



**Fiji**  
**Joint Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty**

**Submitted by The Advocates for Human Rights,**  
a non-governmental organization in special consultative status with ECOSOC since 1996  
and  
**The World Coalition Against the Death Penalty**

for the 48th Session of the Working Group on the Universal Periodic Review  
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**The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

**The World Coalition Against the Death Penalty (WCADP)**, an alliance of more than 150 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

1. Fiji abolished the death penalty for all crimes on 13 February 2015,<sup>1</sup> by amending its military law and removing its last legislative provision on capital punishment.<sup>2</sup> Fiji had abolished the death penalty for ordinary crimes in 1979,<sup>3</sup> and revised its penal code and Crimes Decree to eliminate references to the death penalty in 2002.<sup>4</sup>
2. Fiji has ratified and acceded the International Covenant on Civil and Political Rights (ICCPR) but has not ratified the Second Optional Protocol to the ICCPR (OP2).

## **A1 Scope of international obligations; A12 Acceptance of international norms; D23 Death penalty**

### **Status of Implementation: Accepted, Not Implemented**

3. In the third cycle of the Universal Periodic Review, Fiji received one recommendation to ratify or accede to OP2 alone and three recommendations to ratify OP2 in combination with other optional protocols. Fiji noted the three recommendations to ratify or accede to multiple optional protocols,<sup>5</sup> but accepted Slovenia's recommendation to "[r]atify the Second Optional Protocol to the [ICCPR]."<sup>6</sup> During the interactive dialogue, representatives of the Republic of Fiji asserted that the 2013 Constitution upholds civil and political rights and reiterated its commitment to the nine human rights treaties that the Republic has ratified,<sup>7</sup> but did not make any comments regarding OP2.<sup>8</sup>
4. Since Fiji's third-cycle UPR in 2019, there has been no evidence that authorities have taken any steps towards ratification of OP2.<sup>9</sup>
5. **Suggested Recommendation:**
  - **Take all necessary steps to ratify or accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, without reservations.**
  - **Request technical assistance from the Friends of the Second Optional Protocol to carry out the necessary steps of ratification of or accession to OP2.**

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<sup>1</sup> Amnesty International, "One hundred death penalty free countries within reach after Fiji becomes number 99," accessed June 25, 2024, <https://www.amnesty.org/en/latest/campaigns/2015/03/one-hundred-death-penalty-free-countries-within-reach-after-fiji-becomes-number-99-1/>.

<sup>2</sup> World Coalition Against the Death Penalty, "Fiji abolishes death penalty for all crimes through amendment to military law," accessed June 25, 2024, <https://worldcoalition.org/2015/02/23/fiji-abolishes-death-penalty-for-all-crimes-through-amendment-to-military-law/>.

<sup>3</sup> Death Penalty Information Center, "Countries That Have Abolished the Death Penalty Since 1976," accessed June 25, 2024, <https://deathpenaltyinfo.org/policy-issues/international/countries-that-have-abolished-the-death-penalty-since-1976>.

<sup>4</sup> World Coalition Against the Death Penalty, "Fiji abolishes death penalty for all crimes through amendment to military law," accessed June 25, 2024, <https://worldcoalition.org/2015/02/23/fiji-abolishes-death-penalty-for-all-crimes-through-amendment-to-military-law/>.

<sup>5</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Fiji (Addendum)*, (February 20, 2020), U.N. Doc. A/HRC/43/8/Add.1, ¶ 140.2 Ratify the optional protocols to the core human rights instruments that the State has acceded to (Ukraine); ¶ 140.3 Ratify the Optional Protocol and Second Optional

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Protocol to the International Covenant on Civil and Political Rights (Armenia); ¶140.4 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocols to the International Covenant on Civil and Political Rights (Germany); ¶ 140.5 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Slovenia).

<sup>6</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Fiji*, (December 23, 2019), U.N. Doc. A/HRC/43/8, ¶ 140.5 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Slovenia).

<sup>7</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Fiji*, (December 23, 2019), U.N. Doc. A/HRC/43/8, ¶¶ 5-20.

<sup>8</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Fiji*, (December 23, 2019), U.N. Doc. A/HRC/43/8, ¶¶ 5-20.

<sup>9</sup> World Coalition Against the Death Penalty, *Ratification Kit: Fiji*, 1, <https://worldcoalition.org/wp-content/uploads/2022/07/Fiji-EN.pdf>.