



Debate in Parliament

Motion to thank His Excellency for his most gracious speech

By NFP MP Hon Parmod Chand
Wednesday, September 13, 2017

Madam Speaker, I rise to contribute to the Motion and at the outset wish to thank His Excellency for stating how his government has conducted itself since the general elections of September 2014 and what the next general elections mean to all our people.

His Excellency spoke about the 2013 Constitution, the 2018 elections where many of us will once again present ourselves for scrutiny before the electorate, his government's legislative agenda and Fiji's international role particularly in Climate Change.

More importantly Madam Speaker, His Excellency rightly asserted the need to respect each other and urged us to commit to a higher standard of unity and democracy. His Excellency stated that it appears that it is easier for some of us to converse with each other in this august House rather than on the campaign trail.

I wholeheartedly agree. To that end, I call on the Government side to make good on the guidance of our President, and offer us the opportunity to campaign together.

If we are upfront in contesting our ideas in a rationale manner to the electorate, it would hold democracy in good stead for Fiji, and would also show exemplary form to our young people, many of whom will participate in elections for the first time in 2018 and have been through a turbulent political climate over the last 2 decades.

Respect, Unity and Democracy are noble and critical ideals for any nation in the pursuit of genuine social, economic and political advancement.

It can be achieved through real consensus, dialogue and negotiations in a climate devoid of fear of reprisal or retribution for expressing one's thoughts and utterances, and conducting oneself with honesty and integrity and most importantly, in the national interest.

While I wholeheartedly agree with His Excellency's emphasis on the need for us to walk and talk on the moral high ground, I respectfully differ with him on the statement that the 2013 Constitution is internationally acclaimed. A Constitution is the foundation for good governance, transparency, ethical conduct and above all genuine parliamentary democracy.

His Excellency, re-iterated his message during Constitution Day and went on further to suggest that the 2013 Constitution was a product of widespread consultations even through letters and email.

Madam Speaker, the events leading to the formulation of the 2013 Constitution is well documented as follows:

1. How the internationally acclaimed 1997 Constitution was abrogated;
2. How the Constitution Commission chaired by Professor Yash Ghai was appointed;
3. How widespread the Commission's consultations were, and how the Commission's Report was trashed;
4. How the Constituent Assembly was derailed by decreeing the need for existing political parties to re-register thereby neutralising them from participating in the process to formulate a draft constitution;
5. And above all, how the military government single-handedly railroaded and drafted the 2013 Constitution in a climate where public gatherings required permits and only one voice was allowed to prevail – that only of the military government.

Madam Speaker, the Honourable Minister for Defence and National Security and myself are the only two serving Members of this Parliament who have participated in a process of formulating a Constitution through parliamentary democracy and inclusivity after widespread public consultations, resulting in the Constitution Amendment Act of 1997 that was, is and will be the only internationally acclaimed constitution of Fiji. This is an indisputable fact.

As repeatedly highlighted by our Party Leader, the 2013 Constitution is subservient to Decrees and Promulgations that have been re-named as Acts without being brought for ratification to the floor of this Parliament. If this is not a case of riding roughshod over parliamentary democracy, then what is?

What bothers me Madam Speaker is the selective memory of some honourable Government Members, particularly on the front two benches. They are quick to interject and label honourable Opposition Members as hypocrites when we talk about constitutional process in formulation of the 2013 Constitution and the 1997 Constitution.

They have selective memory, picking and choosing history like a buffet when history is written in indelible ink. They are quick to criticise the coups of 1987 and 2000 but choose to deliberately forget the 2006 coup. They only focus on the 1990 Constitution.

Madam Speaker, a coup is a coup- it is power grab at gunpoint and we had the overbearing stench of coups in our nation four times in the last 30 years. In fact, I believe the abrogation of the 1997 Constitution on 10th April 2009 and the trashing of the Fiji Court of Appeal judgement that ruled the actions of the military was illegal is similar to the 2nd coup on 25th September 1987 when the Deuba Accord, which outlined a way forward after the first coup was overthrown.

And the 2013 Constitution, similar to 1990 Constitution, is borne out of a military coup. As a party, the NFP has and will never support the toppling of a democratically elected government and usurping of parliamentary democracy including any illegal act to topple the current government. God forbid this does not happen.

We protested and opposed against every coup from 1987 to 2006. The honourable Attorney general knows this very well. He was member of Democracy 88- which was a group that together with political parties and Fiji Youth and Students League, of which our Party Leader was an integral member, were quite active in organising peaceful protests.

It is ironical that the honourable Attorney General like some other prominent leaders who were even victims of a coup, participated in, supported or were appointed to the military regime's Cabinet in 2007, in their process shirking their principles of championing democracy and opposing coups

Madam Speaker, you will recall that in my budget response I spent a great deal of time highlighting how our public healthcare system has become a blight on our nation.

I am compelled to address it a little more today, in line with His Excellency's reminders on the Constitution, which in section 38 affirms our Rights to Health. Section 38(2) say's: "**A person must not be denied emergency medical treatment.**" -- even though predictably sub-section (3) limits those rights in by stating: **In applying any right under this section, if the State claims that it does not have the resources to implement the right, it is the responsibility of the State to show that the resources are not available.**

I am disappointed therefore that there has been very little public update on the progress of recruitment of health specialists from India despite a large delegation going there earlier this year for that express purpose.

The Medical and Dental Practitioner (Amendment) Act was fast-tracked under Standing Order 51 in April this year. We had requested for more time for public consultation, but this was denied. What was then the urgency for, Madam Speaker?

His Excellency's guidance to us in his speech was that we were to seriously consider and carefully study legislation. If legislation continues to be fast-tracked under Standing Order 51 in this august House, then how can we evaluate and robustly discuss any proposed new legislation?

There is a running tally that Hon Gavoka has previously expressed of the number of bills passed under Standing Order 51. Madam Speaker, this tally does nothing to promote our standing as legislators.

I also note the statement by the Honourable Prime Minister that there will be an announcement on final salary increases for doctors this week. This does little to allay the concerns of the public when medical consumables and pharmaceuticals are still in short supply. On the matter of salary increases for doctors, I would be grateful if we could also hear about salaries for our psychiatric medical specialists, and whether their proposed salaries are on par with the doctors.

Additionally, Madam Speaker, parliament needs to be provided with an update on the Makoi Maternity Unit and the long-awaited opening of this facility.

Updates should also be given for the development of the Mental Health, Cancer Radiotherapy Institution, and Maternity Unit at CWM Hospital as it has now been 4 years since the project assessment phase.

Madam Speaker, I also note the lack of the necessary monitoring and evaluation of national health programs given that the timeliness of these evaluations is critical to prioritising of resources. Some of these reviews include the dental health survey; the national profiling study on sanitation and water source analysis; and the national reproductive health survey.

If section 38 of the Constitution is important to the State, the issues I have highlighted need urgent attention. The intention of section 38 of the Constitution cannot and should not be ignored, and like any functioning democracy, it falls on us, as representatives of the people of Fiji, to ensure that our right to quality healthcare is upheld.

I turn briefly now to the grave climate uncertainty gripping the world. Madam Speaker. I extend our heartfelt sympathies, prayers and solidarity to the people of Texas, the Caribbean, Florida, and all those affected. Madam Speaker, our nation is no stranger to the unforeseen emergence of the fury of Mother Nature, as we continue to pick up the pieces from TC Winston.

Perhaps Madam Speaker, it affords us the opportunity to escalate the international discussions on "Loss and Damage" as the incoming COP23 Chair. We are all cognizant of climate risk and insecurity and this key negotiation matter will not patiently await the 2018 agenda, when the need is now.

Madam Speaker, let us be sincere about promoting an indigenous peoples' platform on climate change, and genuinely ensure that voices of our indigenous people including our Rotuman people are at the forefront of traditional knowledge and traditional science solutions to the climate change dilemma that requires many diverse opinions to collaborate on. Climate change is not solely about climate, green or blue bonds, or carbon trading.

In this regard, the legislative agenda highlighted by His Excellency last week again lists traditional knowledge and cultural expression as legislation that we should expect in this parliamentary session. I would urge his Government not to list legislation that they have no real intention to bring to this House.

In comparing His Excellency's speech this year to that of 2016, there are a number of proposed legislation changes that are repeated. There was legislation proposed in His Excellency's speech of 2016 on "transplantation of human organs" which has completely disappeared from the list of the legislative agenda.

I am sure our kidney dialysis patients would have really valued the possibility of kidney transplant capabilities in Fiji.

Madam Speaker, finally the agricultural sector under this Government for the last 10 years has taken a battering more severe than the damage done by mother nature.

The Honourable Minister for Agriculture very recently stated that the annual average food import bill for the last five years was \$778 million for importing food that can be produced locally.

But nothing has been done to reduce this. It is imperative that a detailed and holistic review is carried out on agricultural produce like milk, copra, yaqona, cassava, rice, ginger, dalo, sugar, local vegetables and fruits.

Madam speaker having spoken for the need for change for the better, I don't see it happening under the current government. But change is coming and change is inevitable in 2018.

Thank you, Madam Speaker