



## **Statement of the Suspension of the Fiji Constitution and the Continued Deterioration of the Rule of Law**

The Commonwealth Lawyers Association (CLA) is a pan-Commonwealth professional association of lawyers dedicated to maintain and promote the rule of law throughout the Commonwealth.

The CLA strongly denounces the unlawful action of the Republic of Fiji's titular head of state Ratu Josefa Iloilo to suspend the Constitution, dismiss members of Fiji's judiciary and to reappoint his military chief, Commodore Frank Bainimarama, to the post of Prime Minister for a period of 5 years.

It is noted that Ratu Josefa Iloilo assumed executive power and acted only after a unanimous ruling of the Fiji Court of Appeal on 9 April 2009 that Commodore Bainimarama had come to power illegally through a coup in 2006 and that the judges of the Court of Appeal who fearlessly rendered that decision according to Fiji's law are amongst those (now) to have been removed from office.

It is further noted that the Court of Appeal's direction that a caretaker Prime Minister be appointed and that democratic elections take place as soon as possible, has been contemptuously ignored in the reappointment of Commodore Frank Bainimarama for a period of 5 years.

The CLA calls for the immediate reinstatement of the judiciary and for those that govern the Republic of Fiji to immediately abide by the unanimous ruling of the Fiji Court of Appeal on 9 April 2009, to dissolve the military backed civilian regime and return the country to democracy in accordance with the Court's judgment by which it is bound.

Further, the CLA calls upon the rulers of Fiji to immediately reinstate the Constitution.

The CLA further draws attention to the fact that these events follow a report by the International Bar Association (IBA) released in March 2009 which found that the rule of law in Fiji has been severely compromised by the actions of the government of Commodore Frank Bainimarama.

The CLA is concerned by reports of extensive media censorship and the suppression of information concerning recent events.

The CLA pledges that it will continue to support of efforts by the Fiji Law Society to maintain the independence of the judiciary and to promote democracy and the rule of law in Fiji.

*Executive Committee, Commonwealth Lawyers Association*  
13 April 2009