



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

COMMUNIQUE DE PRESSE - COMUNICADO DE PRENSA

For immediate release

13 December 2006

Geneva

P
R
E
S
S

R
E
L
E
A
S
E

ICJ calls on Fiji military to immediately restore rule of law and respect human rights

The International Commission of Jurists (ICJ) today called on the Fiji military, led by Commodore Voreqe Bainimarama, to immediately restore respect for the rule of law and Fiji's Constitution by returning power to the legitimately elected civilian Government. The ICJ also called on the Fiji military to abide by international human rights standards and international law.

On 5 December 2006, Commodore Bainimarama assumed executive authority in Fiji. The military commander has dismissed Prime Minister Laisenia Qarase, President Ratu Josefa Iloilo, Vice President Ratu Joni Mandraiwiwi, called for the resignation of the other officials of the Fiji Government, and dissolved the Fijian Parliament. On the same day, the Army Commander declared a state of emergency and appointed army doctor, Jona Senilagakali, as the new prime minister.

Commodore Bainimarama invoked the "doctrine of necessity" to justify his actions. "Neither under national or international law can the doctrine of necessity be invoked to justify seizure of power. This is a false legal argument used to give cover to military dictators and illegitimate governments", said the ICJ.

The ICJ is also concerned by allegations of unnecessary curtailments of free speech and arbitrary detentions following the coup. Furthermore, military spokesperson Neumi Leweni issued a warning that they will be "calling in" individuals who are "inciting or creating problems" and ask these individuals to "refrain from making such statements".

"The Fiji military must keep in mind that it still has the obligation to abide by international human rights standards and international law. Arbitrary detentions and the illegal curtailment of free speech are clear violations of international human rights standards and basic rules of law", said the ICJ.

The ICJ is also concerned by reports that threats have been made against members of civil society, including NGO workers and lawyers. "These are attempts by the military to silence peaceful and legitimate protest. It is only through peaceful dialogue and debate that there will be a democratic resolution to the current situation in Fiji", said the ICJ.

The ICJ welcomed the statement by the High Court that judges remain committed to their judicial oaths to uphold the Constitution and that all Courts will remain open and accessible to the public as normal.

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

33, rue des Bains, P.O. Box 216, 1211 Geneva 8, Switzerland
Tel: +41(0) 22 979 3800 – Fax: +41(0) 22 979 3801 – Website: <http://www.icj.org> - E-mail: info@icj.org

“The judiciary of Fiji is the last remaining pillar of democracy in Fiji. With executive authority assumed by the military and the Parliament dissolved, the judiciary must now take a lead to ensure that human rights principles are upheld in Fiji”, said the ICJ.

For further information please contact Susan Appleyard, +41229793809.