Concluding observations for Fiji’s combined 2-4th periodic reports

CRC/C/FIJ/CO/2-4

*Below is a short summary of some of the key issues from the Committee on the Rights of the Child’s 67th session concluding observation for Fiji’s combined second to fourth periodic reports to the Convention on the Rights of the Child.*

*Read the full text here.*

*You can find other documents related to the Committee's 67th session (including alternative reports submitted by NGOs and the Committee's concluding observations for other States reviewed in this session) on*[*the Committee’s session page.*](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=837&Lang=en)

**Non-discrimination:**

The Committee noted with serious concern that children from ethnic minorities, children living with HIV/AIDS and children with disabilities are often faced with stigma and discrimination. Furthermore, the Committee was deeply concerned about the prevalence of patriarchal attitudes, deep-rooted perceived gender roles and existing laws and regulations that discriminate against girls in the family and in the community (para.22).

**Nationality:**

The Committee regrets that birth registration is still not free and that late registration is penalized with a fee. The Committee is furthermore concerned about reports indicating a decline of birth registration in the past two years, in particular in remote islands (para.24).

**Violence:**

The Committee deeply regrets the high rate of domestic violence directed against girls, as well as against women, which in turn affect their children. In this context, the Committee is furthermore seriously concerned about the State party’s indication that during prosecution of perpetrators of acts against girls and women, traditional apologies for example *bulubulu* may in practice be considered a mitigating factor before a sentence is imposed (para.28).

**Corporal punishment:**

The Committee notes with serious concern that corporal punishment is not explicitly prohibited in the home, alternative care settings and day care (para.30).

**Sexual exploitation:**

The Committee notes with deepest concern, however, that sexual exploitation and abuse of children is prevalent in the State party, including organised child prostitution networks and brothels. Furthermore, the Committee is highly concerned about: traditional apologies such as *bulubulu* being used as reparation, and the possibility of *bulubulu* being used in practice as mitigating factor for sexual offences; Sexual abuse and exploitation remaining frequently unreported, and sexual exploitation of children being closely linked to poverty, with pressure placed on children to earn money (para.32).

**Children deprived of a family environment:**

The Committee regrets the limited monitoring of the implementation of the minimum standards of care in institutions, as well as reports indicating difficulties faced by the Ministry for Social Welfare Women and Poverty Alleviation in managing the Homes, which lead to the outsourcing of such services (para.35).

**Adoption:**

The Committee is concerned about the lack of a national authority officially in charge of monitoring adoption; The ongoing practice of informal domestic inter-family adoption, with children adopted via an informal arrangement not being guaranteed the same protection as children adopted via a formal arrangement; and reports of an increase in the adoption of children from China, India and Pakistan in the past 5 years, not being appropriately monitored or followed up (para.37).

**Children with disabilities:**

The Committee notes with high concern that children with disabilities are frequently faced with discrimination and exclusion, and furthermore regrets that children with disabilities are often faced with extreme poverty, and that insufficient measures are taken by the State party to ensure the effective access of children with disabilities to health, education and social services, and to facilitate their full inclusion into society; Children with disabilities, particularly girls, are more vulnerable to sexual exploitation and violence, including prostitution; (para.39).

**Health:**

The Committee furthermore regrets the geographic disparities regarding infant- and under-5 mortality, with under-5 mortality being significantly higher in the Eastern and Northern Divisions, particularly due to the remoteness of villages and lack of easily accessible health services (para.41). TheCommittee regrets the increasing suicidal behaviour among children within the State party (para.43).

While acknowledging the measures taken to inform children about sexual and reproductive health, both by the Adolescent Health Development Clinic, as well as via teacher training in Family Life Education, the Committee is very concerned about the high rates of teenage pregnancies (para.47).

**HIV/AIDS:**

The Committee is highly concerned that the rate of young people diagnosed with HIV is steadily increasing (para.49).

**Harmful practices:**

The Committee is very concerned about the prevalence of arranged marriages of girls of 15 years of age, particularly in Indo-Fijian communities (para.45). The Committee recommends to amend legislation to ensure criminalization and prosecution of early and forced marriage, and set up awareness-raising and educational programmes about the harmful effects of early and forced marriage (para.46).

**Drug and substance abuse:**

The Committee regrets that the use of different types of drugs, such as marijuana, ecstasy, speed and cocaine, as well as glue sniffing, among children is increasing (para.51).

**Breastfeeding:**

The Committee is concerned that the State party has not introduced any monitoring mechanism of the Code. Furthermore, the Committee is concerned about the high number of children aged up to six months who are not being exclusively breastfed; the lack of knowledge about proper breastfeeding practices; and the lack of a comprehensive policy on infant and young child feeding (para.53).

**Impact of climate change on the rights of the child:**

The Committee is highly concerned about the impact of climate change on children and their families, in particular those living in Fijian communities in coastal and low-lying areas, where climate change is resulting in the loss or salinization of land and fresh water resources and reduced opportunities for agriculture and subsistence living. The Committee also draws attention to reports indicating that children face more acute risks from disasters than adults do as well as are more vulnerable to climate change, than adults (para.55).

**Standard of living:**

The Committee was concerned about high rates of child poverty being the main cause for child labour in the State party, the principal reason for school drop-out, as well as increasing children’s vulnerability, including of children with disabilities, to be engaged in prostitution; Government welfare and poverty reduction programmes being insufficiently targeted towards Indo-Fijians, who frequently suffer from the highest poverty levels within the country; Persons with disabilities, including in particular children, being at a very high risk of living in poverty (para.57).

**Education:**

The Committee noted that indirect costs such as for uniforms, books and transport partly remain in place, leading to children dropping out of schools as their families cannot afford these payments. Furthermore, the Committee is concerned about adolescent pregnant girls or adolescent mothers being frequently forced to drop out of school; Rural schools being frequently faced with a lack of access to water, electricity or communication means; (para.59). The Committee recommends that the State party further increase schooling opportunities in remote areas, as well as transportation services (para.62).

**Asylum-seeking and refugee children:**

The Committee is concerned about the lack of particular provisions in the Immigration Act addressing the specific needs and vulnerabilities of refugee and asylum seeking children, as well as about the Immigration Act not containing any provisions on family reunification (para.63).

**Child labour:**

The Committee regret the absence of a comprehensive list of hazardous work. Furthermore, the Committee was gravely concerned about the high number of children engaged in child labour in the State party, most of them working in informal ways for families as domestic workers, labourers, or farm workers; and child labour increasing and being exacerbated by factors such as urban migration, poverty, homelessness and living away from parents (para.65).

**Street children:**

The Committee noted with serious concern that a number of children from age 5 live and work on the streets, live at home and regularly work on the streets, or work on the streets during seasonal periods such as cane crushing off season or school holidays. The Committee is furthermore deeply concerned about the high number of children in street situations working as wheelbarrow boys in the markets or shoe-shiners, as well as a significant number falling victim to prostitution, pornography and sex trafficking; and incidences of caregivers engaging children in street begging (para.67).

**Trafficking:**

The Committee was gravely concerned about the practice among families of selling their daughters into marriage; The State party being a source country for children subjected to sex trafficking and forced labour, with trafficking child victims being exploited in illegal brothels, local hotels, private homes, and other rural and urban locations; The traditional practice of sending children to live with relatives or families in larger cities, where they might be subjected to domestic servitude or may be coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees, putting them at risk of human trafficking; and lack of resources to effectively investigate and prosecute, in particular regarding international trafficking (para.69).

**Juvenile justice:**

The Committee was seriously concerned about the situation of children in conflict with the law. In particular the Committee regret the minimum age of criminal responsibility being as low as 10 years of age; Suva being the only city with a special juvenile court; Life sentences being imposed on juvenile offenders; and the particularly poor conditions of prisons, being inconsistent with international standards, in particular overcrowding, deteriorating infrastructure, and lack of delivery of essential services (para.71).