

30th November, 2006

Commodore Voreqe Bainimarama
Commander, Republic of Fiji Military Forces
RFMF HQ
Nabua

Dear Commander,

I want to thank you again for our meeting in Wellington. I apologize for the inconvenience to you and your family. However, it was very important for Fiji, and I thank you for agreeing to change your return travel plans.

The New Zealand High Commissioner to Fiji, His Excellency Mr Michael Green, will have sent you the record of our meeting in Wellington. It is acceptable to me, and I trust it is acceptable to you.

I have briefed the Chairman of the Great Council of Chiefs Committee on the outcome of our Wellington meeting.

I am also arranging to call on Their Excellencies the President and Vice President this morning to inform them of the progress we have made in our discussions.

What is far-reaching about the initiative we have taken in engaging in direct dialogue is our agreement that the best solution to resolving differences between Government and the Military is the peaceful path of discussions and consensus.

Through this letter, I am reaffirming my undertakings to you and the Military on behalf of Government. This is in response to the RFMF's various concerns.

As I have done on a number of occasions, I reiterate Government's acknowledgement of the illegality of the events of 2000. In this regard, Government will, through the Ministry of National Reconciliation & Unity and the National Council for Reconciliation and Unity, mount a proactive public campaign to inform the people that the unlawful takeover of the democratic Government in May 2000, and the attempt to takeover the Military in November that year, were all wrongful acts in law. I have also

asked the Chairman of the GCC Committee for the Great Council of Chiefs' support and participation in this public education and awareness initiative.

The Government would welcome the assistance of the RFMF in disclosing to the Police the names of people whom it believes should be investigated and charged, along with evidence to assist in this legal process. I hope you will also include in this those failed politicians and ambitious and unscrupulous civil servants and business people who have recently been using the Military in pursuing their ulterior purposes.

Government agrees to withhold further action on the three Bills, i.e. the Reconciliation, Tolerance and Unity Bill, the Qoliqoli Bill and the Indigenous Land Claims Tribunal Bill, pending a detailed legal examination to establish their constitutionality. If any of them, in the final form drafted by Government after taking into account the report and recommendations of the relevant parliamentary sector committee, is found to be inconsistent with the provisions of Fiji's Constitution, Government will not hesitate to withdraw the Bill concerned immediately. NZ's expert legal assistance, as offered at our meeting, will be fully used in this undertaking.

On current Police investigations into the Military, including the Commander and others, Government respects the independent statutory authority of the Police and the Office of the Director of Public Prosecutions. However, Government will readily accept advice from them on the position to be taken. In other words, if advice from them is to suspend investigations in the national interest of ensuring peace and stability in Fiji, Government will accept their advice.

On the status of Police Commissioner, Mr Andrew Hughes, this is governed by his contract of employment. The current contract is nearing its end and the concerns of the Military will be taken into account in reviewing his position. This will be in addition to an assessment of his performance against his responsibilities as Commissioner of Police. In the meantime, Mr Hughes has been granted leave.

The Government, through the Ministry of Home Affairs, will request the Police to undertake a review of the role of the Police Tactical Response Unit.

On the Native Land Trust Board, notwithstanding that Government cannot interfere in its internal operations, a request will be made through the Minister for Fijian Affairs for the NLTB to review the scope of its commercial arm. On this, we will also encourage the NLTB to take full advantage of the offer of specialist advisory support from NZ.

On the Military's concerns about good governance in Fiji, Government will bring forward and hasten its finalization and tabling of draft legislation dealing with Leadership conduct, with Freedom of Information, and with the establishment of an Anti-Corruption Agency.

On the outstanding concerns of the Military regarding the Force structure, allowances and terms and conditions of employment, including those for the position of Commander RFMF, I am willing to agree to the establishment of an Independent Committee to look into all these, and to submit recommendations to the Ministry of Home Affairs and the Public Service Commission.

One possibility is to consider Mr Everett Leung, the legal advisor to the GCC Committee, to chair say, a Committee of three. The other two members can also be drawn from outside Government, though it might be helpful to have someone from the Ministry of Labour & Industrial Relations.

The RFMF, the PSC Secretariat and Ministry of Home Affairs will have full opportunities to make submissions to this Independent Committee. I have no doubt that this will assist the PSC, as an independent constitutional commission, to make decisions on all these issues.

On the nature of the Regional Forum Ministers' Meeting in Sydney, I want to assure you, Commander, that its sole purpose is to allow the Government of Fiji to brief the regional Ministers on the situation in Fiji. I have directed the two Ministers who will be attending for Fiji, the acting Minister for Foreign Affairs & External Trade, Honourable Tomasi Vuetilovoni, and the substantive Minister, Honourable Senator Kaliopate Tavola, that the only outcome Fiji should seek from the meeting is a declaration of support for the initiative which you and I have started in our meeting at Wellington, and encouragement for the continuation of this peaceful path of resolving differences.

The Government of Fiji has never requested any form of military intervention. In fact, the question of direct action by the Forum would only arise if the democratically elected Government in Fiji were unlawfully removed from office.

The Biketawa Declaration adopted by Forum Leaders binds all Forum member Governments to the principles of the rule of law, democratic government, the peaceful resolution of differences and disputes, and a rejection of the use of force and extra constitutional means as a way to resolve a political situation.

I very much hope we can meet again as soon as possible. I remain ready to continue the discussions we have started. I hope you will agree that it would be very useful and helpful if New Zealand's Foreign Minister, Honourable Winston Peters, continued to be the moderator. Before I left yesterday, both the NZ Prime Minister, Honourable Helen Clark, and Mr Peters, indicated their willingness to continue to assist Fiji in this form.

I have decided to defer my travel to Solomon Islands as Chairman of the Forum to deal with the RAMSI presence there, in order to be available for further discussions.

The tension and instability which the current situation is creating is not only undermining the people's confidence in their future, it is also seriously damaging to our economy. The downturn in the critically important tourism industry is clearly a direct consequence.

I, therefore, appeal again to you and the Military to commit yourselves to the dialogue we have started. It would greatly assist in calming fears and uncertainty among the people and in restoring confidence in the economy, if you could make a public statement that the Military has no plans to resort to the use of force, or to act outside the law.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Laisenia Qarase', written in a cursive style.

[Laisenia Qarase]
Prime Minister