

*In 2016, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a national 24-hour toll-free helpline for children to seek counseling, advice, and referrals for support services, as well as to report cases of child neglect and abuse. In addition, the Government led student leadership seminars in Labasa and Nadi through its Tackling Child Labor Through Education Project. However, children in Fiji perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Fiji has limited support services for child victims of commercial sexual exploitation, sometimes as a result of human trafficking.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children’s work and education in Fiji. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		106.4

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)  
Data were unavailable from Understanding Children’s Work Project’s analysis, 2016.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Cutting, † loading, † weeding, and spraying chemicals† on sugarcane (7, 8)
	Planting, picking, and using chemicals† on tobacco (3, 9)
	Collecting and splitting coconuts, harvesting rice; planting, harvesting, weeding, and spraying fertilizers on roots (including <i>dalo</i> and <i>yaqona</i> ); and planting and harvesting other kinds of fruits and vegetables† (3)
	Pig farming and goat and cattle herding (3)
	Fishing† and deep-sea diving† (3, 9)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, and begging (2, 3, 10-13)
	Domestic work (3, 13)
	Working in garages or in retail shops (4, 10, 13)
	Selling fruit (3, 10)
	Collecting bottles† and scrap metal† (3, 13)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 14-18)
	Forced labor in agriculture, begging, domestic work, each sometimes as a result of human trafficking (2, 18-20)
	Use in illicit activities, including drug trafficking (3, 13)

<sup>†</sup> Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




<sup>‡</sup> Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Commercial sexual exploitation of children continued to occur in Fiji, particularly by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels.(2, 3, 17, 18) Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter.(2, 18, 21, 22)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Fiji has ratified some key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Fiji’s legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 92 of the Employment Relations Promulgation (23)
Minimum Age for Hazardous Work	Yes	18	Article 40 of the Employment Relations (Administration) Regulations; Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (9, 24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (9)
Prohibition of Forced Labor	Yes		Articles 6 and 91 of the Employment Relations Promulgation; Articles 20 and 21 of the Immigration Act; Articles 102 and 103 and 111–121 of the Crimes Decree; Article 10 of the Constitution of the Republic of Fiji (23, 25-27)
Prohibition of Child Trafficking	Yes		Article 91 of the Employment Relations Promulgation; Article 20 of the Immigration Act; Article 10 of the Constitution of the Republic of Fiji; Articles 111–121 of the Crimes Decree (23, 25-27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 91 of the Employment Relations Promulgation; Articles 225–227 of the Crimes Decree; Juveniles (Amendment) Act (23, 27, 28)

**Table 4. Laws and Regulations on Child Labor (cont)**

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (23, 29)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 7 of the Royal Fiji Military Forces Act (30)
State Voluntary	Yes	18	Article 7 of the Royal Fiji Military Forces Act (30)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (31)
Free Public Education	No		

\* No conscription (30)

The Employment Relations Promulgation specifies the conditions under which children ages 13–15 may engage in light work, but does not include a list of activities that are permissible.(4, 23)

Although it does not appear that there are any laws that provide free basic education, the Government has a policy that provides for free basic education.(32, 33)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Productivity, and Industrial Relations	Monitor compliance with the minimum age for employment requirements and the Employment Relations Promulgation.(1, 11) Oversee 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals.(11) In the case of the Child Labor Unit, coordinate activities at the national, divisional, and district levels through interagency committees on child abuse, including conducting trainings on child labor and maintaining a 24-hour phone line to accept reports of child labor and refer children to social services when appropriate.(4, 11)
Employment Relations Tribunal	Adjudicate alleged violations of child labor provisions in the Employment Relations Promulgation.(4)
Fiji Police Force	Enforce laws on child trafficking, commercial sexual exploitation, and illicit activities. Maintain a Human Trafficking Unit and provide training to other police units focused on combating human trafficking.(11, 34). Employ five officers responsible for enforcing criminal laws related to the worst forms of child labor.(4) Collaborate with the Australian Federal Police to combat potential child sex tourism by Australian nationals that comprise the largest tourist group visiting Fiji.(21)
Department of Immigration	Coordinate with the Fiji police force to investigate cases involving underage victims of commercial sexual exploitation and human trafficking, which are then tried in the criminal court system.(34, 35)
Departments of Social Welfare and Public Prosecutions	Enforce laws on child trafficking.(1) Operate four homes and provide social services for child trafficking victims.(11, 36)

#### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Fiji took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (12)	Unknown(4)
Number of Labor Inspectors	63 (37)	68 (4)
Inspectorate Authorized to Assess Penalties	No (12)	No (4)

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)**

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	Yes (37)	Yes (4)
Training on New Laws Related to Child Labor	N/A	Yes (4)
Refresher Courses Provided	Yes (37)	Yes (4)
Number of Labor Inspections		
Number Conducted at Worksite	4,128 (37)	3,475 <sup>‡</sup> (4)
Number Conducted by Desk Reviews	Unknown	0
Number of Child Labor Violations Found		
Number of Child Labor Violations for Which Penalties Were Imposed	1 (12)	0 (4)
Number of Penalties Imposed That Were Collected	0 (37)	0 (4)
Routine Inspections Conducted		
Routine Inspections Targeted	Yes (12)	Yes (4)
Unannounced Inspections Permitted	Yes (12)	Yes (4)
Unannounced Inspections Conducted	Yes (37)	Yes (4)
Complaint Mechanism Exists	Yes (12)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (4)

<sup>‡</sup> Data are from January 1, 2016 to November 30, 2016.

Information was not available on the amount of funding dedicated for labor inspections. However, in 2016, the aggregate estimated operating expenditures for the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) were \$7.75 million.<sup>(4)</sup> In addition to MEPIR's 68 labor inspectors, there were also 30 health and safety inspectors and 40 police officers, as well as farmers from Fiji's northern and western divisions, who have received training on child labor and may provide coverage when needed. All labor inspectors are trained by MEPIR's Child Labor Unit on child labor, including hazardous work.<sup>(4)</sup> Other civil society organizations and district community leaders involved in child protection also received training on this topic. As of November 2016, labor inspectors conducted 3,475 targeted routine inspections in the retail, manufacturing, and agricultural sectors in which children in Fiji are known to be employed. Inspections are conducted in the workers' language, including English, Hindi, and vernacular Fijian.<sup>(4)</sup>

In April 2016, the Ministry of Women, Children and Poverty Alleviation launched a national 24-hour toll-free helpline for children to seek counseling, advice, and referrals for support services, as well as to report cases of child neglect and abuse. Calls are screened for their authenticity and referred to the Ministry of Children, which can further refer the caller to the appropriate agency. Data were unavailable on the number of calls received related to child labor.<sup>(4)</sup>

### ***Criminal Law Enforcement***

In 2016, criminal law enforcement agencies in Fiji took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (37)	Yes (34)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (4)
Refresher Courses Provided	Yes (38)	Yes (34)
Number of Investigations		
Number of Violations Found	4 (38)	Unknown (34)
Number of Prosecutions Initiated	3 (12)	5 (34)
Number of Convictions	0 (38)	0 (34)
Number of Convictions	0 (12, 38)	0 (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (34)

In 2016, the Minister for Employment recorded five child labor violations, and these children were referred to schools to receive vocational and technical training.(4)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Inter-Agency Network	Focus on child labor issues at the district and provincial level. Monitor and report cases of non-compliance. Conduct awareness-raising activities in collaboration with the Child Labor Unit.(39) Comprises interagency committees in nine towns in Fiji.(1, 40)
Inter-Agency Taskforce on Beggars	Address issues concerning children who beg and other exploited children.(1) Enforce zero-tolerance policy on child begging.(12)
Inter-Agency Trafficking Task Force	Implement the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. Headed by the Department of Immigration.(1, 11, 36)

The Inter-Agency Trafficking Task Force has not been active since 2012.(11, 12) This lack of coordination may limit the Government's effectiveness in efforts to combat child trafficking.

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking	Guides the Government's efforts to prevent and combat trafficking in persons. Focuses on increasing public awareness and education on human trafficking-related issues and prioritizes anti-trafficking training for Government officials.(36) Chaired by the Immigration Department, with the Fiji Police Force's Human Trafficking Unit serving as the lead coordinator.(12) Government coordinated interagency efforts to investigate and begin formal charges in suspected human trafficking cases.(21)
Free Education Grant	Provides 12 years of tuition-free education for children with Fijian citizenship in 904 eligible primary and secondary schools. Provided approximately \$97 million for tuition-free education and textbooks during the 2016–2017 fiscal year, an increase from the previous year.(22, 32, 41-43)

In 2016, the Government incorporated the 5-year Strategic Plan for Combating Child Labor, including its worst forms, into the draft National Action Plan for Child Labor. Neither the Strategic Plan nor the National Action Plan, however, has been approved.(4, 22, 44) In addition, the Government has not included child labor elimination and prevention strategies into the Pacific UN Development Assistance Framework.(45, 46)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor†**

Program	Description
Tackling Child Labor Through Education Project (2015–2017)	European Union-funded project that seeks to enhance coordination, enforcement, and monitoring mechanisms to build the capacity of stakeholders in the implementation of policies and programs on formal and non-formal education, school retention, and access to education for out-of-school children; and to promote research and raise awareness on child labor issues.(47) Organized student leadership seminars in Labasa and Nadi to advocate positive change on child labor issues.(48)
Safety Net Project†	Program that funds rehabilitation services for female victims of commercial sexual exploitation under age 18. Receive referrals from various entities, including the Fiji Police.(49)

**Table 10. Key Social Programs to Address Child Labor<sup>†</sup> (cont)**

Program	Description
Food Voucher and Bus Fare Assistance <sup>†</sup>	Ministry of Education program that provides food vouchers and subsidized bus fares for families who earn less than \$7,382 as combined income, to offset the cost of education for children attending remote schools.(22, 39, 41)
Tuition-Fee Free Grant <sup>†</sup>	Ministry of Education began to provide a subsidized tuition fee-free grant for early childhood education centers or students attending preschool. Government allocated \$1,561,476 to all special-needs primary schools, an increase of \$267,343.(22)

<sup>†</sup> Program is funded by the Government of Fiji.

<sup>‡</sup> The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(12, 38)

Fiji has insufficient social programs available to address the particular needs of child victims of human trafficking and commercial sexual exploitation, especially for boys and for children in remote areas.(37, 50) NGOs provide limited support services, but these are concentrated in the capital city of Suva.(37, 40, 50)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Fiji (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; UN CRC Optional Protocol on Armed Conflict; and the Palermo Protocol.	2013 – 2016
	Establish by law free basic public education.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2016
Enforcement	Publish information on the labor inspectorate funding and the number of criminal law enforcement investigations related to the worst forms of child labor.	2015 – 2016
	Publish data on the number of calls received through the national 24-hour toll-free helpline related to child labor	2016
Coordination	Ensure that the Inter-Agency Trafficking Task Force meets regularly to address implementation of the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking.	2014 – 2016
Government Policies	Finalize and implement the National Action Plan for Child Labor and 5-year Strategic Plan for Combating Child Labor, including its worst forms.	2013 – 2016
	Integrate child labor elimination and prevention strategies into Fiji's country program framework for the Pacific UN Development Assistance Framework for the Pacific Region.	2015 – 2016
Social Programs	Increase the availability of support services for child victims of commercial sexual exploitation and human trafficking, including effective counseling and specialized shelters.	2010 – 2016

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