

In 2013, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government signed into law a new constitution which prohibits slavery or servitude, forced labor, and human trafficking, and establishes the right to early childhood, primary, and secondary education. The Government also adopted a hazardous list of occupations and workplaces prohibited to children under the age of 18. The Ministry of Labor, Industrial Relations and Employment (MLIRE) established a National Child Labor Database to track child labor cases, and for the first time funded two full-time positions in the Child Labor Unit. The Inter-Agency Taskforce on Beggars was established to address issues related to children who beg and other exploited children. However, children in Fiji continue to engage in child labor in agriculture and street work. 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, primarily in agriculture and street work. (1, 2) 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 (%)		103.3

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis, 2014.(4)

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	Harvesting sugarcane*† (1, 2, 5-7)
	Planting, picking, spraying pesticides,† and laying fertilizer in tobacco fields*† (1)
	Producing coconuts,* rice,* roots (including dalo and yaqona),* tubers,* and other kinds of vegetables* (1, 8, 9)
	Pig farming and goat and cattle herding* (1)
Services	Fishing* and deep-sea diving† (1)
	Street work, including pushing wheelbarrows for shoppers in markets, street vending, washing cars, repairing and shining shoes, and begging (1, 2, 10-13)
	Selling fruit (1, 14, 15)
	Collecting bottles and scrap metal† (1, 13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1, 10, 16-21)
	Forced labor in agriculture,* begging,* and industrial sectors* (18, 22)
	Use in drug trafficking* (1, 16, 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.

The commercial sexual exploitation of children is a problem, particularly in Fiji’s urban centers and near ports where fishing and other vessels dock.(1, 10, 16, 17, 19, 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.(13) 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 service or sexual activity in exchange for food, clothing, shelter, or school fees.(10, 18)

II. LEGAL FRAMEWORK ON 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 relevant 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	The Employment Relations Promulgation 2007 (25)
Minimum Age for Hazardous Work	Yes	18	The Employment Relations Promulgation 2007 (17, 25, 26)
List of Hazardous Occupations Prohibited for Children	Yes		The Hazardous Occupations Prohibited to Children Under 18 Years of Age Order 2013 (27)
Prohibition of Forced Labor	Yes		The Crimes Decree 2010; the Immigration Act 2003; the Employment Relations Promulgation 2007; Constitution of the Republic of Fiji (24, 25, 28-30)
Prohibition of Child Trafficking	Yes		The Crimes Decree 2010; the Immigration Act 2003; the Employment Relations Promulgation 2007; Constitution of the Republic of Fiji (24, 25, 28-30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		The 2007 Promulgation (25, 26)
Prohibition of Using Children in Illicit Activities	Yes		The 2007 Promulgation (25, 26)
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	17	The 1997 Compulsory Education Order; the Compulsory Education Regulations (32)
Free Public Education	No		

* No conscription or no standing military

In 2013, the President signed into law a new constitution, which prohibits slavery or servitude, forced labor, and human trafficking.(30, 33) The Constitution also establishes the right to early childhood, primary, and secondary education; however, there is no implementing legislation or policy providing for free education. The approved budget

released in November 2013 includes tuition-free education but leaves additional school-related expenses up to the household to cover.(30, 34) Evidence suggests that the cost of uniforms and school fees prevents some children from attending school.(10) The Government also adopted a hazardous list of occupations and workplaces prohibited to children under the age of 18.(2, 27)

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 Labor, Industrial Relations and Employment (MLIRE)	Enforce labor 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)
The Child Labor Unit (CLU)	Serve as the mechanism within the MLIRE 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 the Ministry of Labor and in communities, schools, and industries where child labor occurs. Refer children to social services when appropriate.(2)
Fiji Police Force	Enforce laws on child trafficking, commercial sexual exploitation, and other illicit activities.(2) 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) The HTU works closely with the Department of Immigration and the Police Transnational Crime Unit.(35)
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.(22, 36)
The Department of Social Welfare, and the Director of Public Prosecutions	Enforce laws on child trafficking.(2)

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

Labor Law Enforcement

In 2013, the MLIRE established a National Child Labor Database to track child labor cases. Labor inspectors and officers were trained to use the database and it is currently operational in the following Districts: Suva, Sigatoka, Nadi, Lautoka, Ba, Labasa, and Savusavu.(37) In addition, the MLIRE funded two permanent positions in the CLU which were previously funded through the Tackling Child Labor through Education (TACKLE) project.(2)

During the reporting period, the Government employed 45 labor inspectors whose portfolios include child labor.(2, 22) In addition, the MLIRE employed 30 Occupational Health and Safety inspectors. Some of these inspectors have received training on child labor issues and help labor inspectors enforce child labor laws.(2) All of these inspectors are stationed in larger, more populated areas and sometimes find it a challenge to access smaller, rural communities and outer islands.(2) The CLU conducted several trainings with a focus on the sugar industry and relevant stakeholders. Furthermore, the training material was customized to address the sectors in which children are known to work in in a particular area.(34) For example, in Sigatoka the focus was on vegetable farms, in Lautoka child begging was addressed, and in Taveuni, the Taveuni Child Labor Interagency Committee conducted training to combat child labor in *dalo* and *yaqona* (*piper methysticum*) farms.(34, 37) Since the hazardous list of occupations prohibited to children came into effect, 100 sugar industry stakeholders, including farmers, Fiji Sugar Corporation field staff, and Cane Producing Associations, received training on the hazardous list. In addition, the CLU developed a reporting system for the withdrawal of children from the production of sugar, tobacco, and other agricultural work, as well as one for children working in markets during school hours.(37) The reporting system includes forms to be completed by Labor Inspectors or Fiji Sugar Corporation Field Officers.(34, 37) Information was unavailable on the amount of funding designated to inspections or the number of inspections conducted in 2013.(2)

The Government funded anti-human trafficking training for police personnel through the Fiji Police Human Trafficking Unit's workshops, which focus on ensuring that every police station has a police officer trained in trafficking-related issues. The Police also trained labor inspectors on how to identify potential trafficking victims during a routine labor inspection.(35) In addition, the Human Trafficking Unit carried out an anti-trafficking campaign that included distribution of government-funded anti-trafficking posters.(22, 35) The Trafficking Task Force did not meet in 2013, but the Director for Immigration reported that the Task Force will resume activities in 2014 to carry out the National Action Plan on Trafficking.(22)

Criminal Law Enforcement

Labor cases are tried in the Employment Relations Tribunal and the Employment Relations Division of the High Court.(38, 39) According to the Government, the CLU registered three criminal cases at the Employment Relations Tribunal. Of these cases, one case was completed, one was partially heard, and the third was set for final mention in 2014 with a hearing date to be scheduled for 2014.(22, 37) The Solicitor General's office approved two additional cases of child labor to be registered in the Tribunal in 2014.(37)

During the reporting period a case of child trafficking was investigated, but charges had not yet been filed at the end of the reporting period.(2, 22) The Fijian Courts may grant custody over child victims to the Department of Social Welfare, which operates four shelters throughout Fiji.(22, 39) Research did not uncover the total number of trafficking investigations conducted or the number of victims assisted during the reporting period.(22)

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 Interagency Committee on Child Labor	Focus on child labor issues at the district and provincial level. Monitor and report on cases of noncompliance, and conduct awareness-raising activities.(37) Operational in nine towns in Fiji: Suva, Sigatoka, Nadi, Ba, Lautoka, Tavua, Rakiraki, Labasa, and Taveuni.(2, 34) Comprised of NGOs and key government offices involved in the field, including the police force, and the Ministries of Labor, Social Welfare, and Health.(2)
The Inter-Agency Taskforce on Beggars	Address issues related to children who beg and other exploited children. Includes the Fiji Police Force, the Ministry of Local Government, the Suva City Council, the Fiji National Council for Disabled Persons, the Ministry of Health, the Ministry of iTaukei Affairs, and local NGOs.(2)
The Trafficking Task Force	Government-wide task force to address human trafficking. Led by the Department of Immigration.(2, 35)

In 2013, the Ministry of Social Welfare established a taskforce to address children who beg and other exploited children. In January 2014, the taskforce declared a zero-tolerance policy on child begging.(2)

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
School bus fare scheme*	Supports a school bus fare scheme that aims to offset transportation costs.(2)
National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking	National action plan to address human trafficking.(35)

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

Through the MLIRE, the Fijian Government is developing a National Action Plan for Child Labor and 5-year strategic plan for combatting child labor, including the worst forms.(40) To inform the plan, the MLIRE, along with

the Ministry of Education, conducted a national survey on child labor in Fiji to determine the number of children from selected schools who were working in child labor, including the worst forms. The Government anticipated the plan would be implemented by September 2013 and operational through 2018; however, at the close of the reporting period the plan was still under consultation.(2, 40)

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 THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Fiji participated in and funded programs that include the goal of eliminating or preventing 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	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).(41) Aims 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.(42-45) Established the CLU, completed a draft 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.(43, 45) ILO funding for the project will continue into 2014 and the Government has pledged to continue the work.(2)
Safety Net Project‡	Government program that aims to combat human trafficking at the community level, largely through rehabilitation services targeting female victims of commercial sexual exploitation under the age of 18. Receives referrals from various places including the Fiji Police.(46)
Food voucher assistance*‡	Government program that provides a food voucher for children attending remote schools.(37)

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

‡ Program is funded by the Government of Fiji.

With funding from the Ministry of Education, the MLIRE conducted four radio talk back shows on child labor and the legal rights of children.(22, 37) It is unclear whether the TACKLE project provides adequate assistance to children working in the agricultural and informal sectors, including street vending.(2)

It appears there were no government-run facilities in operation to specifically address the particular needs of child trafficking victims.(24) The Fiji Police's Sexual Offenses Unit has identified the lack of support services for child victims, including counseling and victim-friendly court procedures, as some of their greatest challenges in effectively addressing the needs of child trafficking victims.(34)

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
Laws	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol.	2013
Enforcement	Collect, analyze, and publish data on enforcement efforts, including labor inspections and criminal investigations regarding the worst forms of child labor.	2011 – 2013
Government Policies	Provide public updates on the implementation of the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking.	2013
	Assess the potential impact of existing policies on addressing child labor.	2010 – 2013
	Implement the National Action Plan for Child Labor and 5-year strategic plan for combatting child labor, including the worst forms.	2013
	Provide free primary education for all children.	2013

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure programs adequately address the worst forms of child labor, specifically in agriculture and street vending.	2009 – 2013
	Provide support services for child trafficking victims, including effective counseling and victim-friendly court procedures.	2010 – 2013

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