



Rear-Admiral (Ret'd) Hon. J.V. Bainimarama, CF (Mil), OSt.J, MSD, jssc, psc  
Prime Minister of Fiji and Minister for iTaukei Affairs and Sugar Industry

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## Welcome Remarks at the High-Level Regional Seminar on the UN Convention Against Torture in the Pacific

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InterContinental Fiji Golf Resort & Spa  
Natadola, Sigatoka

Wed. 6 Feb., 2019  
930 Hours

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The Honourable Attorneys-General and Ministers for  
Justice from Fiji and the Pacific,

The Honourable members of the Judiciary from Fiji and  
the Pacific,

Dr Alice Edwards, Head of the Convention Against Torture  
Initiative Secretariat,

Your Excellencies,

Members of the Diplomatic Corps,

The Representative in the Pacific of the United Nations  
High Commissioner for Human Rights,

Representatives of Civil Society Organisations,

Distinguished guests,  
Ladies and Gentleman.

Bula vinaka and a very good morning to you all.

Fiji is proud to host this high-level Seminar on the ratification and implementation of the UN Convention Against Torture in the Pacific — the “Un-Cat,” as we call it — and it’s my great pleasure to kick off this year’s meeting here in Natadola.

Our last seminar of this nature was held back in October 2016, where we urged Pacific island countries to join hands with Fiji, Vanuatu and Nauru — the only other two countries in the region who had ratified UNCAT at the time. In March of last year, the Marshall Islands officially joined together with us; and now, as we gather here today, I hope that we have achieved critical mass, and you return home from these discussions with renewed energy

and encouragement to push your respective governments to ratify this critical human rights treaty.

The core of UNCAT is to support States in their efforts to curb and prevent torture and other ill-treatment. Here in Fiji, joining on to the treaty was a natural extension of progress we've made on our own in recent years. The law here is clear — the Fijian Constitution explicitly prohibits torture in its Bill of Rights, proclaiming that “every person has the right to freedom from torture of any kind, whether physical, mental or emotional, and from cruel, inhumane, degrading or disproportionately severe treatment or punishment”. It goes on to state that “every person has the right to security of the person, which includes the right to be free from any form of violence from any source, at home, school, work or in any other place”.

I want to stress that last bit in particular — because, all too often, we see violence rear its ugly head in the places where we are meant to feel most safe: Our homes, our

workplaces, and our schools. The fact that this type of behaviour is manifested at all levels of our society indicates a larger problem — a culture of violence, and a passive acceptance of it that needs to be uprooted.

Here in Fiji, and in much of the Pacific, that culture has a powerful hold on the mentality of our people. We think to ourselves: “I was hit in school, and it formed me to be who I am today,” or, “my parents beat me, and it toughened me up.” That mindset creates a tolerance for violence, and allows it to settle into all parts of our day-to-day lives. The normalisation of violent punishment, particularly among our youth in their formative years of development, makes for a troubling trend; these little girls and boys grow up with a worldview that has been shaped by the acceptance of harm as punishment, and that trickles into the way they treat others, from their co-workers to their spouses to their own children. It feeds into a cycle that is passed down through generations — a cycle that needs to be broken.

That's why my Government has taken such a hard stance against any form of violence or corporal punishment in Fiji. This is something that takes decisive and visionary leadership; we must take a stand and stay firm, because in a culture where violence may be ingrained in our subconscious, it's not always politically popular to change. We received a great deal of pushback when we banned corporal punishment in Fijian schools, and there is often an outcry to justify the behaviour of teachers who have inflicted harm on their students. But doing what's right doesn't always come easy. And breaking this cycle to foster a more peaceful and harmonious society for future generations — that is worth any political cost.

Ladies and gentlemen, human rights are afforded to all of us, regardless of our standing in society. They are fundamental, and they cannot be taken from us based on situation or circumstance. Whether you are a misbehaving child or a convicted criminal, you don't deserve to be punished by ill means. Your basic human rights stay with

you, unwavering, at all times. No one deserves to be treated in any way that is less than human, or that robs them of these rights. We must see each other not as deserving of punishment, but instead, as deserving a basic level of dignity and respect.

This principled approach is something that Fiji is taking to the world stage as Vice-President of the UN Human Rights Council. It's something that we will continue to fight for, and much like we did with our COP23 Presidency, we will carry the voices of all Pacific Islanders with us in our position.

Here at home, we're backing our words with action. Fiji has already taken a long look at the problems we are facing, and we've taken action to lay the legislative groundwork that will allow a cultural shift away from violence. Before ratifying UNCAC in 2016, we went through a period of robust legislative reform, taking a deep dive into our legal framework — laws like our Penal Code

and our policies on corporal punishment. Since 2007, we made it our mission to reform our laws to be future-facing, and to be conscious of human rights for generations to come. We have done away with many of the outdated and archaic laws that we inherited from our colonial days, and have replaced them with new laws and new policies – ones that now respect fundamental rights and freedoms for all people.

Since the ratification of UNCAT, my Government has also embarked on a pilot project called the First Hour Procedure. The First Hour Procedure project ensures the provision of legal counsel to every suspect at the police station, within one hour of arrest, with a protocol guiding the conduct of both police and lawyers in relation to the implementation of this right. A review of the program has already seen a sharp decrease in the number of allegations of brutality being levelled against police officers.

Moreover, police stations in Fiji are starting to record interviews of arrested or detained persons, in addition to the counsel that they are already provided. With the help of the Scotland Yard and the British Government, Fijian Police Officers have been trained on the use of video recordings during police interrogation in order to decrease incidences of police brutality during investigations and interrogation of persons. The Fiji Police Force is also reviewing Police manuals and guidelines to align themselves with international best practice and standards.

It's not just the Fiji Police Force that is undertaking a comprehensive review of its policies and procedures; the Fiji Corrections Service is also working closely with the United Nations Office on Drugs and Crime to ensure our prison standards are in compliance with the Nelson Mandela Rules. For example, we recently opened a new Corrections Centre in Lautoka dedicated solely to women inmates. My Government has invested 5 million dollars in this facility, which caters for up to 24 women either in



remand or upon conviction. This is the first time we have women's correction facility based outside of Suva, breaking a longstanding precedent that has gone unchanged since our colonial days. Before this new facility, any female convicted in any other city would have to come to Suva, minimising their ability to stay in touch with their relatives and family members. This is just the beginning; we are continuing to invest in rebuilding and remodelling our prison facilities based on international standards and compliance.

But our own journey to rid our society of violence and torture is far from over. Even with the progress we've already achieved, we continue to see stories of violence carried out by our teachers, our correctional officers, and our police force. And for each of these stories, it's safe to say that there are many dozens more that go untold — lost as quiet acceptance in a culture where it's easier to turn your head and look away than it is to speak up. And while we are working to hold all perpetrators accountable, we

have a long way to go before we see a true and tangible shift in our culture.

That's why our participation in forums like this one are critically important; we learn from each other, and find new and innovative ways to ensure that our children inherit not a culture of violence, but a culture of compassion — a culture that recognizes that we are, above all else, humans, and we deserve to be treated as such.

Ladies and gentlemen, I know that the challenges faced by Fiji in our implementation of UNCAC and our reforms are not unique to us. That's why I urge you all to take a hard look at your own policies, and find that ratifying UNCAC is not just a symbolic gesture — it is a commitment to cultivating a better future for our people. By failing to do so, your silence is more than just non-participation; the reality is, without giving a voice to the vulnerable, you are complicit in their suffering.

So over the course of this seminar, I ask you all to come to the table with an open mind, and candidly air any reservations that you may have — reservations likely shared by your counterparts around the room. By doing so, we can use each other as the regional support network that is needed for bold steps forward like this one. And by doing so, we will forge a future together — a future of a more peaceful Pacific.

Vinaka vakalevu. Thank you.