



# Human Rights and Anti-Discrimination Commission

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## PRESS STATEMENT

### Constitutional Reform demands Meaningful Public Consultation

The Fiji Human Rights and Anti-Discrimination Commission (FHRADC) expresses serious concern over the severely restrictive eleven-day timeframe for public submissions on the Constitution Amendment Bill 2026 and the apparent urgency surrounding the proposed national referendum. Both processes have far-reaching implications for Fiji's democratic future and must allow sufficient time for meaningful, informed and inclusive public participation.

The Special Committee reviewing the Constitution Amendment Bill, issued a notice yesterday (12 October 2026) inviting written submissions, with a deadline of 23 October 2026. This leaves less than two working weeks for individuals, communities and organizations to read the proposed changes, understand their impact and prepare proper submissions.

The Constitution belongs to all Fijians. As the supreme law of the land, it is a complex legal framework and not ordinary legislation. The people therefore must be given adequate time to understand it, the opportunity to shape it and the knowledge to make an informed decision on its future. The Commission raises a fundamental question: How many Fijians have had the opportunity to read, understand and consider the proposed constitutional amendments before being asked to provide feedback?

Meaningful participation is not achieved simply by publishing a Bill and inviting submissions. For people to participate effectively and meaningfully, they must first know what changes are being proposed, why those changes are being sought and their implications before they can provide informed submissions.

People must first know what is being proposed, understand why the changes are being sought and consider their implications before they can provide informed submissions. This will require that they first understand two separate documents; the draft Constitution by the Constitution Review Committee and the revised draft which has the substantial changes made by the Government. This is no easy task given the complexity involved in constitutional provisions and expressed in legal language that the public may not readily understand. The people therefore would need appropriate assistance such as knowledgeable stakeholders and accessible information to enable them to make informed submissions. An eleven-day submission period simply is too inadequate for a process of such national significance. It is also not fair on the people.

*Neither Greater nor Lesser but Equal:  
Dignity, Equality and Freedom for All in Fiji*



The constitution-making process must be genuine by including public participation and not reduced to a procedural and administrative function to meet an official requirement or a pre-determined objective. Nor should consultation be used to advance certain particular interests or serve political expediency at the expense of the public interest.

Fiji's unique geographical circumstances make this particularly important. Our population is spread across urban centres, rural settlements, remote villages and maritime islands, where access to information, transport, internet connectivity and public consultations varies considerably. A consultation process that relies primarily on online information or written submissions risks excluding communities already facing geographical and economic barriers. Meaningful consultation therefore requires the undertaking of pro-active and accessible measures by Government to reach communities across Fiji, particularly those in rural, remote and maritime areas.

The Commission is equally concerned about the participation of vulnerable and marginalised groups, including people with disabilities, older persons, women, young people and people living in poverty. Equal participation does not mean simply extending the same invitation to everyone. It requires active steps to remove the barriers that prevent people from exercising that opportunity. This includes accessible information, translations into relevant languages, reasonable accommodation and proactive community engagement. For a constitutional process to be truly inclusive, it must make reasonable efforts to ensure the participation of every community and that the diversity of Fiji's people is reflected in the views considered.

The Commission also raises concerns about the proposed national referendum. Many Fijians may be unfamiliar with what a referendum involves, what they may be asked to vote on and the consequences of the choices, they make. A referendum is more than a voting exercise. It requires sustained civic education, impartial and accessible information, and adequate time for voters to make informed choices.

Constitutional reform and a national referendum are matters of national interest. The public deserves a clear explanation of the proposed timelines and sufficient opportunities to understand and participate in these processes. Without these safeguards, there is a risk that consultation becomes a formality rather than a genuine exercise in public participation.

International experiences, including those of South Africa and Kenya, demonstrate that constitutional reforms are most successful when they are supported by broad consultation, civic education and informed public engagement.

Fiji as a State Party to the International Covenant on Civil and Political Rights is obliged under Article 25 to protect and uphold the right of the people to participate meaningfully in public affairs. Article 25 guarantees every citizen the right and opportunity "without unreasonable restrictions" to take part in public affairs. Restricting public participation to an eleven-day time frame on the draft Constitution Amendment by Government and in consequence rushing the public towards a proposed referendum on the 9 December 2026, constitutes an unreasonable restriction on this fundamental right.

Democracy is not measured by how quickly decisions are made. It is measured by whether people have been given the information, time and opportunity to participate meaningfully in decisions that affect their future. No Fijian should be left behind because of geography, disability or other forms of vulnerability, language, age, economic circumstances or limited access to information.



The Commission therefore calls on the Parliament of the Republic of Fiji to extend the consultation timeframe, undertake comprehensive public education on the proposed amendments and referendum process, and ensure that consultations reach rural, maritime and marginalised communities. There must also be transparency about how public submissions are considered and reflected in the final decisions.

Constitution reform must be a process that genuinely includes the people, informs the people and earns the confidence of the people.

**Ms. Alefina Vuki**  
**Commissioner**  
**Human Rights and Anti-Discrimination Commission**

*Statement attributed to Commissioner Alefina Vuki, Fiji Human Rights and Anti-Discrimination Commission.*

