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**PEACEFUL STRIKE
WITHDRAWN TO ENSURE
SAFETY OF THE
PUBLIC SERVANTS &
IMPLEMENTATION OF THE
GENERAL ELECTION!**



Lord Tu'ivakano, Tonga Prime Minister

The PSA canceled the peaceful strike action over a fair & just Cost of Living Allowance (COLA) of nearly 700 public servants which was intended to start next Monday 20th October after Minister of Justice threatened on Friday morning during a news interview that Cabinet will declare Tonga as state of emergency if it reach to a stage that the strike goes ahead. The PSA believed that the Prime Minister planned to use the Emergency Powers not only to stop the strike but also an excuse to postpone the upcoming General Election on November 27th 2014 so that he continues to be in power. The priority to PSA is the safety of the public servants and their families as the Emergency Powers does not allow political meeting of 5 people or more and they can use the military to take them to prison without a warrant.

The request for a fair and just COLA of 5-10% for the employees in Government in the 2014/2015 Budget was no secret since January this year, even before the budget was finalized in May. A 5% COLA would only cost around T\$5m but the renovation (T\$5m) of the Royal Palace was more important to the Prime Minister & Minister of Finance than the welfare of the employees especially 75% of the public servants in the lower levels (10-14) who struggle to make ends meet. Around T\$12m was used for the renovation of the Royal Palace about 4 – 5 years ago by the former Cabinet for the late King George V may he rest in peace. Now, the King Tupou VI wants another T\$5m? Or is it the Prime Minister and his Ministers who want this renovation to be done? If anyone looks and the Royal Palace, one would wonder where the T\$12m of the first renovation went to!

Since last week, the Minister of Justice started laying the background for the Emergency Powers by telling the public that the intended strike is unlawful then a few days later, he said it was a political move. On Thursday, the Prime Minister appeared on the national TV & Radio and told the public that the strike is unlawful and a political move. Since when the COLA is a political item? It was ironic that in the same programme of the Prime Minister, the Acting Solicitor General advised the public that the strike is lawful but the public servants must apply for a leave to participate the strike. What kind of Gov't would grant leave to nearly 700 employees to go on strike? Of course this advice is inconsistent with Section 21 of the *Public Service (Grievances & Dispute Procedures) Regulations* in relation to the requirements for participation in industrial action. But Cabinet would go to any length even unlawful threats to scare the public servant to stop a peaceful strike action!

The Prime Minister & Minister of Justice have set a perfect platform to impose the Emergency Powers on Monday when the strike starts. Under the Emergency Powers, meeting of 5 or more people for political purpose is not allowed. PSA cannot argue to that as the Prime Minister has the power to activate the Emergency Powers if he wants to. This will give him the power to use the Army to take the public servants who would be on strike to prison without a warrant. Since Gov't has all the names of the public servants who intend to participate in the strike, the Army can enter their homes without a warrant. We have witnessed what the Army did in 2006, taking people by force (in front of their children) to prison without a warrant. **To ensure the safety of the public servants, the National Committee of the PSA called the strike off yesterday evening (Friday 17th October 2014).**

The PSA also believed that the Prime Minister also intends to postpone the upcoming General Elections in November by declaring Tonga a state of emergency in order to continue on in Government as the Minister of Justice confirmed in his news interview with radio 89.5FM on Friday morning. The Minister of Justice would like this very much since he was not elected by the people to Parliament but appointed by the Prime Minister from outside. **The PSA wanted the leaders to change, especially the Prime Minister, Minister of Justice and Minister of Finance, so the peaceful strike is also called off to ensure that the General Election will take place.**

The PSA intends to submit the request for a fair & just COLA to the new Government in January 2015 and; to apply for a Judicial Review in the Supreme Court of Tonga the (1) use of the Emergency Powers for a peaceful strike; (2) direction for public servants to apply for leave to participate in a strike; and (3) decision of the PSC and the Tribunal on the COLA made in August not to entertain our requests.

For more information, please do not hesitate to contact the PSA Secretary General