

# Fiji

## Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Fiji are unavailable.<sup>1827</sup> According to the Fijian Teachers Association and the Fiji Teachers Union, and based on school attendance and dropout rates, it is estimated that 20,000 to 30,000 children work in the informal sector, family businesses and family farms.<sup>1828</sup> Children work in agriculture in Fiji, including in the tobacco sector.<sup>1829</sup> Other children, especially those that are homeless, work in the informal sector and on the streets. Children shine shoes, collect bottles, run errands for restaurants, repair cars, and work as domestics in homes.<sup>1830</sup> Children on the streets are susceptible to commercial sexual exploitation<sup>1831</sup> and are lured into the commercial sex industry by both local and foreign adults wishing to profit from the pornography trade.<sup>1832</sup>

Primary school education is compulsory for children ages 6 to 15.<sup>1833</sup> In 2001, the gross primary enrollment rate was 109 percent, and the net primary enrollment rate was 100 percent.<sup>1834</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Fiji.<sup>1835</sup> The cost of transportation and the imposition of fees at some schools are reported to limit attendance for some children.<sup>1836</sup> As of 2000, 88 percent of children who started primary school were likely to reach grade 5.<sup>1837</sup> As it is compulsory for children to attend primary school, some schools put various

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<sup>1827</sup> This statistic is not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the section in the front of the report titled "Data Sources and Definitions."

<sup>1828</sup> U.S. Embassy- Suva, reporting, August 26, 2005.

<sup>1829</sup> Farm Consultancy Services, *Child Labour in the Fiji Tobacco Industry*, Geneva, September 21, 2004, 17, 19; available from <http://www.eclt.org/news/updates.html>.

<sup>1830</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Fiji*, reporting, Washington, DC, February 28, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41642.htm>.

<sup>1831</sup> Ibid.

<sup>1832</sup> 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, Geneva, December 27, 1999, Para. 36, 104; available from <http://www.hri.ca/forthecord2000/documentation/commission/e-cn4-2000-73-add3.htm>. See also The Protection Project, *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children: Fiji*, 2005; available from <http://www.protectionproject.org/report/allreports.htm>.

<sup>1833</sup> UNESCO, *Global Education Digest 2004: Comparing Education Statistics Around the World*, UNESCO Institute for Statistics, Montreal, 2004; available from [http://www.uis.unesco.org/TEMPLATE/pdf/ged/2004/GED2004\\_EN.pdf](http://www.uis.unesco.org/TEMPLATE/pdf/ged/2004/GED2004_EN.pdf). See also U.S. Department of State, *Country Reports- 2004: Fiji*, Section 5.

<sup>1834</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

<sup>1835</sup> This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

<sup>1836</sup> U.S. Department of State, *Country Reports- 2004: Fiji*, Section 5. See also UN Commission on Human Rights, *Report of the Special Rapporteur on the Sale of Children*, Para. 84.

<sup>1837</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

forms of pressure on the children to pay a fee. If the children do not pay the fee, they can be sent home, prevented from enrolling in the next school year, or barred from taking external exams.<sup>1838</sup>

## Child Labor Laws and Enforcement

The worst forms of child labor may be prosecuted under different statutes in Fiji. The Employment Ordinance states no child under the age of 12 years shall be employed in any capacity whatsoever. The Employment Act sets the minimum ages for employment, with children defined as being less than 15 years of age. The Act also establishes that children between 12 and 15 years cannot work under harsh working conditions or where there are long hours, night work, or hard or heavy work.<sup>1839</sup> The Constitution prohibits forced labor,<sup>1840</sup> and the Penal Code prohibits the sale or hiring of minors less than 16 years of age for prostitution.<sup>1841</sup> Currently, there is no law concerning the minimum age of conscription into the military. The minimum age for voluntary military service is 18 years of age.<sup>1842</sup> The U.S. Department of State has reported that the country's child labor laws and enforcement mechanisms are insufficient.<sup>1843</sup>

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

A committee with a broad range of members, including the Ministry of Labor, Ministry of Women, Ministry of Education, Ministry of Information, the ILO, the Fiji Police Force, employers' and workers' organizations, and UNICEF was formed in June 2005 to focus on issues of the elimination of the worst forms of child labor. The committee will develop programs to address child labor issues in Fiji and in other Pacific Island countries.<sup>1844</sup>

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	1/3/2003	✓
Ratified Convention 182	4/17/2002	✓
ILO-IPEC Associated Member		✓
National Plan for Children		
National Child Labor Action Plan		
Sector Action Plan		

The Government of Fiji receives bilateral assistance for the country's development strategy from donor agencies such as Australia's International Aid and Development Agency (AusAID) and New Zealand's International Aid and Development Agency (NZAID) to implement new programs in the education sector, particularly in rural and peri-urban

<sup>1838</sup> UN Commission on Human Rights, *Report of the Special Rapporteur on the Sale of Children*, Para. 84.

<sup>1839</sup> Government of Fiji, *Employment Ordinance*, (1978), Section 58; available from [http://paclii.org/vu/fj/legis/consol\\_act/eo202.html](http://paclii.org/vu/fj/legis/consol_act/eo202.html). See also 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, Section 258; available from [http://www.bayefsky.com/reports/fiji\\_crc\\_c\\_28\\_add.7\\_1996.php](http://www.bayefsky.com/reports/fiji_crc_c_28_add.7_1996.php).

<sup>1840</sup> *Fiji Constitution*, 1988, Section 24; available from [http://www.oefre.unibe.ch/law/icl/fj00000\\_.html](http://www.oefre.unibe.ch/law/icl/fj00000_.html).

<sup>1841</sup> Government of Fiji, *Penal Code*, (1978), Section 162-3; available from [http://www.vanuatu.usp.ac.fj/paclawmat/Fiji\\_legislation/Consolidation\\_1978/Fiji\\_Penal\\_Code.html](http://www.vanuatu.usp.ac.fj/paclawmat/Fiji_legislation/Consolidation_1978/Fiji_Penal_Code.html).

<sup>1842</sup> Central Intelligence Agency, *The World Factbook - Fiji*, Washington, August 30, 2005; available from <http://www.cia.gov/cia/publications/factbook/geos/fj.html>.

<sup>1843</sup> U.S. Department of State, *Country Reports- 2004: Fiji*, Section 6d.

<sup>1844</sup> International Labor Organization, *Commemoration of the World Day Against Child Labour*, prepared by International Programme on the Elimination of Child Labour, June 12, 2004; available from [http://www.ilo.org/public/english/standards/ipecc/themes/domestic/wdacl\\_followup\\_04.htm](http://www.ilo.org/public/english/standards/ipecc/themes/domestic/wdacl_followup_04.htm). See also Fiji Government, *Committee Set Up to See Eradication of Child Labour*, 2005; available from <http://www.fiji.gov.fj/cgi-bin/cms/exec/view.cgi/64/4884.shtml>.

areas.<sup>1845</sup> The Government of Fiji has several ongoing education programs being funded by AusAID: the Lautoka Teachers College Upgrade (2002-2005); the Fiji Education Sector Program (2003-2008); and the Rural Schools Infrastructure Project (ongoing). These projects are intended to train primary school teachers; improve the delivery and quality of educational services; and improve access to schools in rural areas.<sup>1846</sup> NZAID provides the Government of Fiji with resources to support primary school education.<sup>1847</sup>

Save the Children Fiji cooperates with the Ministry of Education to identify schools in need of textbooks and provides money to these schools to purchase textbooks. Children from families with financial need are given school subsidies so that the children have access to books.<sup>1848</sup>

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<sup>1845</sup> AusAID, *AusAID Pacific Program Profiles 2003-2004- Fiji*, Australian Government, Canberra, February 2003, pg. 13; available from [http://www.ausaid.gov.au/publications/pdf/pac\\_prog\\_prof.pdf](http://www.ausaid.gov.au/publications/pdf/pac_prog_prof.pdf). See also NZAID, *Fiji Overview*, New Zealand Government, June 1, 2005; available from <http://www.nzaid.govt.nz/programmes/c-fiji.html>.

<sup>1846</sup> AusAID, *AusAID Pacific Program Profiles 2003-2004- Fiji*, 13. See also AusAID, *Australia's \$20 Million Boost for Education in Fiji*, AusAID, July 4, 2003; available from [http://www.ausaid.gov.au/media/release.cfm?BC=Media&Id=5506\\_5294\\_8923\\_1756\\_6298](http://www.ausaid.gov.au/media/release.cfm?BC=Media&Id=5506_5294_8923_1756_6298).

<sup>1847</sup> NZAID, *Fiji Overview*.

<sup>1848</sup> Save the Children, *Save the Children Fiji*, Save the Children, Southeast, East Asia, and Pacific Region, [cited July 7, 2005]; available from <http://www.seapa.net/external/members/sc-fiji.htm>. See also Save the Children, *What We Do and Why: Fiji*, New Zealand, December 15, 2003 [cited July 7, 2005]; available from [http://www.savethechildren.org.nz/new\\_zealand/what\\_we\\_do/our\\_projects/fiji.html](http://www.savethechildren.org.nz/new_zealand/what_we_do/our_projects/fiji.html).