Amnesty International reports Fiji's police and military using torture

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Fiji's police, corrections and military officers are committing torture against people accused of crimes or in custody, according to an Amnesty International report released on December 4. The report, *Beating Justice: How Fiji's Security Forces Get Away with Torture*, details repeated violations of international law by the security forces, including beatings, rape, sexual violence, attacks by police dogs and murder.

Amnesty charges the Fijian authorities with acting with impunity, their brutal activities condoned at the highest levels. Security forces personnel who commit abuses rarely face sanction and even when officials are convicted of crimes, they are usually quickly pardoned and released from prison.

Fiji's 2013 constitution entrenches "absolute and unconditional immunity" for any government actions between the 2006 military coup and 2014, when a so-called democratic election installed Frank Bainimarama, the coup leader and military head, as prime minister. The election was held under conditions of press censorship, military provocations and severe restrictions on opposition political parties. The authoritarian, anti-working class regime continues to rule through fear and intimidation, using draconian anti-democratic laws and restrictions on the right of assembly and the media.

In a state visit to New Zealand in October, Bainimarama insisted that the institutions of the Fijian state are "functioning properly" and are "truly independent and free from personal and political influence." New Zealand's then prime minister, John Key, downplayed any criticisms. He told the media that "human rights" were an area where "discussion and engagement" was needed. "I have always said the restoration of democracy in Fiji was a good and important step, but it does evolve over time," Key declared.

The Amnesty report observes that the military continues to play a direct role in all levels of government, as well as in civilian policing. Military officers are routinely appointed to senior government roles, including head of corrections and head of police, effectively militarising the posts and making it impossible to hold officers accountable for their violations of international law.

According to the report, police "are effectively left to police themselves," while the military brass has frequently interfered in investigations involving military officers. In a few cases where perpetrators have been successfully prosecuted, custodial sentences were reduced under "Community Supervision Orders," allowing them to be released within weeks of being convicted and return to their previous posts. Bainimarama and Police Commissioner Brigadier-General Qiliho have both expressed support for military and police officers when allegations of torture have come to light.

The brutality routinely handed out by the security forces, dating back at least to the 2006 coup, is ongoing. In a video clip circulated online from October, three police officers are shown beating suspects on the side of the road. In September, Isaac James was taken in for questioning at Nakasi police station, where he was allegedly denied food and water for two days, beaten by police using sticks, a belt and a screwdriver. He escaped custody, fearing for his life, and remained in hiding for most of October.

On November 29, Ricardo Fisher was beaten unconscious by five police officers while in custody. Fisher, who was hospitalised with fractured ribs, claimed that police have not followed up his official complaint. The secretary of the Coalition for Human

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Rights, Monica Waqanisau, told Radio New Zealand that Fisher's case showed "little is changing."

Fijian human rights lawyer Aman Ravindra-Singh told Radio NZ that state-sponsored torture is still happening despite Fiji signing a UN anti-torture treaty earlier this year. He said there had been no progress on prominent cases, including the alleged 2011 torture by a military officer of trade unionist Felix Anthony and the alleged police beating of businessman Rajneel Singh a year ago. Ravindra-Singh said the police stonewall by claiming investigations are "continuing" when there is ample evidence to prosecute.

The Amnesty report cites other videos of police assaults on civilians circulated on social media, including footage shot in November 2012 that shows a half-naked man being beaten and sexually assaulted by police and military officers, while another man has a police dog set upon him.

Police regularly torture suspects in order to obtain confessions. In August 2014, robbery suspect Vilikesa Soko died, four days after being arrested, from a blood clot on his lungs after a sustained physical and sexual assault. His autopsy showed multiple traumatic injuries. The report cites another case of a person having a leg amputated. Witnesses and lawyers also raised concerns about threats and intimidation against them.

At least five people have been beaten to death in police or military custody since 2006, including 19-year-old Sakiusa Rabaka who in 2007 was beaten, sexually assaulted and forced to perform military exercises. He died from his injuries on a military base in Nadi. Eight police officers and one military officer were ultimately convicted over his death and sentenced to prison terms. All were released within a month.

Kate Schuetze, Amnesty International's Pacific researcher, said that in Fiji "accountability for torture is the exception rather than the rule," "This amounts to a climate of near impunity. It is the result of the fact that torture is poorly defined in law, immunity is granted, there are few legal safeguards and there is no independent oversight."

Amnesty has called on Bainimarama's regime to make limited changes, such as to withdraw the armed forces from policing tasks. But Fiji Attorney-General Aiyaz Sayed-Khaiyum rejected the Amnesty report out of hand, branding it "biased and selective."

Moreover, the local imperialist powers, Australia and New Zealand, have never been concerned about democratic rights in Fiji. After the 2006 coup, fearing that political instability in the region would open the door to China and other countries, wide-ranging international sanctions were imposed. This backfired, with Bainimarama gaining aid and investment from Beijing under his "look north" policy.

US Secretary of State Hillary Clinton met with representatives of the regime in 2010, signalling an end to Australian-led efforts to force it into submission. In 2014, Washington, Canberra and Wellington all rushed to endorse the bogus election and re-forge ties with Fiji.

Bainimarama has bluntly called any criticism of Fiji hypocritical. In a speech in October, Bainimarama admitted torture remained an "issue" in Fiji, but claimed there were only "isolated incidents." He pointed to the US, which uses torture under the guise of combating terrorism, and to Australia's detention of asylum seekers in "cruel, inhumane or degrading circumstances" as examples of state-sanctioned policies that, he claimed, were "vastly different" from the situation in Fiji.

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