

Fiji

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Fiji signed an MOU with the Australian Government for joint action to combat child sexual abuse, including cooperative law enforcement mechanisms, as part of Australia's plan of action against Sexual Exploitation of Children.¹⁴²¹ The Ministry of Education is working with the Save the Children Fund to compile data on school enrollment, attendance, completion and drop-out rates.¹⁴²²

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Fiji are unavailable. Children work on family farms or businesses, in homes as domestic workers, as shoe shiners, or in car repair shops.¹⁴²³ Homeless children also work in the informal sector,¹⁴²⁴ and the number of street children in Suva is reported to be growing.¹⁴²⁵ Children are also lured into the commercial sex industry by both local and foreign adults wishing to profit from the pornography trade.¹⁴²⁶

Primary school education is compulsory for eight years.¹⁴²⁷ In 1998, the gross primary enrollment rate was 112.1 percent, and the net primary enrollment rate was 100.9 percent.¹⁴²⁸ Primary school attendance rates are unavailable for Fiji. While enrollment rates indicate a level of commitment to

¹⁴²¹ Australia Department of Family and Community Services, *Australia's National Plan of Action Against the Commercial Sexual Exploitation of Children*, 2000, [cited November 5, 2002]; available from <http://www.focalpointngo.org/DOCS/English/AustraliaPlanAction.htm>.

¹⁴²² With funding from the Australian Government, the Save the Children Fund is also working in Fiji to improve school facilities and increase school accessibility for disadvantaged children. See U.S. Embassy- Suva, *unclassified telegram no. 0756*, September 2001.

¹⁴²³ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Fiji*, Washington, D.C., March 4, 2002, 956-58, Section 5 [cited July 25, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eap/8308.htm>.

¹⁴²⁴ International Confederation of Free Trade Unions, *Internationally-Recognized Core Labour Standards in Fiji: Report for the World Trade Organization General Council Review of the Trade Policies of Fiji, April 9-10, 1997*, Brussels, 1997, [cited November 5, 2002]; available from <http://www.icftu.org/displaydocument.asp?Index=990916254&Language=EN&Printout=Yes>.

¹⁴²⁵ According to this 1999 report, approximately 200 street children live in Suva. See UN Commission on Human Rights, *Rights of the Child: Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography; Addendum, Report on the Mission of the Special Rapporteur to the Republic of Fiji on the Issue of Commercial Sexual Exploitation of Children (October 11-16, 1999)*, E/CN.4/2000/73/Add.3, prepared by Ofelia Calcetas-Santos, December 7, 1999.

¹⁴²⁶ Exploitation of children through both prostitution and pornography occurs both by local and foreign abusers. *Ibid.*

¹⁴²⁷ Ministry of Education, *Report of the Fiji Islands Education Commission/Panel*, 2001, "Conclusion- Directions for Change" [cited November 5, 2002]; available from http://www.fiji.gov.fj/speeches_features/S2000_12/S2000_12_01-02.shtml.

¹⁴²⁸ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

education, they do not always reflect children's participation in school.¹⁴²⁹ In general terms, school attendance is reported to be decreasing due to security concerns, the burden of school fees, and the cost of transportation.¹⁴³⁰

Child Labor Laws and Enforcement

The Employment Act sets the minimum age for employment at 12 years, and establishes that working children between the ages of 12 and 15 years of age are prohibited from harsh conditions, long hours and night work.¹⁴³¹ The Constitution forbids forced labor.¹⁴³² The Penal Code prohibits the sale or hiring of minors under 16 years of age for prostitution.¹⁴³³ There is no enforcement mechanism written into legislation relating to child labor.¹⁴³⁴

The Government of Fiji has not ratified ILO Convention 138, but ratified ILO Convention 182 on April 17, 2002.¹⁴³⁵

¹⁴²⁹ For a more detailed description on the relationship between education statistics and work, see the preface to this report.

¹⁴³⁰ U.S. Department of State, *Country Reports- 2001: Fiji*, 956-60.

¹⁴³¹ UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1995, Addendum: Fiji*, CRC/C/28/Add.7, prepared by Government of Fiji, pursuant to Article 44 of the Convention on the Rights of the Child, September 24, 1996, para. 258.

¹⁴³² *Fiji Constitution, 1988*, Section 24 [cited November 5, 2002]; available from <http://www.oefre.unibe.ch/law.icl.fj00000.html>.

¹⁴³³ *Fiji Islands Penal Code*, Articles 162 and 63 [cited November 13, 2002]; available from http://www.vanuatu.usp.ac.fj/paclawmat/Fiji_legislation/Consolidation_1978/Fiji_Penal_Code.html.

¹⁴³⁴ There are only two inspectors at the Ministry of Labor and no investigators to follow up on claims or reports. Inspections are scheduled once a year, although these inspections are not always carried out. The police department has no mandate to stop child labor practices. See U.S. Embassy- Suva, *unclassified telegram no. 0756*.

¹⁴³⁵ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited August 6, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.