

FREEDOM OF THE PRESS

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Fiji

 Fiji | [Freedom of the Press 2012](#) |

The constitution, suspended since April 2009, guarantees press freedom and freedom of expression, but the military government led by Prime Minister Josaia Voreqe Bainimarama does not respect these rights in practice. Ongoing censorship throughout 2011 imposed by the regime continued to severely restrict press freedom. Under the Public Emergency Regulations (PER) imposed by Bainimarama in April 2009 (and expected to be lifted at the start of 2012), the regime and its authorities are able to decide what constituted balanced and quality journalism and to directly censor news content. The decree allowed officers authorized by a government-appointed media authority to enter newsrooms and media offices to seize any documentation, materials, or equipment on the basis of vaguely defined complaints. Though touted as “temporary,” the PER has been renewed monthly since its implementation. Also in 2011, the media environment continued to suffer the effects of the harsh Media Industry Development Decree (MIDD), introduced in June 2010. The decree established the Fiji Media Industry Development Authority, which has the power to enforce the MIDD and investigate possible violations. The MIDD also established a separate media tribunal to hear cases referred by the authority and to impose prison sentences and fines on journalists whose work is deemed to be against “public interest or public order.” Violations of the vaguely worded “public interest” or “public order” provisions of the decree are punishable by a fine of up to FJ\$1,000 (US\$572) or imprisonment of up to two years for journalists; the penalty for any media company that breaches the decree may be as high as FJ\$100,000 (US\$57,200). In addition, it overrides traditional checks and balances by forbidding the judiciary to challenge the decree or the institutions established by it.

During the year, media outlets faced several instances of legal and official harassment. In November, the *Fiji Times* came under attack when Attorney General Aiyaz Sayed-Khaiyum filed a contempt case against the paper in connection with a story that he claimed “scandalized the High Court.”

Currently, the Telecommunications Regulatory Unit within the Department of Communications is responsible for granting broadcast licenses and regulating Fiji’s telecommunications sector. According to an October 2011 *Pacific Journalism Review* report, the long-established Fiji Media Council “appears to have been largely sidelined under the [MIDD] by the new state-established Media Industry Development Authority,” where government-appointed staff work with representatives from the media industry. Although the Pacific Islands News Association (PINA), a Suva-based regional press freedom watchdog, has been strongly criticized for remaining in Fiji and risking being compromised, along with its local counterpart Fiji Media Watch, it has been running training courses and attempting to influence the regime on professional issues.

The threat of harsh repercussions inherent in the MIDD has led to a degree of self-censorship by the country’s news media. During the year, cases of physical attack or harassment of journalists or media outlets were rare, perhaps because reporters were less willing to take risks to cover the news. In February 2011, military officers detained *Fiji Times* journalist Felix Chaudhary

2012 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

58

LEGAL ENVIRONMENT

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over an unflattering story on the sugar and aviation industries in Fiji. He was held for about an hour, and was released after the officers reportedly warned him to stop publishing articles on corporations in which the government held a large stake.

Fiji's media landscape consists of both public and private outlets. A private radio network, Communications Fiji Limited, operates multiple and multilingual stations, and competes with the public broadcaster, Fiji Broadcasting Corporation. A new independent station, Mai Television, also competes with the long-established Fiji Television. Under the MIDD, media outlets cannot be more than 10 percent foreign-owned. This clause was reportedly designed to make critical sections of the news media more pliant. It had particularly negative implications for the *Fiji Times*, the country's oldest and most influential newspaper, founded in 1869 and previously wholly owned by News Limited, the Australian branch of Rupert Murdoch's U.S.-based News Corporation. Since the 2006 coup, the newspaper, under the editorship of an indigenous Fijian, Netani Rika, had been the most critical media opponent of the regime and the strongest voice for a return to democracy. In 2010, Murdoch was forced to sell the *Fiji Times* to a local trading company, the Motibhai Group. As result of the regime's forced sale of the *Fiji Times*, rival daily newspaper the *Fiji Sun* has benefitted from a monopoly on state advertising. The *Fiji Sun's* dominant position was further bolstered by the closure in early 2010 of another of the country's three daily newspapers, *Fiji's Daily Post*.

There were no government restrictions on the internet, which was accessed by nearly 28 percent of the population in 2011. However, the government did monitor internet traffic, especially to control criticism of the government by bloggers. There was also evidence that the government monitored private e-mails.

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