Committee has been most grateful to the Chiefs of the Seven Districts for facilitating and assisting it during its deliberations within their respective districts.

Furthermore, the lively responses from members of the community as they came to understand the full implications of the intended changes to the Laws was indicative and proof of the people's wish to ensure that their aspirations, wishes and needs are adequately addressed and Safeguarded in the New Constitution - (including the Revised Rotuma Act and Rotuma Lands Act) for the sake of present and future generations of Rotumans.

In this regard, they therefore, request that the following concerns be highlighted and presented to the CRC:-

a. Rotuma's only "safe" Seat in the House of Representatives be Retained under any revised electoral system, should the present Communal Voting arrangement be abolished - because of Rotuma's inherent "Sovereignty" and unique status as the only other Indigenous i-Taukei (Rotumans) entity within the nation.

Similarly, its only other Parliamentary Seat in the Senate be retained and a Second Seat be allocated and reserved exclusively for Women.

b. The nation is to be called the REPUBLIC OF THE FIJI ISLANDS and its nationals be called Fiji Citizens/Nationals.

As the only other Indigenous Race within the Country, all those of Rotuman descent are to Retain their unique Polynesian heritage, culture and traditions by being called i-Taukei (ROTUMANS) within Fiji's multi-ethnic and diverse society.

Freedom of Worship and Religion is to prevail. However, the Nation is to be declared a Christian State and Ecumenical interaction within all Christian denominations is to be promoted.

There is to be no Inter-Faith dialogue nor the Sharing of Spiritualities.

c. A National Code of Conduct and Corporate Governance be introduced and enacted for all;

(1) Public Servants and Public and Independent Constitutional Office holders - including Municipal Councils.

(2) Members of Parliament

(3) Members Who hold Executive Appointments within Statutory Authorities.

(4) i-Taukei (Fijian & Rotuman) Chiefly Appointees.

This would ensure Good and Just Governance - thus promoting and maintaining greater Transparency and Accountability to combat Corruption.

## **Comments by Major General Jioje Konrote**

### **INTRODUCTION**

#### General Overview

As Rotuma's last Elected Parliamentarian and a Special Representative of the Council of Rotuma to the present Interim Government (IG), I am very much cognizant of the IG's Peoples Charter for Change, Peace and Progress and its overarching objective: to rebuild Fiji 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.

After having studied the document (Peoples Charter) in detail, I strongly believe it proper that the Eleven Key pillars identified therein should be used as a basis and guide to express our views opinions, hopes and aspirations which are to be highlighted and emphasised upon by whoever (individual or team) which is going to present our case to the Constitutional Review Commission (CRC) to ensure that the interests and integrity of present and future generation of Rotumans are safeguarded and relevant provisions to this effect are adequately addressed and provided for in the New/Revised Constitution.

### **THE ELEVEN PILLARS TOWARDS - GOOD GOVERNANCE**

#### Ensuring Sustainable Democracy, Good and Just Governance (Pillar One)

The proposal and intention to Reform the, Electoral System and abolish the Communal Representation system (and replace it with an Open List Proportional Representation (PR) Electoral and Voting system would be, in my humble opinion most discriminatory to our small indigenous ethnic Rotuman Community, because it will effectively remove the only "safe" seat that we had, and would like to retain in any future Parliament/Legislative Assembly.

Such a major change to the present status quo would inevitably result in Rotumans (both present and future generations) being marginalised, and more importantly Disenfranchised.

This is a perception which is shared by the Council of Rotuma and I have no doubt the majority of our people because of its inherent negative impact and implications which would negate our ability to present and have our concerns and requests adequately addressed by the Government of the day.

Such a predicament is considered, improper, unjust, unfair and most unwelcomed.

Our status as the only other indigenous race in our beloved Country as enshrined in the Compact of the 1997 Constitution (abrogated by the IG) confirms and Symbolises the "uniqueness" of our indigeneity together with our very close and special relationship with the only other indigenous i-Taukei (Fijians) and the rest of Fiji's multi-ethnic society.

It is a question of "Sovereignty" and in this regard believe that an earlier personal plea which I had made to the Honourable Prime Minister is relevant.

Furthermore, the paramountcy, significance and relevance of the Rotuma Act and Rotuma Lands Act (and any other subsequent Legislations pertinent to Rotuma and its people) should continue to be binding to Rotumans within the ambits of the Laws of Fiji.

Such statutes should also adequately cover and safeguard ownership rights and access to Land and Marine resources, and the protection of the environment, and that such indigenous i-Taukei (Rotuman) rights should be promulgated into the New Constitution.

I endorse the retention of our Senate Seat, but also believe that the allocation of a second seat which is to be specifically reserved for women would be most ideal and welcomed considering the importance and significant role our women have played and would continue to do so in future.

To ensure good and just governance which should promote Transparency, Accountability and combat Corruption, I believe that those who aspire to represent us in Parliament should be subjected to a selection Criteria along the following lines:

- a) Be mature, experienced with impeccable and proven service records, either in the Private or Public sector/or Intellectuals.
- b) Be of High Moral standing and possess Christian values (No previous convictions, not a declared bankrupt, not living in a de-facto relationship), and;
- c) Be of Rotuman descent and an active member of the community who is familiar with, identifies and knows and understands cultural/traditional norms and protocols.

#### Developing a Common National Identity - Building Social Cohesion (Pillar Two)

I endorse and Support the name of our nation to be: THE REPUBLIC OF THE FIJI ISLANDS

However, I believe that the common name, FIJI CITIZEN should be adopted for all Fiji citizens (nationals by birth and registration), with full recognition that the indigenous people are i-Taukei (Fijian) and i-Taukei (Rotuman).

Moreover, I believe that this would be in line with the status of the i-Taukei (Fijian) as applicable under the Vola Ni Kawa Bula (VKB) Native Lands Commission (NLC) and Native Lands Trust Board (NLTB) and the Status of the i-Taukei (Rotumans) under the Rotuma Act and Rotuma Lands Act (under review and to be enacted).

I do not support the adoption of the common name of 'FIJIAN' for all citizens because of obvious reasons. I believe that the retention of our unique identity as a Polynesian race (Rotumans) should be retained, because to do otherwise, would be the beginning of a sad and unfortunate/unwelcomed process and evolution towards our forever losing our much treasured and valued cultural and traditional identity as an indigenous minority ethnic community and race within our predominantly Melanesian and Indian multi-ethnic and diverse nation.

I welcome the retention and promotion of Religious freedom, but believe that Fiji should be declared a Christian State. I also support Ecumenical interaction within the Christian Faith, but do not support Inter-Faith Dialogue and the Sharing of Spiritualities, because as a devout Christian, I strongly believe in Almighty God's (.Jehovah) Moral Laws - The Ten Commandments - The Decalogue which is supreme and paramount.

As a culturally diverse and multi-ethnic nation, I fully endorse and support the promotion and teaching of Vernacular languages, culture and traditions in schools.

The review and revitalisation of the National Youth Scheme is very much welcomed because of the fact, that our Youth of today will become our leaders of tomorrow. Some of our old cultural and traditional mindset must change to allow our Youths to play a more prominent and significant leadership role within the community. More importantly, traditional and cultural protocols which hinder progress, prosperity and the enhancement of better social cohesion and harmony, should be dispensed with.

Rotuma needs a major paradigm shift within society and its traditional chiefly mode of operandi for the common good.

#### Ensuring Effective, Enlightened and Accountable Leadership (Pillar Three)

I certainly concur with perception that the main problem within Fiji and in particular for our Rotuma island community is the lack of a Leadership that is Positive, Visionary, Transformative and Constructive.

Unfortunately this situation has been endemic and prevalent within our community for some time now, because of our traditional way of doing things, particularly in the selection of our chiefs and other community leaders,

I fully endorse the immediate enactment and effective enforcement of a Code of Conduct (to be included in the Reviewed Rotuma Act) for our traditional district chiefs (include Parliamentarians) with emphasis on Honesty, Integrity, High Moral Values and Ethic and a genuine desire to serve the community.

I further support the promotion and teaching of leadership principles to the Youth and School Children.

#### Enhancing Public Sector Efficiency, Performance Effectiveness and Service Delivery (Pillar Four) .

I concur with the view that the Public delivery role often fails to meet the expectations of our people, particularly those in remote and isolated rural communities.

I therefore, support the introduction of a National Code of Corporate Governance and the Effective Application and Enforcement of Merit-based appointments within the Public Service.

#### Achieving Higher Economic Growth While Ensuring Sustainability (Pillar Five)

The Council of Rotuma and the community in general has been most grateful and appreciative of the IG's recent efforts in providing and upgrading the island's infrastructure to assist in our peoples' income generating capacity by fully utilizing its agricultural and marine resources.

The declaration of Rotuma as a Port of Entry in 2008 has greatly enhanced the island community's capability and potential to trade with our neighboring island states to the north (Tuvalu and Kiribati) and to other parts of Fiji - and hopefully to other regional states.



Rotuma's rich and very fertile arable land and abundant marine resources should be further developed, tapped and protected for the enhancement of both economic activity and the basic quality of life and at the same time increase and maintain food security.

#### Making More Land Available for Productive and Social Purposes (Pillar Six)

Rotuma's total land mass of only 11,000 square hectares is too small for the island to be utilised for any major commercial farming or ventures.

The system of land ownership under the Rotuma Lands Act should continue to guarantee the proper and full utilization of Kainaga land for all members of the land owning unit.

Subsistence existence within the island for the most part of past decades has been somewhat peaceful and harmonious because of the cultural and traditional concept of "Sharing and Caring". This, I believe should be encouraged, nurtured and safeguarded in any revised or new legislations.

Regrettably of late, the Commercialisation and marketing of traditional root crops and the introduction of mahogany and sandalwood as potential cash crops/commodities and plants, has greatly affected and transformed peoples' perception and regard towards land ownership and utilization.

Undoubtedly, this phenomenon is going to pose a major challenge to the Council and the land owning unit (Kainaga) about the legitimacy of ownership, access, its full utilisation and more importantly ensuring an equitable sharing of benefits/dividends to maintain social and harmonious co-existence amongst members of the community.

In view of the above, I believe it proper and imperative, relevant provisions are promulgated into the Constitution to address the Land issue.

#### Establishing an Integrated Development Structure at the Divisional Level (Pillar Seven)

The establishment of Representative Provincial Development Boards (PDBs) to include the Council of Rotuma in reviving and strengthening the roles and functions of the Ministry of Indigenous Affairs, Department of Multi-Ethnic Affairs, Ministry of Urban Development and the Ministry of Provincial Developments to be commended.

The present arrangement has further enhanced the Central Government's development plans for Rotuma which are now mainstreamed into national development plans and coordinated through the Prime Minister's Office in his capacity as Minister directly responsible for Rotuma.

I strongly support the maintenance of the present status quo.

#### Reducing Poverty to a Negligible Level by 2015 (pillar Eight)

I have noted with concern the ever-growing disparity gap within Society and more importantly, the increase in the number of Rotumans who are wage-earners, but whose total income is considered to be below the poverty line.

In this regard, I would like to solicit the assistance of the appropriate authorities to encourage members of our small community who are presently living under such circumstances in other parts of Fiji to return to Rotuma where I believe the prospects are now better than before.

On the other hand, government initiatives and development programmes, which are planned and on-going should be completed as soon as possible to immediately curb the alarming rate of urban drift.

#### Making Fiji a Knowledge-based Society (Pillar Nine)

Rotuma is no different from most rural communities within Fiji where the meager resources and incomes of most families has been the major contributing factor to the high dropout rate of its students.

Strengthening early childhood education and Vocational training are positive steps which have been recently introduced to improve the overall quality of learning and appropriate provisions should be factored into legislations towards the final attainment of the IG's goal of making Fiji and Rotuma a Knowledge-Based Society.

#### Improving Health Service Delivery (Pillar Ten)

Rotuma's isolation from major health centres and hospitals has sadly been a major contributing factor to the island's rather high mortality rate from Non-Communicable Diseases (NCDA).

Improvements to public health care, education in improving and maintaining personal hygiene, child care and better eating habits are considered essential in reducing cases of hypertension and diabetes which have sadly reduced the level of productivity and life-spans within the community.

#### Enhancing Global Integration and International Relations (Pillar Eleven)

In the wake of successive coups since 1987, the stigma and Fiji's image internationally and regionally as a "pariah state, one that is prone to a coup culture" will be used by critics and skeptics alike for personal and political reasons for some time.

It is understandable therefore we should not be overly concerned nor distracted from our national effort, desire and will to get back to a democratic footing and system of government of our own choosing and liking as soon as practicable.

In fact, we have successfully "weathered the storm" of condemnation and sanctions and shown the international community, and in particular our neighbouring traditional friends, that we can survive as a nation.

The difficulties and challenges we encountered during what I consider to be our period of evolution into political maturity and nationhood has enabled us to become stronger as a nation and people.

### **CONCLUSION**

I hope that you would find these notes of my views and thoughts useful in the compilation of your final Committee Report to the Council of Rotuma.

They have been based on my observations and experience as an "inside player" over several decades as a Military Commander, Senior Public Servant, United Nations and National Diplomat, Parliamentarian and more recently a villager and resident in Rotuma.

I do not consider myself a politician and the views expressed herein are an expression of my humble, pragmatic, realistic and honest opinion on what I consider to be good for the present and future generations of our people.