

In 2017, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The government acceded to the Palermo Protocol on Trafficking in Persons. In addition, the government hosted the Pacific Islands Regional Consultation in preparation for the IV Global Conference on the Sustained Eradication of Child Labor, and the government has begun to implement its National Action Plan on the Eradication of Child Labor. However, children in Fiji engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The government has not approved the draft National Action Plan for Child Labor or the 5-year Strategic Plan for Combating Child Labor, and the Inter-Agency Trafficking Task Force has not been active since 2012.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1; 2; 3; 4) Table 1 provides key indicators on children's work and education in Fiji.

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, 2018. (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; 1; 2) |
| | Planting, picking, and using chemicals† 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; 8; 2) |
| Services | Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, and begging (1; 9; 10; 11; 12) |
| | Domestic work (1; 12) |
| | Working in garages or in retail shops (9; 12; 2) |
| | Selling fruit (1; 9) |
| | Collecting bottles† and scrap metal† (1; 12) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (1; 13; 14; 15; 16; 17; 3; 18) |
| | Forced labor in agriculture, begging, and domestic work, sometimes as a result of human trafficking (19; 20; 3) |
| | Use in illicit activities, including drug trafficking (1; 12) |

† 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 by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels. (1; 16; 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. (21; 22; 3)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Fiji has ratified most 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 | ✓ |

In 2017, Fiji acceded to the Palermo Protocol on Trafficking in Persons. (23)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Fiji's legal framework to adequately protect children from the worst forms of child labor, including light work.

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 (24) |
| 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 (25; 26) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (26) |
| 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 (24; 27; 28; 29) |
| 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 (24; 27; 28; 29) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Article 91 of the Employment Relations Promulgation; Articles 225–227 of the Crimes Decree; Article 62A of the Juveniles (Amendment) Act (24; 29; 30) |
| Prohibition of Using Children in Illicit Activities | Yes | | Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (24; 31) |
| Prohibition of Military Recruitment | | | |
| State Compulsory | Yes* | 18 | Article 7 of the Royal Fiji Military Forces Act (32) |
| State Voluntary | Yes | 18 | Article 7 of the Royal Fiji Military Forces Act (32) |
| Non-state | No | | |

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

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|--------------------------|---------------------------------------|-----|---|
| Compulsory Education Age | Yes | 15 | Compulsory Education Order; Compulsory Education Regulations (33) |
| Free Public Education | No | | |

* No conscription (32)

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. (34; 24) In addition, Fijian law does not criminally prohibit the recruitment of children under age 18 by non-state armed groups. (2)

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. (35; 36)

III. ENFORCEMENT OF LAWS ON 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 exist within the operations of the Ministry of Employment, Productivity, and Industrial Relations that may hinder adequate enforcement of their child labor laws.

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. (10; 2) Oversee 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals. (10) 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. (34; 2) |
| Employment Relations Tribunal | Adjudicate alleged violations of child labor provisions in the Employment Relations Promulgation. (2) |
| 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. (10; 37) Employ five officers responsible for enforcing criminal laws related to the worst forms of child labor. (34) Collaborate with the Australian Federal Police to combat potential child sex tourism by Australian nationals, who 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. (37) |
| Departments of Social Welfare and Public Prosecutions | Enforce laws on child trafficking. (38) Operate four homes and provide social services for child trafficking victims. (10; 39) |

Labor Law Enforcement

In 2017, labor law enforcement agencies in Fiji took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Productivity, and Industrial Relations that may hinder adequate labor law enforcement, including the lack of labor law enforcement information and penalty assessment authorization.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2016 | 2017 |
|---|--------------|----------|
| Labor Inspectorate Funding | Unknown (34) | Unknown |
| Number of Labor Inspectors | 68 (34) | 106 (40) |
| Inspectorate Authorized to Assess Penalties | No (34) | No |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | Yes (34) | Unknown |
| Training on New Laws Related to Child Labor | Yes (34) | Unknown |
| Refresher Courses Provided | Yes (34) | Unknown |

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

| Overview of Labor Law Enforcement | 2016 | 2017 |
|--|-------------------------|------------|
| Number of Labor Inspections Conducted | 3,475 [†] (34) | 2,800 (40) |
| Number Conducted at Worksites | 3,475 [†] (34) | 2,800 (40) |
| Number of Child Labor Violations Found | 5 (34) | 16 (40) |
| Number of Child Labor Violations for which Penalties were Imposed | 0 (34) | 0 (40) |
| Number of Child Labor Penalties Imposed that were Collected | 0 (34) | 0 (40) |
| Routine Inspections Conducted | Yes (34) | Unknown |
| Routine Inspections Targeted | Yes (34) | Unknown |
| Unannounced Inspections Permitted | Yes (34) | Yes (2) |
| Unannounced Inspections Conducted | Yes (34) | Yes (40) |
| Complaint Mechanism Exists | Yes (34) | Yes (2) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (34) | Yes (2) |

[†] Data are from January 1, 2016, to November 30, 2016.

During the reporting period, the Ministry of Employment, Productivity, and Industrial Relations had approximate total operating expenditures of \$8.1 million. (2) Inspections are conducted in the workers' language, including English, Fijian Hindi, and vernacular Fijian. (2)

The Ministry of Women, Children, and Poverty Alleviation continued to fund the National Child Helpline for children who seek counseling, advice, and referrals for support services, as well as to report cases of child neglect and abuse. Research suggests that the helpline has received 33,643 calls since it was established in 2016. (41; 40)

In addition, the Interagency Committee on Child Abuse is responsible for sharing information on child labor cases, and when a referral is made, the committee is duty-bound to monitor the case. (4; 2)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Fiji took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2016 | 2017 |
|---|--------------|---------|
| Training for Investigators | | |
| Initial Training for New Employees | Yes (37) | Unknown |
| Training on New Laws Related to the Worst Forms of Child Labor | Yes (34) | N/A (2) |
| Refresher Courses Provided | Yes (37) | Unknown |
| Number of Investigations | Unknown (37) | Unknown |
| Number of Violations Found | 5 (37) | Unknown |
| Number of Prosecutions Initiated | 0 (37) | 0 (40) |
| Number of Convictions | 0 (37) | 0 (40) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (37) | Yes (2) |

In Fiji, child labor cases can be referred case-by-case to the Department of Social Welfare and Public Prosecutions by criminal authority agencies, including the Fiji Police Force (2).

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the inactivity of the Inter-Agency Trafficking Task Force.

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

| Coordinating Body | Role and Description |
|---------------------------------------|---|
| Inter-Agency Network | Focus on child labor issues at the district and provincial level. Monitor and report cases of non-compliance. (42) Conduct awareness-raising activities in collaboration with the Child Labor Unit. (42) Comprises interagency committees in nine towns in Fiji. (38; 43) |
| Inter-Agency Taskforce on Beggars | Address issues concerning children who beg and other exploited children. (38) Enforce zero-tolerance policy on child begging. (11) |
| 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. (38; 10; 39) |
| Inter-Agency Committee on Child Abuse | Develop policies and procedures for the prevention of child labor, including training for communities, schools, and industries in which child labor occurs. (40) Investigate child labor cases, refer children to school, and monitor the cases when a referral is made. (4; 2; 40) |

The Inter-Agency Trafficking Task Force has not been active since 2012, and the lack of coordination may limit the government's effectiveness in efforts to combat child trafficking. (10; 11)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of a national child labor action plan.

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. (39) Chaired by the Immigration Department, with the Fiji Police Force's Human Trafficking Unit serving as the lead coordinator. (11) Coordinates 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 \$32 million for tuition-free education and textbooks during the 2017–2018 fiscal year, an increase from the previous year. (22; 35; 44; 45; 42; 40) |

In October 2017, the government hosted the Pacific Islands Regional Consultation in Nadi in preparation for the IV Global Conference on the Sustained Eradication of Child Labor. (46)

Although the government has not yet approved a draft National Action Plan for Child Labor or the 5-year Strategic Plan for Combating Child Labor, the government has begun to implement the National Action Plan on the Eradication of Child Labor. (34; 22; 47; 48; 40) The government has not included child labor elimination and prevention strategies into the Pacific UN Development Assistance Framework. (49; 50)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including addressing the needs of children in rural areas.

Table 10. Key Social Programs to Address Child Labor†

| Program | Description |
|--|---|
| Tackling Child Labor Through Education Project (2015–2017) | European Union-funded project that enhanced 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 promoted research and raised awareness on child labor issues. (51) |
| 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. (52) |
| Food Voucher and Bus Fare Assistance† | Ministry of Education program that provides \$24 in food vouchers and subsidized bus fares for families who earn less than \$7,382 combined income, to offset the cost of education for children attending remote schools. In 2017, the government allocated \$216,900 for purchase of new boats and motors to improve access to education for students in rural areas who rely on boats to commute to school. (22; 42; 44; 40) |

Table 10. Key Social Programs to Address Child Labor‡

| Program | Description |
|-------------------------|---|
| Tuition Fee Free Grant† | 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) |

† Program is funded by the Government of Fiji.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (11; 53)

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. (54; 55) NGOs provide limited support services, but these are concentrated in the capital city of Suva. (54; 43; 55)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

| 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 UN CRC Optional Protocol on Armed Conflict. | 2013 – 2017 |
| | Establish by law free basic public education. | 2016 – 2017 |
| | Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups. | 2016 – 2017 |
| | Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor. | 2015 – 2017 |
| Enforcement | Publish information on the Labor Inspectorate funding. | 2015 – 2017 |
| | Publish information on labor law enforcement efforts, the number and type of labor inspections conducted, trainings provided for labor inspectors, and whether routine inspections are conducted. | 2017 |
| | Publish information on criminal law enforcement efforts, including the training system for investigators, the number of investigations conducted, and the number of violations found. | 2017 |
| 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 and to strengthen government efforts to combat the worst forms of child labor. | 2014 – 2017 |
| Government Policies | Finalize and implement the National Action Plan for Child Labor and the 5-year Strategic Plan for Combating Child Labor. | 2013 – 2017 |
| | 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 – 2017 |
| Social Programs | Collect and publish data on the extent and nature of child labor to inform policies and programs. | 2017 |
| | Increase the availability of support services for child victims of commercial sexual exploitation and human trafficking, including adequate counseling and specialized shelters, especially for boys and for children in remote areas. | 2010 – 2017 |

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