

Resolution on trade union situation in Fiji adopted on 7th December, 2011

The 15th Asia and the Pacific and Arab Regional meeting held in Kyoto on 4-7 December 2011

Noting that the Fijian government installed by the military in 2006 has jailed trade union leaders and issued executive decrees that together have deprived Fijian workers of their fundamental international labour rights guaranteed by ILO convention Nos. 87 and 98;

Recalling that the Public Emergency Regulations of 2009 make it illegal to hold union meetings unless authorized by the Government and permission for meetings is not granted or is withdrawn at the last minute;

Further recalling that the regulation permits the police to break up trade union meetings, which it has done several times this year and that on numerous occasions the military has severely assaulted and harassed senior trade union officials in Fiji, leading in some cases to severe physical injury;

Considering that the Government has prevented the National Secretary of the Fiji Trades Union Congress (FTUC) from attending and addressing the International Labour Conference, the General Council Meeting of the ITUC-AP and it has now imposed a travel ban preventing him from attending the 15th Asia and the Pacific Regional Meeting, being held in Kyoto from 4th to 7th December, 2011;

Given that since 2009, the Government has issued several decrees that sharply curtail trade union and labour rights in both the public and private sectors. It eliminates the access to judicial review and redress for past, present and future violations. It disallows the right to question the legality of the decrees themselves;

Noting that these from were made without any consultation with the trade unions;

Recalling that the government issued the Essential National Industries Decree which has cancelled union registrations and requires all trade unions in critical corporations (including finance, telecoms, civil aviation, all foreign banks and public utilities sectors) to be re-registered under the Act. The Decree further prevents trade unions from electing any fulltime person into the office and only allows for the establishment of bargaining units with prior approval by the Prime Minister;

Taking note of the recommendations made by the Committee on Freedom of Association case number 2723 which has denounced these and other labour rights violations;

Regretting that the Government has not accepted calls from the ILO Director General for social dialogue;

Considering that such breaches will continue to have adverse consequences for investments and employment in Fiji and to its standing in the region and the international community;

In view of these serious concerns the APRM strongly condemns the actions of the Fiji government and requests the Governing Body to instruct the Director General to:

1. Closely monitor the situation in Fiji and to intervene to safeguard the human and labour rights of Fijian workers.

2. Ensure that the recommendations of the ILO Committee on Freedom of Association on case number 2723 are fully implemented, in particular by urging *“the Government to accept a direct contacts mission to the country in order to clarify the facts and assist the Government in findings, together with the social partners, appropriate solutions in conformity with freedom of association principle.”*

3. Press for the travel restrictions imposed to Felix Anthony be removed immediately for him to attend meetings related to trade union activities as espoused in the Universal Declaration on Human Rights which allows for everyone to leave and return to his own country.