



22 June 2022

By Hand Delivery/Email

The Supervisor of Elections
Fijian Elections Office
59-63 High Street, Toorak
Suva

Dear Supervisor

2022 General Elections – Conduct of Political Parties

1. FijiFirst believes and subscribes to the practical implementation of all laws to ensure that Fijians have free, fair and credible elections.
2. Accordingly, all stakeholders including political parties, must ensure that the spirit and intent of electoral laws must be adhered to. This will ensure *inter-alia* that there is transparency, a level playing field for all, and the electorate is able to make informed choices. In order for voters to make informed choices, they must be provided with facts, and informed of the appropriate laws, so that no misinformation or disinformation takes place.
3. It is within this context, we highlight below specific issues which we request the Fijian Elections Office to look into and take appropriate action.

False Statements – Haroon Ali Shah – Fiji Labour Party

4. We refer to the factually false statements regarding Government tender processes made by Haroon Ali Shah (*'Shah'*) at a Fiji Labour Party campaign rally, and at which was present Fiji Labour Party Leader Mahendra Chaudhry, held at Qalitu Primary School in Lautoka. These false statements were published in the Fiji Sun on 24 May 2022 and are set out below:
 - a. *"We don't know where millions of dollars have gone and you don't know how contracts are given to big companies."*
 - b. *"There is no public tender and it has become a private matter."*
 - c. *"It's who you know and all you have to do is call them and how much will they get."*
 - d. *"It is as straightforward as that."*
 - e. *"It will not be given in your account but someone with a fake account and no tax is to be paid."*
 - f. *"This is what we have been saying. We are not doing this to gain praise but we are just stating facts."*
5. We enclose the audio recording of Shah's statements.

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6. To date, Shah has not offered any evidence to substantiate these statements, nor denied having made these statements at the Fiji Labour Party campaign rally in Qalitu Primary School in Lautoka.
7. It is imperative that political parties and indeed those campaigning at political rallies adhere to the law, which *inter-alia* requires persons to ensure that they do not make false statements. This will safeguard the integrity of campaigns and the entire electoral process.
8. We therefore ask that the Fijian Elections Office to look into this matter and take appropriate action.

Public Opinion Polls on the General Elections

9. We refer to the public opinion polls in relation to the upcoming elections, namely, "*Fiji Sun-Western Force Research*" polls which have been periodically published by Fiji Sun.
10. While the Fiji Sun calls it "*Western Force Research*", a search at the Companies Office shows that there is no entity registered as Western Force Research, but there is a business registered under the name *Mere Western Force Research* ('**MWFR**'). A search of MWFR's registered records show that this business name is registered under one Mere Makita Serukalou. The business name ceased to be registered from 19 October 2021 but was registered again in December of 2021. It is not known whether polls were conducted by MWFR during the period the business ceased to be registered.
11. Any media organisation that engages in conducting or publishing results of public opinion polls must ensure that the polling is based on proper, credible and transparent processes. Polling results can have an influence on voter sentiment.
12. It is of concern that Fiji Sun appears to be publishing results of the *Fiji Sun-Western Force Research* polls without having any regard to proper sampling techniques that are required to ensure that the polls are conducted in a professional manner and can be relied upon. Indeed, polling carried out before elections requires transparency, which also necessitates the publication of methodology employed, benchmarking against international best practices, and including the sample size, which locations the samples were taken from, the age and gender of the participants, the socioeconomic status and other relevant demographic information.
13. In its 4 January 2022 publication, the Fiji Sun published the methodology employed for these polls. The Fiji Sun wrote "[...] 1000 people were interviewed across the country, 89.6 per cent face to face, phone 5.5 per cent, Facebook/Messenger 4.9 per cent. The poll mirrored the country's demographics". An ethnic breakdown is also provided of the participants who participated in the polls.

14. The above methodology and information is not only crass, but is inherently flawed and results of such polls cannot in any way mirror the country's demographics. In fact, this methodology raises the following serious questions:

- a. How does the *Fiji Sun-Western Force Research* select the sample size?
- b. How is the sample spread across Fiji? Is a significant portion of the sample taken from one residential neighbourhood, settlement or village in Fiji?
- c. How does the *Fiji Sun-Western Force Research* select the geographical location of the participants?
- d. How does the *Fiji Sun-Western Force Research* select participants for such polls?
- e. Does the *Fiji Sun-Western Force Research* consider the National Voter List when selecting participants? Are they registered voters?
- f. Does the sample consider sociodemographic characteristics of participants such as their age, gender, geographic location, income level, employment?
- g. How does the *Fiji Sun-Western Force Research* determine which percentage of the participants to select for face-to-face interviews, interviews through social media, telephone-based interviews?
- h. How does the *Fiji Sun-Western Force Research* obtain their contact details?
- i. How are interviewers selected?
- j. Are interviewers required to declare that they are politically neutral in order to conduct this survey?
- k. Where telephone interviews are conducted, how does the interviewer determine whether the individual answering the call is indeed the individual that the interviewer has selected to call?
- l. How does the interviewer determine whether the participants are registered Voters?
- m. How does the interviewer ascertain whether the participants have certain political biases or are directly or indirectly affiliated with a certain political party?
- n. What questions does the interviewer ask and what is the extent of the discussion that the interviewer has with the participants?

- o. Do the questions ask for the choice or opinion of the participant in respect of a particular candidate or prime minister?
 - p. Was there a margin of error allocated to the results of the poll? If so, what was the margin of error?
15. What is also of concern is the impact that such survey results have on ordinary voters. Opinion polls, when not conducted properly and without sound methodologies, show biased results and such results may have an impact on voter sentiment and election results. Essentially, by publishing results of poorly conducted polls, Fiji Sun or any other media organisation for that matter is likely to disseminate misinformation, or disinformation to the electorate, since such polls, and the *Fiji Sun-Western Force Research* polls in particular, claim that the sample and methodology gives a true reflection of voter sentiment.
16. FijiFirst believes that all Fijians deserve to be a part of and indeed read the results of transparent, honest and reliable opinion polls. If the methodology applied by *Fiji Sun-Western Force Research* is inherently flawed as stated above, why are they published? Is it to give credence to a particular political proclivity? Or give credence to a particular theory? In continuing with the polls in this manner and publishing survey results, Fiji Sun appears to be willingly providing a skewed representation of the wishes of the electorate for the upcoming General Elections.
17. We ask that the Fijian Elections Office take action as may be appropriate in relation to the conduct of Fiji Sun, MWFR and any other entity that may engage in or publish results of polls based on unsound methodologies and which are not credible. Publication of such polls disseminates incorrect information.

Compliance with Campaign Rules

18. We refer to the campaign material published by Social Democratic Liberal Party ('**SODEPLA**') on its social media platforms and those under the names of its Party members.
19. The campaign material:
- a. contains the SODEPLA Party logo;
 - b. is under various headings, i.e. Economy, Foreign Policy, Natural Resources, Education, Infrastructure, Housing, Women, Social Welfare, Health, Poverty, Jobs, Youth, Justice, Law and Order, Land and others as may be, with each heading containing a list of action items that "**SODEPLA will**", as the material claims, will attend to.

20. Many of these action items are in our view, financial commitments for the purposes of Section 116(4C) and (4D) of the Electoral Act (**'Act'**). For example, under the Health heading, SODELPA states that it will:

"Improve status of our medical Infrastructure"

"Modernise Equipment"

"Create special facilities for Non Communicable Diseases"

"Build new hospitals in Nadi and Nasinu"

"Provide free Dialysis"

A copy of this campaign material is enclosed for your reference.

21. To date, SODELPA has not explained:

- i. how revenue for the financial commitment is to be raised;
- ii. how expenditure for this financial commitment is to be made;
- iii. how expenditure is to be allocated to different sectors and budget sector agencies;
and
- iv. if expenditure exceeds revenue, how the deficit is to be financed.

22. The requirements under Section 116(4C) and (4D) require all political parties and candidates, including those acting on their behalf, who make campaign promises which include financial commitments, during the campaign period, to immediately provide a written statement and explain in detail how those promises will be financially realised. This allows for voters to better understand the policies proposed by political parties and candidates, the financial impact of the policies and put simply, how much the implementation of those policies would cost.

23. FijiFirst believes that election campaigns should open genuine public debate on policies, and this can only be made possible by voters receiving full information from political parties in respect of their election promises and related financial commitments, as well as timely compliance by political parties of all campaign rules as laid out in the Act.

24. SODELPA has not provided disclosure in respect of its proposed expenditure and therefore has not met the requirements under the Act.

25. We ask that you look into this matter and take appropriate action.

Fundraising Activities – Political Donations

26. We refer to the recent publicised fundraising dinner activities both in Fiji and abroad, held by National Federation Party and Peoples Alliance Party.
27. Proceeds from such events, which are in fact donations, must be accounted for as per the law.

28. We note that in such fundraising activities, there is the opportunity to manipulate the source of political donations, obtain money from business entities, and even launder money. It is therefore critical that the Fijian Elections Office require records of all donors, in particular from such fundraising activities, and further require political parties who conduct such fundraising activities to provide the money trail. All laws in relation to political party donations must be adhered to.
29. As stated, in order to achieve a free and fair election, and ultimately protect its integrity, it is imperative that all political parties are compliant with the laws and maintain transparency in respect of political donations.
30. FijiFirst remains committed to working with the Fijian Elections Office, in the interest of all Fijians, and in order to achieve free, fair, transparent and credible elections, which are in compliance with the Constitution, all electoral laws and international best practices.

Thank you.

Yours sincerely



**General Secretary
FijiFirst**

cc: *Acting Publisher, Fiji Sun
Fiji Labour Party
Haroon Ali Shah
National Federation Party
People's Alliance Party
Social Democratic Liberal Party*

Encl.

HEALTH

Na Tabana-Ni-Bula

SODELPA will :

- ✓ Provide Free Medical Care for those that can not meet their basic needs.
- ✓ Improve status of our medical Infrastructure
- ✓ Modernise Equipment
- ✓ Facilitate Access to specialists
- ✓ Create special facilities for Non Communicable Diseases.
- ✓ Improve Supply Chain management for medicinal drugs.
- ✓ Build new Hospitals in Nadi and Nasinu.
- ✓ Improve service capacity of all medical centres.
- ✓ Explore provision of Health Insurance
- ✓ Reintroduce and revamp Mobile Health Clinics
- ✓ Explore Health Tourism
- ✓ Provide sanitarian products for the elderly.
- ✓ Regulate Food Importation.
- ✓ Provide free Dialysis

"Time For Change"

