

STATE ADMINISTRATION AND PARLIAMENT

Fact Sheet

BACKGROUND

The Doctrine of separation of powers divides the institutions of government into three branches: legislative, executive and judicial. This is clearly defined in the 2013 Constitution of the Republic of Fiji.

The 2013 Constitution contains the set of fundamental principles according to which the nation is to be governed. The Constitution defines the role of Parliament, the Executive and the Judicial. Section 46(1) of the Fiji Constitution states that “The authority and power to make laws for the State is vested in Parliament consisting of the members of Parliament and the President and is exercised through the enactment of Bills passed by Parliament and assented to by the President. Under the doctrine of ‘separation of powers’, the power to govern is distributed between the Legislative, the Executive and the Judicial.

The Parliament makes and amends the laws and the Executive puts laws into action. The Executive is made up of the President, Prime Minister and Ministers. The President is the Head of State and has the executive authority to act only on the advice of Cabinet or a Minister or of some other body or authority prescribed by the Constitution. The judiciary is the system of courts that interprets and applies laws. Judicial power and authority are exercised by the courts – the Supreme Court, the Court of Appeal, the High Court, the Magistrates Court and other courts and tribunals that may be created by law. The courts are independent of Parliament and the Executive.

CURRENT STATUS

The Parliament of Fiji has three fundamental functions – representation, legislative and oversight. The Fijian Parliament plays an important representative function in that it represents all of us through our elected representatives. It also passes laws that are important to improving our welfare and enabling our society to work and prosper.

Parliament also plays another important function, which is oversight – that is to hold the Government or the Executive to account. The Standing Committees of Parliament are accessible to Fijians and provide an opportunity for our citizens to have their voice heard on important issues. The six standing committees are Standing Committee on Economic Affairs; Standing Committee on Social Affairs; Standing Committee on Natural Resources; Standing Committee on Public Accounts; Standing Committee on Foreign Affairs and Defense; and Standing Committee on Justice, Law and Human Rights.

CHALLENGES

1. *Bureaucracy and Red Tape*: State administration is often laden with bureaucratic processes, lengthy procedures, and excessive paperwork. Streamlining administrative processes and reducing red tape is essential.
2. *Lack of Civic Education*: many citizens are unaware of parliamentary processes and their role in governance. Promoting civic education is necessary.
3. *Corruption*: corruption within state institutions undermines public trust and hinders effective governance. Ensuring transparency, accountability, and strong anti-corruption measures is crucial.
4. Holding parliamentarians accountable for their actions, attendance, and performance is critical.
5. Limited financial and human resources can hinder the delivery of public services. Prioritizing resource allocation and efficient utilization is a challenge.
6. Ensuring diverse representation (including gender, ethnicity, and marginalized groups) remains a challenge.
7. Parliamentarians often prioritize party interests over national welfare. Fostering bipartisan collaboration and consensus-building is essential.

OPPORTUNITIES

1. Fijian Parliament has transformed immensely since Fiji's return to parliamentary democracy in 2014. For the 2022 General Elections, the Electoral Commission approved that the composition of Parliament to 55 seats, which was an increase of 4 seats from the 2018 General Elections.
2. Parliament has engaged with the United Nations Development Programme and the Inter-Parliamentary Union (IPU) for support towards mainstreaming the SDGs and conducting capacity building for MPs to strengthen their role of oversight of the Executive in the implementation of the SDGs.
3. Office of the Auditor General exists to serve the public interest by providing Parliament with independent and impartial information regarding public sector accountability and performance.
4. Promoting women's representation in parliament.
5. Leveraging technology for efficient service delivery, data management, and citizen engagement. E-governance platforms can streamline processes.
6. Investing in training and skill development for state officials to enhance their effectiveness.
7. Empowering local governments to make decisions tailored to their communities.

- ✓ Strengthening engagement with the public and enabling them to participate in and contribute to our parliamentary democracy.
- ✓ Develop the capabilities of the Parliament's workforce.
- ✓ Strengthening the Parliamentary committee system to improve accountability of executive agencies to Parliament.

➤ **Excellence in the conduct of elections that strengthens democracy:**

- ✓ Upholding the legal framework in delivering elections.
- ✓ Efficient delivery of elections in line with electoral best practices.
- ✓ Foster greater stakeholder engagement and collaboration to increase voter participation.
- ✓ Adopt innovative technological solutions to enhance the delivery of electoral services.

FUTURE POLICES AND STRATEGIES

- **Strengthening the Parliamentary process to promote sustainable democracy and to improve long term national decision-making:**
 - ✓ Ensure technology and infrastructure planning reflects the current and future needs of the Parliament, including secure access to digital information.
 - ✓ Continual review of physical security and cybersecurity systems and processes.
 - ✓ Ensure the work of the Parliament is recorded, reported and accessible.