

# Fiji opposition MPs arrested over criticism of land Bill

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Nine Fijian opposition politicians, including two former prime ministers, were recently arrested for voicing concerns about a contentious land bill, as the government of Prime Minister Frank Bainimarama moves to further intimidate political critics.

Six members of parliament and three other high-profile politicians were taken into custody by police on July 26–27 following comments they had made regarding the bill before it was debated in parliament. According to police, the arrests were part of a “proactive” approach to thwart possible civil instability.

The nine were Viliame Gavoka, leader of the opposition Social Democratic Liberal party (SODELPA); opposition whip Lynda Tabuya; MPs Adi Litia Qionibaravi and Ro Filipe Tuisawau; Biman Prasad, leader of the National Federation party; NFP president, Pio Tikoduadua; former prime ministers Sitiveni Rabuka and Mahendra Chaudhry; and Unity Fiji leader, Savenaca Narube.

The MPs were held for almost 48 hours without charge, then released after questioning. Acting Police Commissioner Rusiate Tudravu posted a statement on the Police Force’s Facebook page baldly denying any intimidation, and declaring that “not everyone who is brought in for questioning will be charged.” So far, no charges have been confirmed.

The crackdown, carried out under the authoritarian regime’s Public Order Act, came in the midst of an escalating health and social crisis arising from the deadly COVID-19 outbreak. There have been 38,742 cases during the surge that started in April and 345 deaths. Fiji has an average daily test positivity rate of 32 percent, the highest in the world.

Bainimarama opposes a full national lockdown, insisting that such a move would “cripple” the economy and impact jobs. Alongside its pro-business strategy, the government is pursuing a mandatory vaccination campaign. Workers have been told they must be fully

vaccinated by November or face losing their jobs. Only those who are vaccinated can obtain the paltry government income support.

The country’s health system is close to collapse. Half of those who have died from COVID-19 did so at home, due largely to overcrowded medical facilities. The Fiji Red Cross Society’s Neomai Kafoa said this week that blood stocks are so low they had 85 volunteers on phones urging friends and family to donate blood. “The need for blood is dire, if I can say, right across the country,” she warned.

The working class is bearing the brunt of the worsening crisis. The tourism industry has collapsed resulting in the loss of 100,000 jobs. Half the country’s 880,000 population are experiencing extreme financial hardship. Even before the pandemic, the minimum wage was just \$FJ2.32 (\$US1.12) per hour. With many families struggling to get enough food, charities and NGOs have been distributing thousands of food packs.

People who criticise government handling of the crisis, including some of the arrested MPs, have been lambasted by the administration. The NFP’s Prasad, who has been detained four times by police, said the government was using the arrests as a “distraction” in dealing with the COVID situation, as “people are dying, not able to put food on the table or get medical care.”

The legislation, Bill No.17 (2021), which passed through parliament last week, amends the iTaukei Land Trust Act 1940 that governs the administration of native land. The Bill removes the requirement of obtaining the consent of the iTaukei Land Trust Board (TLTB), which was set up to protect indigenous landowners’ rights, for any mortgage, charge, pledge or caveat on a lease under the act, or for any such lease to be dealt with by a court.

This would mean that if the TLTB granted a native land lease to someone, the lessee could use that land for different purposes without having to seek the board’s permission. The government maintains the changes are

purely “administrative” and designed to improve business efficiency by eliminating delays in getting consent for mortgages.

According to the opponents, however, the bill introduces a significant reduction in the power of the TLTB, an erosion of the guardianship role of TLTB and significantly reduces the power of landowners to have their rights and interests protected by the board once their land has been leased.

Bainimarama told parliament the opposition were “super-spreaders of lies,” seeking to mislead and incite indigenous people. Over 30,000 signed an on-line petition against the bill, raising the prospect of protests. Police erected several security checkpoints around the country and warned they would “come down hard on any person or group that tries to cause instability and civil unrest.”

The dispute is part of ongoing deep-seated conflicts within the Fijian ruling elite. Bainimarama, who seized power in a 2006 coup, has oriented to sections of the Fijian capitalist class and pro-business members of the chiefly elite. His military junta has adopted various measures aimed at eliminating barriers to investment and private profit.

The ethnic Fijian nationalist wing, however, which seeks to maintain political and economic privileges for the traditional chiefs, is bitterly opposed to aspects of Bainimarama’s rule, particularly over issues of land ownership. Approximately 87 percent of land in Fiji is customary land, owned collectively within the tribe or family through kinship ties. It is often controlled by a narrow elite represented by the powerful Great Council of Chiefs, who jealously guard privileges from the land ownership system.

Steven Ratuva, a University of Canterbury sociologist, told Radio NZ a “critical question” is whether the bill was intended to benefit the landowners or “to serve the interests of foreign investors and other local entrepreneurs who have been part of the government’s lobbying and patronage system.” In Vanuatu, he said, the removal of regulatory process of sub-leasing and mortgaging by lessees saw 90 percent of land on the main island of Efate alienated, through extensive sub-leasing and selling by foreign investors with little income for the landowners.

The Bainimarama government, which continues to rest firmly on the military, has a history of viciously suppressing political and social opposition. Arrests of opposition MPs are a common occurrence. The sedition provisions in the Crimes Act and the Public Order Act have been used to target journalists, activists and

government critics. Assemblies, protests and strikes are routinely banned.

Anti-democratic measures are being intensified under the cover of the pandemic. In March, Bainimarama withdrew a Police Bill, which would have vastly increased the search and seizure powers of the police. The backdown followed an outpouring of criticism. Civil liberties groups, NGOs, opposition parties, sections of the media and the Fiji Law Society all condemned the bill, describing it as another step towards the transformation of Fiji into a police state.

Regional governments meanwhile, including the Pacific Islands Forum which met last week, have been silent on the recent arrests. New Zealand’s Labour-led government only registered “concern,” through an anodyne Ministry of Foreign Affairs statement. Head of the Fiji Women’s Crisis Centre Shamima Ali told Radio NZ: “I have never seen such a docile international community as I have seen this time around.”

The silence is not surprising. Under pressure from Washington, leaders in Canberra and Wellington have made it a priority to restore relations following Bainimarama’s 2006 coup, in order to fend off China’s growing influence. They endorsed Fiji’s 2014 bogus election, won by Bainimarama’s FijiFirst Party, declaring the country had restored “democracy.”

This has paved the way for the restoration of full diplomatic, economic and, above all, military relations. Doing business with the Fijian government now means maintaining a hypocritical silence over the regime’s ongoing abuses.



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