

In 2015, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment, Productivity, and Industrial Relations significantly increased the number of labor inspections conducted throughout the year. In addition, the Government was actively involved in the launch and implementation of the Tackling Child Labor Through Education Project, which aims to strengthen Government coordination, monitoring, and enforcement of policies and programs related to the eradication of child labor. During the year, the Government also opened a new rehabilitation center for children found begging on the street. However, children in Fiji are engaged in child labor, including in street work, and in the worst forms of child labor, including in commercial sexual exploitation. 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. It is challenging for labor inspectors to inspect for child labor violations in remote areas of the country, and Fiji has limited support services for child victims of human trafficking and commercial sexual exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation. (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 (%)		102.9

Source for primary completion rate: Data from 2013, 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	Cutting,*† loading,*† weeding,* and spraying chemicals on sugarcane*† (3, 6-9)
	Planting, picking, and using chemical† on tobacco* (1)
	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* (1)
	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, washing cars,* shining shoes,* and begging (1, 3, 8-11)
	Domestic work (1, 11)
	Working in garages* or in retail shops* (9-11)
	Selling fruit* (1, 10)

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

Sector/Industry	Activity
Services	Collecting bottles* and scrap metal*† (1, 11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 12-16)
	Forced labor in agriculture,* begging,* domestic work,* and industrial sectors,* each sometimes as a result of human trafficking (3, 12, 17, 18)
	Use in illicit activities, activities unknown* (1, 11)

* 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 continued to occur in Fiji, particularly in urban centers and near ports where fishing vessels dock. (1, 3, 16, 19) 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, shelter, or school fees. (3, 12)

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 (20)
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 (21, 22)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (22)
Prohibition of Forced Labor	Yes		Articles 6 and 91 of the Employment Relations Promulgation; Articles 20–21 of the Immigration Act; Articles 102–103 and 111–121 of the Crimes Decree; Article 10 of the Constitution of the Republic of Fiji (20, 23-25)
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 (20, 23-25)
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 (20, 25, 26)
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (20, 27)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
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 (28)
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (3, 29)
Free Public Education	No		

* No conscription (30)

The Employment Regulations Promulgation specifies the conditions under which children ages 13 to 15 may engage in light work, but it does not limit the number of hours for light work, nor does it include a list of activities that are permissible.(20)

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
Ministry of Employment, Productivity, and Industrial Relations (MEPIR)	Enforce child labor laws, including its worst forms. Monitor child employment, including compliance with the requirement on 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)
Child Labor Unit	Serve as the mechanism in 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 in 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	Adjudicate 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.(19) Collaborate closely with the Department of Immigration and the Police Transnational Crime Unit.(31)
The Department of Immigration	Coordinate with 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.(19, 32)
The Department of Social Welfare and the Department of Public Prosecutions	Enforce laws on child trafficking.(2) Operate four homes for child trafficking victims.(31)

In 2015, 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	2014	2015
Labor Inspectorate Funding	Unknown	Unknown (9)
Number of Labor Inspectors	63 (33, 34)	63 (35)
Inspectorate Authorized to Assess Penalties	No (8)	No (9)
Training for Labor Inspectors		
■ Initial Training for New Employees	Yes (35)	Yes (35)
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	Yes (35)	Yes (35)

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

Overview of Labor Law Enforcement	2014	2015
Number of Labor Inspections	2,735 (33)	4,128 (35)
■ Number Conducted at Worksite	Unknown	4,128 (35)
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	5 (8)	7 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (8, 36)	1 (9)
■ Number of Penalties Imposed That Were Collected	Unknown	0 (35)
Routine Inspections Conducted	Yes (8)	Yes (9)
■ Routine Inspections Targeted	Yes (35)	Yes (9)
Unannounced Inspections Permitted	Yes (8)	Yes (9)
Unannounced Inspections Conducted	Yes (35)	Yes (35)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

Labor Law Enforcement

Information was not available on the amount of funding dedicated for labor inspections; however, in 2015, the aggregate estimated operating expenditures for the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) were \$7.97 million.⁽⁹⁾ In addition to MEPIR's 45 labor inspectors, there were also 30 health and safety inspectors, who have received training on child labor and may provide coverage when needed. All inspectors were stationed in larger, more populated areas and sometimes found it challenging to access smaller, rural communities and outer islands.⁽⁹⁾ MEPIR provided up to three months of competency-based trainings for all new labor inspectors, including standardized instruction on child labor. Subsequently, labor inspectors received quarterly refresher courses.⁽³⁵⁾ Other civil society organizations and district community leaders involved in child protection also received training on this topic.⁽⁹⁾

In 2015, labor inspectors conducted targeted routine inspections in the retail, manufacturing, and agricultural sectors, where children in Fiji are known to be employed.⁽⁹⁾ If child labor cases are identified through inspections, MEPIR initially refers the cases to one of MEPIR's 14 Divisional Labor Offices for further investigation. The Divisional Labor Office then refers the case to MEPIR's Child Labor Unit, which will determine whether to remove the child from the situation with the help of the Social Welfare Department and the Ministry of Education, or whether to involve another appropriate agency.⁽⁹⁾ During the reporting period, MEPIR removed all seven children identified during labor inspections from worksites, and the Government assisted them in returning to formal education.⁽⁹⁾

In September 2015, the Department of Social Welfare established a national child helpline to promote child protection and access to health care.⁽⁹⁾ Data were unavailable on the number of calls received related to child labor.⁽⁸⁾

Criminal Law Enforcement

In 2015, 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	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Yes (18, 31)	Yes (35)
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
■ Refresher Courses Provided	Unknown	Yes (37)
Number of Investigations	1 (8)	4 (37)
Number of Violations Found	Unknown (8)	3 (9)
Number of Prosecutions Initiated	1 (8)	0 (37)
Number of Convictions	1 (8)	0 (9, 37)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (18)

The Human Trafficking Unit (HTU) in the Fiji Police Force employs five officers responsible for enforcing criminal laws related to the worst forms of child labor.⁽⁹⁾ In 2015, ILO facilitated a regional seminar for some law enforcement officials, which included training on trafficking in persons. Police officers from the HTU also provided training for labor inspectors on the identification of potential child trafficking cases during labor inspections.⁽³⁷⁾ In 2015, investigators recorded three cases of commercial sexual exploitation of children and zero cases of forced child labor.⁽⁹⁾ When child victims are identified, law enforcement officials refer them to the Department of Social Welfare to receive social services.⁽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 8).

Table 8. 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. ⁽³⁶⁾ Network consists of interagency committees in nine towns in Fiji: Ba, Labasa, Lautoka, Nadi, Rakiraki, Sigatoka, Suva, Taveuni, and Tavua. ^(2, 38) Committees comprise the Fiji Police Force; Director of Public Prosecutions Office; Ministry of Woman, Children, and Poverty Alleviation; Ministry of Education; and various NGOs. ⁽³³⁾
Inter-Agency Taskforce on Beggars	Address issues concerning children who beg and other exploited children. Includes Fiji Police Force, Department of Social Welfare, Ministry of Local Government, Suva City Council, Fiji National Council for Disabled Persons, Ministry of Health, the Ministry of <i>i'Taukei</i> Affairs, and local NGOs. ⁽²⁾ Enforce zero-tolerance policy on child begging. ⁽⁹⁾
Inter-Agency 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, 31)

The Inter-Agency Trafficking Task Force has not been active since 2012.^(8, 9) 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 of Fiji has established policies related to child labor, including its worst forms (Table 9).

Table 9. 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. ⁽³¹⁾ Implementing committee is chaired by the Immigration Department, with the Fiji Police Force's Human Trafficking Unit serving as the lead coordinator. ⁽⁹⁾
Free Education Grant	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. ^(33, 39, 40) Fiji has established free public education by policy, but not by law.
UNDAF Pacific (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 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 to strengthen child protective systems. ^(41, 42)

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

In 2015, the Government of Fiji continued consultation on the National Action Plan for Child Labor and the accompanying 5-year Strategic Plan for Combating Child Labor, including its worst forms.⁽³⁴⁾ The Government anticipated the Plan would be implemented by September 2013 and operational through 2018, but at the close of the reporting period, the plan remained in draft form.^(2, 36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Fiji funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Tackling Child Labor through Education (TACKLE II) Project (2015-2017)*	\$570,700 European Union-funded project, implemented by the ILO in partnership with the Ministry of Employment, Productivity, and Industrial Relations, which strengthens and sustains national efforts to eliminate child labor. 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.(43) In 2015, held a sub-regional training for participants from seven Pacific island nations, including Fiji, on the development of training and livelihoods programs for older children engaged in child labor and those at risk.(44) Assisted the MEPIR to achieve certification from the International Organization for Standardization for Fiji's labor compliance system, which includes child labor inspection systems and processes.(45)
Nadi Safe House**†	Government-run safe house in Fiji's western division of Nadi that provides temporary housing for victims of human trafficking.(37)
Rehabilitation Center**†	Department of Social Welfare and faith-based organization-run rehabilitation center for children found begging on the streets. In 2015, initial capacity of the center was 24 children.(9)
Safety Net Project†	Government program to combat human trafficking at the community level, largely by funding rehabilitation services targeting female victims of commercial sexual exploitation under age 18. Receives referrals from various entities, including the Fiji Police.(46)
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.(36, 39)
Access Quality Education Program (2011-2015)	Australian Agency for International Development-funded, 5-year program, implemented in partnership with the Ministry of Education, to improve the quality of education in rural and remote schools. Provided grants to improve school infrastructure and to ensure access to schooling for the most poor and marginalized children.(47) In 2015, launched a toolkit for inclusive education for children with disabilities, which will be distributed to every primary and secondary school in Fiji.(48)

* Program was launched during the reporting period.

† Program is funded by the Government of Fiji.

During the reporting period, Fiji hosted the Sub-regional Child Labor and Trafficking Forum, which brought together national policymakers from five countries to discuss best practices for addressing child labor and trafficking issues.(49)

Fiji has insufficient 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.(35, 50) NGOs provide limited support services, but these are concentrated in the capital city of Suva.(35, 38, 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 and the Palermo Protocol.	2013 – 2015
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015
Enforcement	Make information publicly available on the amount funding for the labor inspectorate.	2015
	Ensure that labor inspectors can access rural areas and outer islands to conduct inspections.	2015
	Authorize the labor inspectorate to assess penalties.	2015

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
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 – 2015
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 – 2015
	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
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 – 2015

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