

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 the Sexual Exploitation of Children.¹⁷⁰⁶ Early in 2003, the Labor Ministry permanent secretary announced that a new bill will be introduced in Parliament to strengthen legal efforts to eliminate child labor.¹⁷⁰⁷ This includes the application of international child labor conventions. There has not been a substantive response on the part of the government to address the reported increase in child labor.¹⁷⁰⁸

The Ministry of Education has stated its commitments to three main goals through the Education for All initiative: improvement of educational facilities and resources in rural areas; increase in the school participation rate and reduce dropout in basic education; and improvement of the quality and relevance of education to all.¹⁷⁰⁹ Action towards achieving these goals has been the duty of the Ministry of Education, which has received financial or human resource assistance from UN agencies, foreign embassies, and NGOs.¹⁷¹⁰ While this initiative does not target child workers specifically, disadvantaged youth are targeted for training in employable skills.¹⁷¹¹ The Ministry of Education is also working with Save the Children Fund to compile data on school enrollment, attendance, completion and dropout rates.¹⁷¹²

Save the Children Fiji has several programs, one which aims to increase the universality of basic education and the other to improve the quality of the school structures.¹⁷¹³ The former provides money to needy schools for textbooks, and the textbooks are then hired out to children. The most disadvantaged children have their book fees subsidized by the school.¹⁷¹⁴ The latter project ensures that needy schools also have water storage tanks and toilets that are in compliance with the Public Health Act. The community is involved in both the construction and maintenance of these facilities.¹⁷¹⁵ Save the Children Fiji also worked to ensure that school attendance would not suffer following the political coup in 2000 by canvassing for funds for school lunches and bus fares.¹⁷¹⁶ Most recently, the Government of New Zealand has pledged several hundred thousand dollars to help rebuild schools destroyed by Cyclone Ami in January 2003.¹⁷¹⁷

¹⁷⁰⁶ Australia Department of Family and Community Services, *Australia's National Plan of Action Against the Commercial Sexual Exploitation of Children*, 2000; available from <http://www.focalpointngo.org/DOCS/English/AustraliaPlanAction.htm>.

¹⁷⁰⁷ *Fiji Gets Tough on Child Labor*, in One News, [online] 2003 [cited May 12, 2003]; available from http://www.onenews.nzoom.com/onenews_detail/0,1227,159334-1-9,00.html.

¹⁷⁰⁸ U.S. Department of State, *unclassified telegram no. 0474*, July 20, 2003.

¹⁷⁰⁹ UNESCO, *Education For All 2000 Assessment: Country Report— Fiji*, prepared by Mr. Isireli Senibulu Ministry of Education, pursuant to UN General Assembly Resolution 52.84, May 12, 1999; available from <http://www2.unesco.org/wef/countryreports/fiji/contents.html#cont>.

¹⁷¹⁰ Ibid.

¹⁷¹¹ Ibid. For general information on youth training programs provided by the government, see *Ministry of Youth, Employment Opportunities and Sports*, Fiji Government Online, [online] 2003 [cited May 12, 2003]; available from http://www.fiji.gov.fj/ministries/youth_employment_sports.shtml.

¹⁷¹² U.S. Embassy- Suva, *unclassified telegram no. 0756*, September 25, 2001.

¹⁷¹³ *Fiji*, Save the Children New Zealand, [online] 2003 [cited May 12, 2003]; available from <http://www.savethechildren.org.nz/pages/10214301082682523.html>.

¹⁷¹⁴ Ibid.

¹⁷¹⁵ Ibid.

¹⁷¹⁶ *Activities that Support the Right to Survival*, Save the Children, [online] 2003 [cited May 12, 2003]; available from <http://www.seapa.net/external/activities.htm>.

¹⁷¹⁷ Hon Marian Hobbs, *NZ Pledges More Money to Cyclone Hit Fiji*, Government of New Zealand, [online] 2003 [cited May 28, 2003]; available from <http://www.reliefweb.int/w/rwb.nsf/6686f45896f15dbc852567ae00530132/a1b47f02770adf27c1256d10003fc70?OpenDocument>.

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,¹⁷¹⁸ in homes as domestic workers, as shoe shiners, or in car repair shops.¹⁷¹⁹ Homeless children also work in the informal sector,¹⁷²⁰ and the number of street children in Suva is reported to be growing.¹⁷²¹ Children are also lured into the commercial sex industry by both local and foreign adults wishing to profit from the pornography trade.¹⁷²²

Primary school education is compulsory for eight years.¹⁷²³ In 1998, the gross primary enrollment rate was 110.4 percent, and the net primary enrollment rate in 2000 was 99.3 percent.¹⁷²⁴ Primary school attendance rates are unavailable for Fiji. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.¹⁷²⁵ In general terms, school attendance is reported to be limited for some children due to security concerns, the burden of school fees, and the cost of transportation.¹⁷²⁶

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.¹⁷²⁷ The Constitution prohibits forced labor.¹⁷²⁸ The Penal Code prohibits the sale or hiring of minors under 16 years of age for prostitution.¹⁷²⁹ The laws regulating child labor and their enforcement are both considered insufficient.¹⁷³⁰

The Government of Fiji ratified ILO Convention 138 on January 3, 2003 and ILO Convention 182 on April 17, 2002.¹⁷³¹

¹⁷¹⁸ 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; available from <http://www.icftu.org/displaydocument.asp?Index=990916254&Language=EN&Printout=Yes>.

¹⁷¹⁹ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Fiji*, Washington, D.C., March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18244.htm>.

¹⁷²⁰ International Confederation of Free Trade Unions, *Internationally-Recognized Core Labour Standards in Fiji*.

¹⁷²¹ 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 27, 1999, Point 104; available from <http://www.193.194.138.190.Huridocda/Huridoca.nsf/0/4aeb5780d6b8516e802568960053e092?OpenDocument>.

¹⁷²² *Ibid.* Exploitation of children through both prostitution and pornography occurs both by local and foreign abusers. See also The Protection Project, "Fiji," in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, 2002, 192-95; available from <http://209.190.246.239/ver2/cr/Fiji.pdf>.

¹⁷²³ UNESCO, *EFA 2000 report: Fiji*.

¹⁷²⁴ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

¹⁷²⁵ For a more detailed description on the relationship between education statistics and work, see the preface to this report.

¹⁷²⁶ U.S. Department of State, *Country Reports- 2002: Fiji*, 956-60.

¹⁷²⁷ Government of Fiji, *Employment Ordinance*, (1978), Chapter 92, Section VIII; available from http://paclii.org/vu/fj/legis/consol_act/eo202.html.

¹⁷²⁸ *Fiji Constitution, 1988*, Section 24; available from <http://www.oefre.unibe.ch/law.icl.fj00000.html>.

¹⁷²⁹ *Penal Code*, (1978), Section 162-63; available from http://www.vanuatu.usp.ac.fj/paclawmat/Fiji_legislation/Consolidation_1978/Fiji_Penal_Code.html.

¹⁷³⁰ 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. Department of State, *Country Reports- 2002: Fiji*, Section 6d.

¹⁷³¹ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited May 12, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.