

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Fiji - 2021

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY
LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

REPORTING

Fulfillment of Government's reporting obligations

p29 Fulfillment of Government's reporting obligations

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

c) The competent authorities?

92. To which employers organizations was the report sent? [12] Please provide the list

None

93. To which workers organizations was the report sent? [13] Please provide the list

None

94. Please describe the consultation process(es). [10.2]

The Ministry consulted the most competent authorities such as relevant government Ministries.

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	Through the Employment Relations Advisory Board and National Health Occupational and Safety Board
95. Did employers organizations comment on the report? [11a]	No
96. Did workers organizations comment on the report? [11b]	No
Workers' organizations	
83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]	Yes
84. Please provide details and provide any relevant URL(s) [6.2]	Through the Employment Relations Advisory Board and National Health Occupational and Safety Board
95. Did employers organizations comment on the report? [11a]	No
96. Did workers organizations comment on the report? [11b]	No
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	
Ratification	
Ratification status	
p29 Ratification status	P29 not ratified

Ratification intention	
61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?	Likely
62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?	None
Existence of a policy and or plan of action for the suppression of forced or compulsory labour	
63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]	Yes
65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]	The Ministry has been consulting the employers and workers organization through the Employment Relations Advisory Board and National Occupational Health & Safety Board
68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]	Yes
69. Please describe these measures. [1.5]	The policies and measures are embedded in our National Laws. 1. The Employment Relations Act 2007, 2. Health & Safety at Work Act 1996
70. Does the Government collect and analyse statistical data and other	Yes

<p>information on the nature and extent of forced or compulsory labour? [1.6]</p>	
<p>71. Please describe these data. [1.6.1]</p>	<p>The data is collected through conducting of Labour Inspection under the Employment Relations Act 2007</p>
<p>Measures taken or envisaged for systematic and coordinated action</p>	
<p>64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]</p>	<p>The policies and measures are embedded in our National Laws. 1. The Employment Relations Act 2007, 2. Health & Safety at Work Act 1996</p>
<p>Measures taken or envisaged to prevent forms of forced labour</p>	
<p>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</p>	<p>Yes</p>
<p>75. If so, please indicate the type of measures, [2.2]</p>	<p>a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, b) Strengthening and broadening of the coverage of legislation, particularly labour law, c) Regulation and supervision of the labour recruitment and placement process, d) Supporting due diligence by the public and private sectors, e) Addressing the root causes that perpetuate forced labour, f) Promotion of safe and regular migration, g) Education/vocational training, h) Capacity building for the competent authorities, i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations, j) Basic social security guarantees</p>

<p>75.f. Please provide a description of measures taken or envisaged:</p>	<p>The awareness, promotion and training has been conducted to workers and employers in Fiji</p>
<p>75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:</p>	<p>The awareness, promotion and training has been conducted to workers and employers in Fiji</p>
<p>Measures taken or envisaged to protect victims of forced labour</p>	
<p>76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]</p>	<p>Yes</p>
<p>77. If so, please indicate the type of measures [3.2]</p>	<p>a) Training of relevant actors for identification of forced labour practices, b) Legal protection of victims, c) Material assistance for victims, d) Medical and psychological assistance for victims, e) Measures for the rehabilitation and social and professional reintegration of victims, f) Protection of privacy and identity, g) Appropriate accommodation, h) Specific measures for children, i) Specific measures for migrants</p>
<p>Measures taken or envisaged to facilitate access to remedies</p>	
<p>78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]</p>	<p>Yes</p>
<p>79. If so, please indicate the type of measures, [4.2]</p>	<p>a) Information and counselling for victims regarding their rights, b) Free legal assistance, c) Cost-free proceedings, d) Development of forced labour indicators, e) Access to remedies and compensation, f) Capacity building and enhanced resources for the competent authorities,</p>

	such as labour inspection, law enforcement, prosecution services and judges, h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons
80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]	Yes
Cooperation with other Member States, international / regional organizations or NGOs	
81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]	Yes
82. Please briefly describe the modalities of this cooperation. [5.2]	Through consultation, exchange of information, training and development
Promotional activities	
90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]	The inter Agency government departments have been conducting training and awareness to workers and employers and other stakeholders on the area of forced and compulsory labour and victim protection
Special initiatives or Progress	
85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major	The Fijian government has ratified the ILO convention 190 on Violence & Harassment convention. The Government inter agency departments have continued to work together to ensure training,

<p>programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]</p>	<p>awareness and investigations are conducted into areas of forced labour</p>
<p>90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]</p>	<p>The inter Agency government departments have been conducting training and awareness to workers and employers and other stakeholders on the area of forced and compulsory labour and victim protection</p>

CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL

According to the social partners

Employers' organizations

<p>86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]</p>	<p>b) Lack of information and data, g) Lack of resources in the institutional framework, h) Challenges linked to the labour recruitment and placement process</p>
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Workers' organizations

<p>86. What are the main obstacles encountered by your country with regard to realizing the principle of effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]</p>	<p>b) Lack of information and data, g) Lack of resources in the institutional framework, h) Challenges linked to the labour recruitment and placement process</p>
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According to the Government

<p>86. What are the main obstacles encountered by your country with regard to realizing the principle of</p>	<p>b) Lack of information and data, g) Lack of resources in the institutional framework,</p>
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<p>effective and sustained suppression of all forms of forced labour through prevention, victim protection and access to remedies? [8]</p>	<p>h) Challenges linked to the labour recruitment and placement process</p>
<p>TECHNICAL COOPERATION NEEDS</p>	
<p>Request</p>	
<p>87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]</p>	<p>Yes</p>
<p>88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]</p>	<p>b) Awareness-raising and mobilization activities => Important</p> <p>c) Collection and analysis of data and information => Important</p> <p>d) Guidance on the development of the national policy and plan of action => Important</p> <p>e) Strengthening the legal framework => Important</p> <p>f) Capacity building for the competent authorities => Important</p> <p>g) Inter-institutional coordination => Important</p> <p>h) Promotion of fair recruitment and placement practices => Important</p> <p>i) Promotion of fair migration policies => Important</p>

	<p>j) Vocational training, job-creation and income-generation programmes for at-risk populations => Important</p> <p>k) Basic social security guarantees => Important</p> <p>l) Guidance on supporting due diligence => Important</p> <p>m) Capacity building for employers' and workers' organizations => Important</p> <p>n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Important</p> <p>o) Exchange of experiences between countries or regions; international cooperation => Important</p> <p>p) Other => Important</p>
<p>89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.</p>	<p>1. Technical cooperation and assistance with ILO 2. Training and development for enforcement officers on the area of forced and compulsory labor 3. Collection and data analysis information</p>