

In 2014, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) appointed 18 additional labor inspectors and for the first time, Fiji's courts convicted and sentenced two perpetrators for the crime of trafficking in children and issued a heavy penalty for a violation of child labor law. The Government also approved the Free Education Grant policy that provides 13 years of free, basic education to children in Fiji and implemented a transportation assistance program that will improve access to schools for children in the most remote areas of the country. However, children in Fiji are engaged in child labor, including in agriculture and street work. Fiji has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol on Trafficking in Persons. In addition, the Government has yet to finalize the National Action Plan for Child Labor and 5-year Strategic Plan for Combatting Child Labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji are engaged in child labor, including in agriculture and street work.(1-3) 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) | 5-14 yrs. | Unavailable |
| Attending School (%) | 5-14 yrs. | Unavailable |
| Combining Work and School (%) | 7-14 yrs. | Unavailable |
| Primary Completion Rate (%) | | 103.6 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

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 | Sugarcane farming,* including cutting sugarcane*† (1-3, 6-8) |
| | Planting, picking, spraying pesticides,† and spraying fertilizer in tobacco fields* (1) |
| | Production of coconuts,* rice,* roots (including <i>dalo</i> and <i>yaqona</i>),* tubers,* and other kinds of vegetables* (1, 9) |
| | Pig farming* and goat and cattle herding* (1) |
| | Fishing* and deep-sea diving*† (1) |
| Services | Street work, including pushing wheelbarrows for shoppers in markets, vending, repairing and washing cars, repairing and shining shoes, and begging (1, 3, 8, 10-13) |
| | Selling fruit (1, 12) |
| | Collecting bottles and scrap metal*† (1) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation sometimes as a result of human trafficking (1, 3, 14-20) |
| | Forced labor in agriculture,* begging,* domestic work,* and industrial sectors* each sometimes as a result of human trafficking (3, 16, 21, 22) |
| | Used in illicit activities, including in drug trafficking* (1, 14, 23) |

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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







‡ 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 is a concern in Fiji, particularly in urban centers and near ports where fishing and other vessels dock.(1, 3, 14, 15, 17, 24) One source suggests that a large number of children from squatter settlements in Suva and Lami are engaged in child labor working in garages, washing cars, and selling food, including fruits and vegetables. Many of these children miss school in order to work.(12) Parents sometimes send their child to live with families in cities or near schools to facilitate their continuing education and to perform light household work. There are reports that the adopted households sometimes force children into involuntary domestic work or sexual activity in exchange for food, clothing, shelter, or school fees.(3, 16)

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).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|--|
| Minimum Age for Work | Yes | 15 | Article 92 of the Employment Relations Promulgation 2007 (25) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 40 of the Employment Relations (Administration) Regulations 2008; The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013 (26, 27) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013 (27) |
| Prohibition of Forced Labor | Yes | | Article 6 of the Employment Relations Promulgation 2007; Article 21 of the Immigration Act 2003; Article 10 of the Constitution of the Republic of Fiji (25, 28, 29) |
| Prohibition of Child Trafficking | Yes | | Article 91 of the Employment Relations Promulgation 2007; Article 20 of the Immigration Act 2003; Article 10 of the Constitution of the Republic of Fiji; Articles 111-121 of the Crimes Decree 2010 (25, 28-30) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Article 91 of The Employment Relations Promulgation; Articles 225-227 of the Crimes Decree; Juveniles Act (25, 30) |
| Prohibition of Using Children in Illicit Activities | Yes | | Article 91 of the Employment Relations Promulgation 2007 (25) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |
| Minimum Age for Voluntary Military Service | Yes | 18 | Article 7 of the Royal Fiji Military Forces Act (31) |
| Compulsory Education Age | Yes | 15 | The 1997 Compulsory Education Order; the Compulsory Education Regulations (3, 32) |
| Free Public Education | No | | |

* No conscription (33)

Although both human trafficking and the commercial sexual exploitation of children are issues in Fiji, the Government has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography or the Palermo Protocol on Trafficking in Persons.

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|---|---|
| The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) | Enforce laws on child labor, including its worst forms. Monitor child employment including compliance with the requirement of the minimum age for employment and the Employment Relations Promulgation.(2, 8) Oversee 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals.(8) |
| The Child Labor Unit (CLU) | Serve as the mechanism within MEPIR for filing and responding to child labor complaints.(2) Coordinate activities at the national, divisional, and district levels through Interagency Committees on Child Abuse. These committees include the police; Ministries of Social Welfare, Labor, Health, and Education; the Public Prosecutor's Office; the Solicitor General's Office; and NGOs working on child labor issues.(2) Conduct training on child labor within MEPIR and in communities, schools, and industries where child labor occurs. Maintain a 24-hour phone line to accept reports of child labor and refer children to social services when appropriate.(2, 8) |
| Employment Relations Tribunal (ERT) | Adjudicate on alleged violations of child labor provisions in the Employment Relations Promulgation.(8) |
| Fiji Police Force | Enforce laws on child trafficking, commercial sexual exploitation, and other illicit activities.(8) Maintain a Human Trafficking Unit (HTU) to investigate allegations of human trafficking and to provide training focused on combating human trafficking to other police units.(24) Collaborate closely with the Department of Immigration and the Police Transnational Crime Unit.(34) |
| The Department of Immigration | Coordinate with the Fiji Police Force to investigate cases involving underage victims of commercial sexual exploitation and trafficking, which are then tried in the criminal court system.(35) |
| The Department of Social Welfare, and the Department of Public Prosecutions | Enforce laws on child trafficking.(2) Operate four homes for child trafficking victims.(34) |

Law enforcement agencies in Fiji took actions to combat child labor, including its worst forms.

Labor Law Enforcement

During the reporting period, the Government appointed 18 new labor inspectors, bringing the total employees in the labor inspectorate up to 63.(36, 37) The Child Labor Unit (CLU) provided training to all 63 inspectors throughout its seven district offices. Training included general information on child labor and hazardous work issues as well as instruction on child labor withdrawal procedures, with an emphasis on returning children to the mainstream education system or to technical and vocational training programs.(36)

The Ministry of Employment, Productivity, and Industrial Relations (MEPIR) also provided trainings to approximately 100 stakeholders in the sugar industry, including farmers, Fiji Sugar Corporation field staff, and Cane Producing Associations. Trainings focused on the importance of withdrawing children from hazardous work in the sugarcane industry and returning them to school.(38) The CLU utilizes a reporting system targeted at withdrawing children from the production of sugar, tobacco, and other agricultural work, as well as one for children working in markets during school hours.(38) The reporting system includes forms to be completed by labor inspectors or Fiji Sugar Corporation Field Officers.(38, 39)

In 2014, MEPIR conducted a total of 2,735 inspections in 11 districts and identified five cases of child labor.(8, 36) Inspectors carried out routine and complaint-driven child labor inspections, which consisted of both desk reviews and site visits. Labor inspectors are authorized to conduct unannounced site visits as needed.(8) However, as labor inspectors are stationed in larger, more populated areas, they sometimes find it a challenge to access smaller, rural communities and outer islands.(2) The inspectorate is not empowered to assess penalties but may refer cases to the Employment Relations Tribunal (ERT) for prosecution if it suspects an employer is violating child labor law.(8)

MEPIR utilizes the National Child Labor Database to register, track, and respond expeditiously to reports of child labor in Fiji. Seven data operators have been appointed to manage the database in seven districts, and 24 additional officers were trained on child labor reporting procedures.(8, 36) Fiji has robust referral mechanisms for ensuring that children found engaged in child labor are referred to appropriate social services.(8) As a result of inspections, four children were withdrawn from child labor. Three of these children were returned to school and one was placed in a Technical and Vocational Training Program.(36) During the reporting period, MEPIR registered three child labor cases in the ERT. In one of these cases, the court found the employer guilty for two violations of child labor law and issued a fine of \$8,600. According to MEPIR, this is the first time in Fiji’s history that a perpetrator has been given a heavy sentence for a child labor violation.(8, 38)

Criminal Law Enforcement

In 2014, the Fiji Police Force employed four officers responsible for enforcing criminal laws related to the worst forms of child labor.(8, 22, 40) In 2014, the Government funded anti-human trafficking training for police personnel through the Fiji Police Human Trafficking Unit’s (HTU) workshops, with the goal of ensuring that every police station has an officer trained in human trafficking-related issues. The HTU also routinely conducts training for new recruits at the Police Academy.(22, 34)

During the reporting period, law enforcement officers investigated one child trafficking case and referred the two children involved to appropriate social services.(8) It is standard practice for the courts to place child victims in the custody of the Department of Social Welfare, which operates four gender-segregated homes for children.(22) In 2014, one prosecution was launched and a second pending case from 2013 was finalized. For the first time, the High Court of Fiji convicted two men on charges of slavery and domestic trafficking of children for the purpose of commercial sexual exploitation. The first accused is serving a 16-year prison sentence and the second is serving a 12-year sentence.(8)

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 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|--|--|
| The Inter-Agency Network (IAN) | Focus on child labor issues at the district and provincial level. Monitor and report on cases of noncompliance, and conduct awareness-raising activities in collaboration with the Child Labor Unit (CLU).(38) Network consists of several interagency committees in nine towns in Fiji: Suva, Sigatoka, Nadi, Ba, Lautoka, Tavua, Rakiraki, Labasa, and Taveuni.(2, 39) Committees are comprised of the Fiji Police Force, the Director of Public Prosecutions Office, the Ministry of Woman, Children, and Poverty Alleviation, the Ministry of Education, and various NGOs.(36) |
| The Inter-Agency Taskforce on Beggars | Address issues related to children who beg and other exploited children. Includes the Fiji Police Force, the Department of Social Welfare, the Ministry of Local Government, the Suva City Council, the Fiji National Council for Disabled Persons, the Ministry of Health, the Ministry of <i>Taukei</i> Affairs, and local NGOs.(2) |
| The Interagency Trafficking Task Force | Implement the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. Government-wide task force, headed by the Department of Immigration.(2, 8, 34) |

During the reporting period, the Inter-Agency Network (IAN) met regularly to coordinate child labor issues at the grassroots level. IAN developed a training program for the general public to raise awareness of the hazardous work list and of the long-term consequences of child labor.(36) According to Ministry of Employment, Productivity, and Industrial Relations (MEPIR), IAN trained 1,125 parents, students, and teachers in 2014.(36)

In January, the Inter-Agency Taskforce on Beggars declared a zero-tolerance policy on child begging.(2) Since then, the Taskforce has been working with the Fiji Police Force to withdraw children from begging in the streets and refer them to state rehabilitation facilities when necessary.(41) The Inter-Agency Trafficking Task Force was inactive in 2013 and 2014.(8)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Fiji has established policies related to child labor, including its worst forms (Table 7).

Table 7. 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 public awareness raising and education on human trafficking-related issues and prioritizes anti-trafficking training for government officials.(34) |
| Free Education Grant 2014† | Provides 12 years of tuition-free education for children in Fiji. Covers the cost of school fees and textbooks for students in 904 eligible primary and secondary schools.(36, 42, 43) |
| UNDAF Pacific (2013-2017)* | Promotes sustainable development and economic growth for vulnerable groups in fourteen Pacific Island Countries and Territories: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu. In Fiji, includes initiatives to improve access to quality education, health, and housing services for children and strengthen child protective systems.(44, 45) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2014, the Government of Fiji continued consultation on the National Action Plan for Child Labor and the accompanying Five-year Strategic Plan for Combatting Child Labor, Including the Worst Forms.(37) The Government anticipated the Plan would be implemented by September 2013 and operational through 2018, but it appears the Plan remains in draft form.(2, 38) The Government has not provided updates on the comprehensive implementation of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking.(24)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Fiji funded and participated in programs that include the goal of eliminating or preventing of child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Tackling Child Labor through Education (TACKLE) Project (2008-2014) | Jointly launched by the European Commission and the ILO to combat child labor through education in 12 African and Caribbean countries and the Pacific group of states (ACP).(46) Aimed to support government efforts to remove children from commercial sexual exploitation and work in the sugarcane fields, and to increase capacity to address child labor and poverty in squatter settlements, which include a large number of vulnerable children.(47-50) Established the CLU, drafted a national action plan to eliminate child labor, trained government officials on the worst forms of child labor, and supported legislative reviews on labor and education in Fiji.(48, 50) |
| Safety Net Project‡ | Government program that aims to combat human trafficking at the community level, largely by funding rehabilitation services targeting female victims of commercial sexual exploitation under the age of 18. Receives referrals from various entities including the Fiji Police.(51) |
| Food voucher and bus fare assistance* | Ministry of Education program that provides food vouchers and subsidized bus fares to offset the cost of education for children attending remote schools.(38, 42) |
| School transportation assistance scheme*†‡ | Ministry of Education program implemented through the Transport Assistance Unit that provides \$70,000 for the purchase of four boats to ensure that children in areas inaccessible by roads are able to attend school.(52) |

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Fiji.

Fiji does not have sufficient support services 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.(53) NGOs provide limited support services, but these are concentrated in the capital city of Suva.(39, 53)The Fiji Police's Sexual Offenses Unit has identified the lack of services for child victims, including counseling and victim-friendly court procedures, as one of their greatest challenges in protecting child trafficking victims.(39)

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 9).

Table 9. 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, and the Palermo Protocol. | 2013 – 2014 |
| Coordination | Ensure that the Trafficking Task Force meets regularly to address implementation of the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking. | 2014 |
| Government Policies | Finalize and Implement the National Action Plan for Child Labor and 5-year Strategic Plan for Combatting Child Labor, Including the Worst Forms. | 2013 – 2014 |
| | Provide public updates on the implementation of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. | 2013 – 2014 |
| Social Programs | Assess the impact that existing programs may have on child labor prevention and elimination. | 2014 |
| | Provide support services for child trafficking victims, including effective counseling, specialized shelters and victim-friendly court procedures. | 2010 – 2014 |

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