

*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, <sup>†</sup> loading, <sup>†</sup> weeding, and spraying chemicals <sup>†</sup> on sugarcane (7; 1; 2)
	Planting, picking, and using chemicals <sup>†</sup> 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 <sup>†</sup> (1)
	Pig farming and goat and cattle herding (1)
	Fishing <sup>†</sup> and deep-sea diving <sup>†</sup> (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)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Collecting bottles <sup>†</sup> and scrap metal <sup>†</sup> (1; 12)
	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)

<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. (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 <sup>†</sup> (34)	2,800 (40)
Number Conducted at Worksites	3,475 <sup>†</sup> (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)

<sup>†</sup> 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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