

Fiji



Population: 957,780 (July 2010 est.)

Population Growth Rate: 1.367% (July 2010 est.)

Birth Rate: 21.92 births/1,000 population

Life Expectancy: total population: 71.03 years

male: 68.46 years

female: 73.73 years (2010 est.)

Literacy Rate: total population: 93.7%; male: 95.5%; female: 91.9% (2003 est.)

Net Migration Rate: -2.32 migrant(s)/1,000 population (2010 est.)

Unemployment Rate: 7.6% (1999 est.)

Gross Domestic Product per Capita: \$3,900 (2009 est.)

Religions: Christian 64.5% (Methodist 34.6%, Roman Catholic 9.1%, Assembly of God 5.7%, Seventh Day Adventist 3.9%, Anglican 0.8%, other 10.4%), Hindu 27.9%, Muslim 6.3%, Sikh 0.3%, other or unspecified 0.3%, none 0.7%

Languages: English (official) x%, Fijian (official) x%, Hindustani x%

Ethnic Groups: Fijian 57.3%, Indian 37.6%, Rotuman 1.2%, other (European, other Pacific Islanders, Chinese) 3.9%

Capital: Suva (on Viti Levu)¹

Trafficking Routes

Fiji is a source country for children trafficked for the purposes of commercial sexual exploitation and forced labor. It is also a destination country for women from the People's Republic of China, trafficked for the purposes of forced labor and commercial sexual exploitation.² Sex tourists reportedly travel to the South Pacific, including Fiji, to engage in the commercial sexual exploitation of children.³

Factors That Contribute to the Trafficking Infrastructure

Payments to officials in connection with the issuing of work permits, visas, citizenship certificates, and passports have been identified in Fiji.⁴ Pacific Island children may be particularly vulnerable targets for child sex tourists. As the South Pacific emerges as a huge tourist destination, and as police crack down on sex tourists both in their home countries (such as

¹ CIA, THE WORLD FACTBOOK (2009), <https://www.cia.gov/library/publications/the-world-factbook/geos/fj.html>.

² *Id.* at 1.

³ Shailendra Singh, *SOUTH PACIFIC: Poverty Breeds Child Labour and Sex Tourism*, INTER PRESS SERVICE (IPS) NEWS AGENCY, Jun. 18, 2008, available at: <http://ipsnews.net/news.asp?idnews=42868>.

⁴ ROB MCCUSKER, AUSTRALIAN INSTITUTE OF CRIMINOLOGY, TRANSNATIONAL CRIME IN THE PACIFIC ISLANDS: REAL OR APPARENT DANGER? (2006), available at: <http://www.aic.gov.au/documents/1/3/1/%7B131B91C4-909C-482F-B437-42EC40ED4449%7Dtandi308.pdf>.

Australia) and in the more popular destination countries in Asia, there is concern that child sex tourism and associated activities are on the increase in the region.⁵

There is a clear link between economic need and sex work. Women sex workers are often pressured into this work by lack of money caused by unemployment, divorce, desertion, failure of men to pay child maintenance, and lack of support from relations.⁶

Societal changes have severely affected the traditional village and extended family based structures. Effects of these changes include increased child abuse and a growing number of homeless youth in urban areas. Homeless children are often seen working on the street or involved in prostitution. Because of this, children in Fiji are particularly vulnerable to commercial sexual exploitation.⁷

Another issue of social concern is inadequate housing, especially in Suva, with its squatter settlements. Children living in squatter settlements are often exposed to sexual contact between adults. One side effect of this is the risk of children engaging in hazardous sexual practices. Open living arrangements increase the vulnerability of women and children in these settlements to abuse by family relatives and visitors. Children are also at greater risk of dropping out of school, making them vulnerable to illegal activities like child labor and commercial sexual exploitation.⁸

Forms of Trafficking

Commercial sexual exploitation and forced labor are the most common forms of human trafficking in Fiji. Some Asian women brought to Fiji as garment workers, usually from China, are believed to be engaged in prostitution. It has also been reported that parents offer their own children to sailors from Korea and Taiwan for sexual services in exchange for money. Children in Fiji often become involved in prostitution because of poverty, boredom, the desire to earn extra spending money, the demand by tourists, and the lack of enforcement and education.⁹

Government Responses

Article 157 of the Fiji Penal Code prohibits procurement as an offense against morality.¹⁰ Procuring a woman so that she will become a prostitute, or will frequent or become an inmate of a brothel, is a misdemeanor punishable by imprisonment for two years, with or without corporal

⁵“End Child Prostitution, Pornography, and Trafficking (ECPAT), *International Online Database*, July 2008. available at: <http://www.ecpat.net>. (last visited October 8, 2008).

⁶ SAVE THE CHILDREN, FIJI, *THE COMMERCIAL SEXUAL EXPLOITATION AND SEXUAL ABUSE OF CHILDREN IN FIJI: A SITUATIONAL ANALYSIS* (2004), available at: http://www.unescap.org/esid/gad/issues/csec/CSEC%20Fiji%20Report%20_Edited_%201205.pdf.

⁷ *Id.* at 6.

⁸ *Id.* at 6.

⁹ Global March Against Child Labor, *Worst Form of Child Labor-Fiji*, <http://www.globalmarch.org/worstformsreport/world/fiji.html> (last visited September 8, 2009).

¹⁰ Penal Code (Fiji), art. 157, available at: http://www.itc.gov.fj/lawnet/fiji_act/penal_code.html (last visited July 15, 2009). (...morality including rape, abduction, indecent assaults on a female, defilement of girls, procurement, detention with intent of prostitution, or detention in a brothel, selling or buying minors for immoral purposes, living on earnings of prostitution, loitering or soliciting for the purposes of prostitution, maintaining a brothel, performing or submitting to an abortion, practicing indecent behavior by males, and practicing incest by males or females).

punishment.¹¹ The same punishment applies to cases of procurement involving threats or intimidation, false pretenses or false representations, or forced drug use.¹² These offenses are penalized whether they occur in Fiji or elsewhere.¹³

The code prohibits detaining any woman or girl against her will in a brothel,¹⁴ living on the earnings of prostitution,¹⁵ loitering or soliciting for the purposes of prostitution,¹⁶ or keeping or managing a brothel.¹⁷ Procuring minors to have unlawful carnal connection,¹⁸ owning or occupying a premise where a girl is unlawfully carnally known by a man,¹⁹ and selling²⁰ and buying minors²¹ for immoral purposes are all prohibited.

The penal code provides that no person will be convicted of any offense related to prostitution activities on the evidence of only one witness, unless that witness's testimony can be corroborated by material evidence implicating the accused.²²

The constitution provides for "freedom from servitude and forced labor,"²³ stating that a person may not be held in slavery or servitude and may not be forced to work.²⁴ In addition, the penal code states that anyone who forces another person to work against her or his will is guilty of a misdemeanor.²⁵

The abduction of a woman with the intent to marry her or carnally know her, or to cause her to be married or carnally known by another person, is punishable by imprisonment for seven years, with or without corporal punishment.²⁶ The abduction of a girl under the age of 18 with the intent of having unlawful carnal knowledge of her is a misdemeanor.²⁷

The penal code forbids the production and possession of obscene materials and the public exhibition of indecent shows or performances. Punishment is imprisonment for two years or a fine.²⁸

Kidnapping a person "beyond the limits of Fiji" without consent of that person is punishable by imprisonment for seven years.²⁹ Abducting a girl younger than 16 is a misdemeanor.³⁰ Kidnapping or abducting a person in order to subject him or her to grievous harm, to slavery, or to the unnatural lust of another person is punishable by imprisonment for 10

¹¹ *Id.* at 10, art. 157(1).

¹² *Id.* at 10, art. 158.

¹³ *Id.* at 10, arts. 157–158.

¹⁴ *Id.* at 10, art. 161(1b) (extending to cases of constructive detention).

¹⁵ *Id.* at 10, arts. 166 and 167.

¹⁶ *Id.* at 10, art. 168. Under article 168(5), a public place includes "the doorways and entrances of premises abutting on any public way and any ground adjoining and open to any public place."

¹⁷ *Id.* at 10, art. 170.

¹⁸ *Id.* at 10, art. 157.

¹⁹ *Id.* at 10, art. 159–160.

²⁰ *Id.* at 10, art. 162.

²¹ *Id.* at 10, art. 163.

²² *Id.* at 10, art. 157(1) and 158.

²³ Fiji Islands Constitution art. 24, available at: http://www.pacii.org/fj/legis/num_act/ca1997268/.

²⁴ *Supra* at 23, art. 24(1). (according to article 24(2), forced labor does not include labor required because of the sentence or order of a court, labor reasonably required of a person serving a term of imprisonment, labor required of a member of military service, or labor required as part of reasonable and normal communal or civic obligations).

²⁵ *Id.* at 10, art. 257.

²⁶ *Id.* at 10, art. 152.

²⁷ *Id.* at 10, art. 153.

²⁸ *Id.* at 10, art. 188.

²⁹ *Id.* at 10, art. 248.

³⁰ *Id.* at 10, art. 255.

years.³¹ Wrongfully concealing or confining a kidnapped or abducted person is subject to the same punishment as kidnapping or abducting such a person with the same intention or knowledge.³²

Anyone who unlawfully confines another person is subject to punishment by imprisonment for one year or a fine.³³ The penal code criminalizes official corruption, punishable with imprisonment for seven years.³⁴ Also, the code outlaws the forgery of documents,³⁵ seals, and dies.³⁶ In 1995, the Child Abuse and Personal Crime Unit was established to deal with the alarming number of reports of child abuse.³⁷

In 2003, a committee of representatives from the International Labour Organization, the government, employers' and workers' organizations, the Fiji police force, and the Social Welfare Department was formed to promote child labor issues nationally. At their first joint meeting, the representatives agreed that legislation needed to be reviewed, laws tightened, and an extensive survey conducted. Furthermore, the government's National Strategic Plan (2003–05) stressed the government's commitment to policies that help eradicate child labor.³⁸

Nongovernmental and International Organization Responses

Save the Children Fiji (SC Fiji) is a nongovernmental organization associated with the International Save the Children Alliance. Save the Children is the world's largest independent organization for children, and it uses the United Nation's Convention on the Rights of the Child (which Fiji ratified in 1993) as its guiding principles.³⁹ SC Fiji's goals include protecting vulnerable children and demonstrating the most effective ways of helping at-risk children, including protection and education. The NGO works on strengthening family and community structures in order to deter potential traffickers. It collects evidence of trafficking and works with governments and child agencies locally, nationally, and internationally in an effort to protect children.⁴⁰

The Fiji Women's Rights Movement (FWRM) is another NGO active in Fiji that is committed to eliminating discrimination against women, especially by enacting legislative change. The FWRM pressures the government of Fiji to reform its family laws and to ratify the various international conventions on women's rights.⁴¹

³¹ *Id.* at 10, art. 252.

³² *Id.* at 10, art. 253.

³³ *Id.* at 10, art. 256.

³⁴ *Id.* at 10, art. 106.

³⁵ *Id.* at 10, art. 335.

³⁶ *Id.* at 10, art. 342.

³⁷ *Id.* at 10, art. 335.

³⁸ Viliame Tikotani, *Child Labour: The Rising Social Issue of Concern*, July 24, 2003, <http://www.fiji.gov.fj/cgi-bin/cms/exec/view.cgi/58/1363/printer>.

³⁹ Save the Children, Fiji, *About Us*, http://www.savethechildren.org.fj/fiji/about_us/index.html (last visited Sept. 8, 2009).

⁴⁰ Save the Children, *Child Trafficking*, available at: <http://www.savethechildren.ca/en/what-we-do/exploitation-abuse/trafficking> (last visited Sept. 8, 2009).

⁴¹ Fiji Women's Right Movement, <http://www.fwrn.org.fj/index.cfm?go=view&pgID=30> (last visited Sept. 8, 2009).

Shared Hope International is committed to rescuing and restoring women and children in crisis.⁴² The NGO runs Village of Hope in Fiji, which provides trafficking victims with a safe place to physically and emotionally heal. Victims receive medical treatment, counseling, and education, while learning about finances and building equity.⁴³

Multilateral Initiatives

The governments of Australia and New Zealand have both bilaterally funded projects specifically to help improve border control and immigration into and out of the Pacific generally. Other broader initiatives to combat transnational crime include the Pacific Transnational Crime Coordination Centre, an Australian Federal Police initiative designed to provide the region with an intelligence and information-sharing unit. This initiative expands upon the Transnational Crime Units (TCUs) recently established within Fiji.⁴⁴

⁴² Shared Hope International, *Frequently Asked Questions*, <http://www.sharedhope.org/faq.asp> (last visited on Sept. 8, 2009).

⁴³ Shared Hope International, *Fiji*, <http://www.sharedhope.org/where/fiji.asp> (last visited on Sept. 8, 2009).

⁴⁴ Pacific Transnational Crime Coordination Center (PTCCC), <http://www.globalcollab.org/Nautilus/australia/australia-in-pacific/pacific-transnational-crime-coordination-centre>, (last visited Feb.1, 2010).