



Human Rights Council
Working Group on the Universal Periodic Review
Forty-eighth session
Geneva, 20–31 January 2025

Summary of stakeholders' submissions on Fiji*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations³ and cooperation with human rights mechanisms

2. The Human Rights and Anti-Discrimination Commission (HRADC) recommended that Fiji ratify the OP-CAT and withdraw its reservations to the CAT, particularly relating to the definition of torture.⁴

3. JS5 recommended that Fiji take all necessary steps to ratify or accede, without reservations, to the ICCPR-OP 2.⁵

4. JS2 recommended that Fiji urgently ratify the OP-CEDAW.⁶

5. JS2 recommended that Fiji adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples.⁷

6. HRADC recommended that Fiji submits its initial report to the Committee against Torture and its initial report to the Committee on the Rights of Persons with Disabilities.⁸

* The present document is being issued without formal editing.



B. National human rights framework

1. Constitutional and legislative framework

7. JS1 recommended that Fiji work with civil society organisations to adopt a specific law on the protection of human rights defenders in accordance with Human Rights Council resolution 27/31.⁹

8. HRADC recommended that Fiji enact legislation to guarantee the full implementation of the CAT and the CED.¹⁰

2. Institutional infrastructure and policy measures

9. HRADC stated over the years it had faced challenges in accessing prison facilities for inspection purposes and attending to inmate complaints promptly. It had entered into a memorandum of understanding with the Fiji Corrections Service to reinforce the Commission's mandate to inspect places of detention, including unannounced visits.¹¹

10. HRADC stated that it continued to face challenges of limited budget, human resources, and expertise in certain areas of human rights.¹²

11. HRADC recommended that Fiji takes legislative measures to fully align it with the Paris Principles, and ensure that the Commission enjoys the human, financial, and material resources necessary to discharge its mandate in full compliance with the Paris Principles.¹³

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

12. JS6 recommended that Fiji urgently draft and enact, after wide public consultations, a Gender Equality and Anti-Discrimination law.¹⁴

Right to life, liberty and security of person, and freedom from torture

13. JS2 stated that the provisions in the Public Order Act 1969 on the application of force by police officers was vague in allowing the use of force where necessary, which was open to interpretation.¹⁵

14. HRADC stated that the majority of complaints it had received since 2019 were against law enforcement officers and related to police brutality, prison violence, rights of arrested and detained persons, and breach of 48-hour rules.¹⁶

15. End Corporal Punishment (ECP) stated that in Fiji, corporal punishment was lawful in the home, alternative care settings, early childhood care and day care for older children, and schools. It recommended that Fiji intensify its efforts to enact a law to clearly prohibit all corporal punishment of children, however light, in every setting of their lives, as a matter of urgency.¹⁷

16. HRADC stated that there had been an increase in cases of online violence and cyberbullying, hate speech, and defamation leading to cases of suicide.¹⁸

Administration of justice, including impunity, and the rule of law

17. JS2 recommended that Fiji ensure a sufficiently resourced mechanism within the justice system that ensured disability inclusive services for women and children living with disabilities.¹⁹

18. JS2 stated that women continued to face institutional barriers in accessing justice.²⁰

Fundamental freedoms

19. HRADC stated that it had recently observed a freer society where the public including the media could express their opinions and views without fear of repercussions.²¹
20. JS2 recommended that Fiji take specific measures to protect and promote the freedom of expression, the right to peaceful assembly, freedom of association, and freedom of the press by removing any requirement or legal obstacle to the exercise of these rights.²²
21. JS1 stated that laws used to criminalise expression had yet to be revised and that there had been efforts by the authorities to silence dissent.²³
22. JS1 stated that Fiji had previously used sedition provisions in the Crimes Act, including section 66 (seditious intention) and section 67 (sedition offences) to target the media and opposition politicians. The Public Order (Amendment) Act 2012 also had a chilling effect on expression.²⁴
23. JS1 recommended that Fiji undertake a consolidated process of repeal or amendment of legislation such as the sedition provisions of the Crimes Act and the Public Order (Amendment) Act that unwarrantedly restricted the legitimate work of human rights defenders, in line with the UN Declaration on Human Rights Defenders.²⁵
24. JS2 recommended that Fiji review and repeal restrictive seditious provisions in the Crimes Act, and the Public Order (Amendment) Act to safeguard freedom of expression by ensuring that criminal and speech-related legislation were not misused to suppress media, civil society, trade unionists, activists and opposition politicians' criticism of the Government.²⁶
25. HRADC recommended that Fiji repeal all laws and policies that unlawfully restricted the freedom of speech in order to bring them into compliance with Fiji's obligations under the ICCPR.²⁷
26. JS1 recommended that Fiji repeal the sedition provisions of the Crimes Act in order to ensure that the legislation was consistent with best practices and international standards in the area of the right to freedom of expression.²⁸
27. JS1 recommended that Fiji amend the Public Order (Amendment) Act so that was consistent with the ICCPR and repeal provisions that criminalise the right to freedom of expression.²⁹
28. JS1 stated that there were concerns about the Online Safety Act 2018, which could be used to muzzle online expression. The Act established an Online Safety Commission to receive and investigate complaints and provide redress. Civil society organisations had raised strong concerns about the law, including its lack of guiding principles to define and determine the scope of powers and discretion of the Commission when receiving, assessing and investigating complaints. They had also stated that it would create an atmosphere of censorship and could be misused to criminalise legitimate speech.³⁰
29. JS1 recommended that Fiji review and amend the Online Safety Act 2018 to ensure that it complied with Fiji's commitment to guarantee and ensure the rights to freedom of expression and information and that it allowed bloggers, journalists and other internet users to play a full and active role in promoting and protecting human rights.³¹
30. JS1 recommended that Fiji ensure that journalists and writers could work freely and without fear of retribution for expressing critical opinions or covering topics that the government might find sensitive.³²
31. JS1 stated that the Information Act 2018 was passed in May 2018, but that civil society had raised concerns about the broad list of information exempt from disclosure. It recommended that Fiji review and amend the Information Act 2018 to ensure that it was consistent and compatible with international human rights standards on the right to access information.³³
32. JS4 recommended that Fiji conduct impartial, thorough and effective investigations into all cases of attacks, harassment, and intimidation against civil society members, journalists, and human rights defenders and bring the perpetrators of offences to justice.³⁴

33. JS1 recommended that Fiji publicly condemn at the highest levels and put an end to all acts of harassment and intimidation of human rights defenders, activists and civil society organisations, including police and judicial harassment.³⁵

34. JS1 called on Fiji to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.³⁶

35. JS1 recommended that Fiji provide civil society members, human rights defenders and journalists with a safe, enabling and secure environment in which to carry out their work, conduct impartial, independent, thorough, transparent and effective investigations into all cases of harassment and intimidation against them and bring suspected perpetrators of such offences to justice in fair trials.³⁷

36. JS1 was alarmed that there continued to be restrictions on the right to freedom of peaceful assembly.³⁸

37. JS1 recommended that Fiji amend the Public Order (Amendment) Act in order to fully guarantee the right to freedom of peaceful assembly and remove restrictions other than those provided for under the framework of international human rights law and standards.³⁹

38. JS2 recommended that Fiji remove provisions related to force in the Public Order (Amendment) Act and strengthen the protection of Fijians against torture and other cruel, inhuman or degrading treatment or punishment.⁴⁰

39. JS1 recommended that Fiji take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limited the right to freedom of association.⁴¹

40. JS1 recommended that Fiji remove all undue restrictions on the ability of civil society organisations to register and operate under the Charitable Trusts Act, undertake activities in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, and immediately recognise all civil society organisations that had been arbitrarily and unduly denied registration.⁴²

41. HRADC recommended that Fiji repeal all laws and policies that unlawfully restricted the fundamental rights of freedom of association and assembly in order to bring them into compliance with Fiji's obligations under the ICCPR.⁴³

Prohibition of all forms of slavery, including trafficking in persons

42. The European Centre for Law and Justice (ECLJ) stated that in Fiji, victims were trafficked for both forced labour and sexual exploitation. Victims of sex trafficking were largely exploited in brothels, clubs, massage parlors, and hotels. Many victims of labour trafficking were forced into working in various industries such as hospitality, food, construction, and agriculture. Over the past five years, it was estimated that there were approximately 5,208 victims of human trafficking in Fiji who had not been identified. Despite the large number of likely victims, the Office of the Director of Public Prosecutions had reported only prosecuting three cases of human trafficking between 2023 and 2024.⁴⁴

43. ECLJ stated that Fiji had only allocated FJ\$ 10,000 annually to the Human Trafficking Unit, consisting of only two officers who worked with the Department of Immigration. The Unit lacked a centralized database for sharing with other relevant agencies. There were no standard operating procedures in place to screen and identify potential victims of human trafficking. Additionally, there had been no public education of what human trafficking was and what to look out for, and as a result, trafficking cases went unreported by the public and by the victims themselves.⁴⁵

44. ECLJ encouraged Fiji to increase its efforts to combat human trafficking. It stated that Fiji must allocate more resources and personnel to fully investigate all cases of human trafficking. That included creating a well-staffed anti-human trafficking department that was equipped to identify victims of human trafficking and thoroughly investigating cases of human trafficking. It also included adding more prosecutors who were trained in issues

related to human trafficking and were equipped with the resources needed to prosecute all cases of human trafficking.⁴⁶

45. Broken Chalk (BC) recommended that Fiji carry out public awareness raising campaigns to educate parents about the value of education and their role in supporting their children's learning and to emphasise the long-term benefits of education over child labour.⁴⁷

Right to work and to just and favourable conditions of work

46. JS6 recommended that Fiji urgently review the Employment Relations Act to make it consistent with the ILO Violence and Harassment Convention, No. 190 (2019), especially in expanding definitions in the Act to include workplace bullying and non-sexual harassment.⁴⁸

47. JS6 recommended that Fiji continue implementing policies to advance all Fijian women's economic participation to ensure greater labour force participation and protection for women in the economy, especially during times of disaster.⁴⁹

Right to social security

48. JS6 stated that social protection schemes rolled out by the State which were intended to lift people out of poverty needed urgent evaluation to see whether women were benefiting from them.⁵⁰

49. HRADC stated that not all communities were aware of any poverty alleviation or social protection initiative led either by the Government or nongovernmental organizations.⁵¹

Right to an adequate standard of living

50. BC stated that poverty continued to be a major problem. A quarter of the population of Fiji was estimated to be below the Basic Needs Poverty Line, indicating both moderate average incomes and economic hardship.⁵²

51. HRADC stated that there was a significant portion of the population in Fiji that faced challenges in accessing adequate and affordable shelter.⁵³

52. Just Atonement Inc (JAI) stated that informal settlements, characterized by inadequate housing quality and limited access to services, left communities exposed to flooding and climate-related extreme weather events. It stated that around 20% of Fiji's population lived in informal settlements. It urged Fiji to invest in infrastructure, including secure housing, and access to potable water and drainage systems, and to provide social services for those communities. It stated that in addition, there was a need to tailor disaster risk reduction and disaster response for informal settlements, including shelters.⁵⁴

53. JS6 stated that urban and peri-urban informal settlements in particular had high proportions of households that did not have formal water connections, experienced service disruptions, and only had access to shared sanitation facilities.⁵⁵

54. HRADC stated that there was a lack of access to efficient safe drinking especially in the rural areas and outer islands. The lack of piped water systems and water treatment facilities contributed to unreliable water supply and poor water quality. Water supply services had reached critical levels due to aging infrastructure assets.⁵⁶

55. HRADC recommended that Fiji continues strengthening its efforts to ensure access by all to safe water supplies and adequate sanitation for all. It recommended that Fiji put in place temporary measures to ensure that communities had sustainable safe water supplies and adequate sanitation for all while waiting to implement permanent measures.⁵⁷

Right to health

56. JS6 stated that the condition of the public healthcare infrastructure was dire, with facilities teetering on the brink of collapse.⁵⁸

57. HRADC stated that Fiji faced aging healthcare facilities, particularly in the urban areas. The high population density in urban and peri-urban areas was increasing the pressure on those facilities.⁵⁹

58. HRADC recommended that Fiji continues giving priority to the right to health and implement effective measures to continue broadening the access to and quality of the services.⁶⁰

59. JAI recommended that Fiji invest in mental health professionals and organizations providing mental health support, especially in post disaster settings and relocation processes.⁶¹

60. JAI stated that prioritizing the right to health required Fiji to enhance its health infrastructure and address the socio-economic determinants exacerbated by climate change. That included investing in mental health services, particularly in post-disaster settings, and improving infrastructure and social services in informal settlements.⁶²

61. HRADC recommended that Fiji develop measures to address drug addiction and other non-related mental health issues that might be adding pressure to the capacity of the country's main psychosocial disability care institution, St Giles Hospital.⁶³

62. HRADC recommended that Fiji continues to raise awareness to combat victimization and discrimination of persons living with HIV.⁶⁴

63. JS6 stated that Fiji lacked a comprehensive national sexual and reproductive health policy.⁶⁵

64. JS6 stated that sexual and reproductive health clinics were situated in urban centers and towns, which made them inaccessible to rural women.⁶⁶

65. JS2 recommended that Fiji legislate the integration of comprehensive sexuality education into the national curriculum, inclusive of a comprehensive range of topics and age-appropriate content.⁶⁷

66. JS6 recommended that Fiji immediately and urgently revise the current Family Life Education curriculum to comply with the United Nations revised International Technical Guidance on Sexuality Education and guarantee its implementation throughout the national school system, including in special schools.⁶⁸

Right to education

67. HRADC stated that while there might be good progress made by Fiji in achieving universal free access to quality education, there appeared to be concerns raised by the communities regarding the quality of education, affordability, and other related expenses.⁶⁹

68. BC stated that the efficient delivery and quality of education were seriously impacted by the lack of qualified teachers and educators. It noted that in 2023, the Ministry of Education had stated that 469 teachers had been lacking in Fiji's educational sector.⁷⁰

69. BC stated that economic disparities caused significant differences in educational outcomes. The lack of skilled teachers and inaccessibility of resources in rural areas because of isolation from urban areas negatively impacted the quality of education that rural Fijians received. Furthermore, young people from impoverished households who were in school at age 8 were very unlikely to pursue higher education.⁷¹

70. BC stated that children from low-income families had a harder time finishing their elementary schooling as a result of poor feeding and lack of access to transportation to schools. They were also less likely to be able to attend college.⁷²

71. BC stated that in 2023, the Ministry of Education had reported that rural students were more likely to drop out of school. While the overall dropout rate from year 8 to 12 was about 20%, the rate for rural children was 39%. Furthermore, 31% percent of boys dropped out, compared to a 9% dropout rate for girls. Boys were more likely to drop out of school because of the cultural norm that prioritised work over education. Boys were required to contribute to household income and assist with family labour, which reduced their time and focus on education. The dropout rate was linked to the higher poverty rates in rural areas.⁷³

72. BC stated that international migration of teachers had been identified as the major factor contributing to the shortage of teachers. The migration was often permanent, causing Fiji to lose valuable human resources and increasing the negative effects of skilled migration.

It had led to the recruitment of teachers with insufficient knowledge and skills working in rural areas which adversely affected the education of rural children, who were already at risk of receiving lower quality education. It had also resulted in overcrowded classrooms.⁷⁴

73. BC recommended that Fiji provide flexible retirement options that allowed experienced teachers to work part-time or mentor new teachers. It stated that extending the re-engagement program beyond the current 5-year limit would allow retired teachers to continue working in education as mentors or part-time teachers for longer periods of time.⁷⁵

74. BC recommended that Fiji ensure that current teachers receive ongoing professional development and on-the-job training to improve their skills and knowledge.⁷⁶

75. BC recommended that Fiji improve working conditions for teachers in rural areas, upgrade the infrastructure of rural schools, and provide support to teachers in rural areas in the form of teaching assistants, access to resources and professional networks.⁷⁷

76. BC recommended that Fiji invest in the construction and maintenance of rural schools and establish reliable and affordable transport services.⁷⁸

77. JS3 recommended that Fiji increase the means for full access to education, ensuring school materials, free school meals and adequate facilities, in particular for those living in more remote areas.⁷⁹

Development, the environment, and business and human rights

78. JAI stated that in Fiji, the impacts of climate change and environmental degradation threatened the health, livelihoods, and cultural heritage of Fijians. Due to rising sea levels, extreme weather events, and ecological disruptions, coastal communities in particular faced heightened vulnerabilities, including displacement, loss of resources, and increased health hazards.⁸⁰

79. HRADC stated that the climate crisis in Fiji meant that some communities had and were planning to relocate. Fiji had developed and introduced planned relocation guidelines. There had been some challenges and issues raised about the guidelines such as the lack of proper consultation amongst the whole community that would be impacted by the relocation plans.⁸¹

80. HRADC recommended that Fiji ensure that a human rights-based approach was incorporated in its climate change-related activities as per its human rights obligations.⁸²

81. JAI recommended that Fiji incorporate gender-sensitive approaches in its disaster response plans, including targeted health programs, support to organizations providing those services, and securing shelter options for women and girls affected by climate change.⁸³

82. JS2 recommended that Fiji enhance efforts to mitigate environmental degradation from waste management, sanitation, or industrial activity.⁸⁴

83. JS2 acknowledged Fiji's effort in the commencement of consultations to review the Mining Act 1965 to recognize free, prior and informed consent. It stated that the Environmental Impact Assessment needed to be inclusive of all resource owners at all levels of engagement, in relation to the comprehensive robust review process of the Mining Act 1965 by 2025.⁸⁵

2. Rights of specific persons or groups

Women

84. JS2 stated that Fiji continued to record an astonishing number of cases of violence against women and girls.⁸⁶

85. JS6 stated that despite having numerous laws dealing with domestic and family violence, there continued to be a staggering number of instances in Fiji of women and girls being subjected to violent crimes, such as rape, sexual assault, indecent assault and murder.⁸⁷

86. JS6 stated that prominent women holding public spaces in Fiji, such as women politicians and national sporting representatives (rugby players), had been continuously

subjected to online violence, with the State not taking proactive measures to silence hate speech on online platforms.⁸⁸

87. JS6 stated that 83 percent of female journalists had experienced sexual harassment via Facebook. The most common source of harassment was from businessmen, politicians and male community leaders.⁸⁹

88. JS2 stated that there had been numerous reports of the Fiji Police Force trivializing women's complaints, failing to record or investigate complaints, and in some instances, compelling women to reconcile with their perpetrators.⁹⁰

89. JS2 stated that women survivors continued to experience stigma and discrimination from service providers, including health, police, justice and social services.⁹¹

90. JS6 recommended that Fiji strengthen the capacities of frontline service delivery providers such as the Police Force and the Legal Aid Commission through continued gender sensitivity training to ensure gender responsive service delivery.⁹²

91. JS6 stated that recent assessments revealed significant gaps in the readiness and availability of gender-based violence services within health facilities in Fiji.⁹³

92. JS2 recommended that Fiji urgently and effectively advance public policies and funding towards public awareness raising campaigns in the area of violence against women and girls and domestic violence.⁹⁴

93. JS6 recommended that Fiji take proactive steps to curb online hate speech directed towards women and girls, by firmer measures, to discourage technology-facilitated gender-based violence.⁹⁵

94. JS2 recommended that Fiji provide for institutionalized training on violence against women and girls to law enforcement officials and the judiciary in the administration of justice to ensure that survivors did not face further discrimination and harassment and that perpetrators were brought to justice.⁹⁶

95. JS2 stated that women in the workforce continued to face high incidences of sexual harassment and violence.⁹⁷

96. JS2 recommended that Fiji domesticate the ILO Violence and Harassment Convention, No. 190 (2019) into legislations.⁹⁸

97. JS2 recommended that Fiji urgently review the Employment Relations Act to make it consistent with the ILO Violence and Harassment Convention, No. 190 (2019).⁹⁹

98. JS2 recommended that Fiji ensure that response services for women were all inclusive and accessible to women and girls living with disabilities.¹⁰⁰

99. JS3 recommended that Fiji develop, implement and resource a national plan to prevent early pregnancy, and strengthen the system of aid for young mothers to facilitate the continuation of their studies or their professional and employment development.¹⁰¹

100. JS6 stated that a situational analysis released in 2023 had outlined some causes for forced and early child marriages in Fiji, including unintended teenage pregnancies, lack of employment opportunities and poverty.¹⁰²

101. JS6 recommended that Fiji take immediate steps to eradicate the harmful practice of forced and early childhood marriages in Fiji.¹⁰³

102. JS3 recommended that Fiji strengthen the role of women in public policies, especially in actions to combat climate change, and include women in discussion and decision-making fora.¹⁰⁴

Children

103. HRADC stated that it had received complaints related to child abuse, domestic trafficking, and children in police custody.¹⁰⁵

104. JS6 stated that in 2021 allegations of abuse and neglect in State-owned children's homes, operated by faith-based organizations, had surfaced in the media, prompting the

HRADC to attempt to investigate the allegations. The outcome of the investigation by the HRADC had never been made public.¹⁰⁶

105. JS6 recommended that Fiji ensure that monitoring and reporting of state-funded children's homes was included in the reporting mandate of the National Coordinating Committee on Children, beyond reporting solely to the Attorney-General.¹⁰⁷

106. HRADC recommended that Fiji repeal section 57 (7) of the Juveniles Act 1973 and prohibit all corporal punishment of children, including in the home.¹⁰⁸

107. JS6 recommended that Fiji prioritise reducing the institutionalisation of children by allocating resources to foster care and other child service alternatives that prioritised the best interests of the child.¹⁰⁹

108. JS6 recommended that Fiji address the shortage of social workers by allocating resources to increase their numbers both within government sectors and in collaboration with civil society organisations to enhance services for children and young adults.¹¹⁰

109. HRADC stated that there currently was a rise in drug and drug-related cases involving children. Drugs were infiltrating Fiji's school system with the State and other stakeholders launching vigorous awareness and possible measures to combat drugs. HRADC stated that the State had indicated the need for more strict measures.¹¹¹

110. JS3 stated that drug use and abuse was increasing in Fiji, especially among school children and young people. There was also a particular concern about the increase in young people, still of school age, that transported and distributed drugs, especially in areas close to schools.¹¹²

Persons with disabilities

111. HRADC stated that persons with disabilities still faced significant barriers that hindered their full and effective participation in society on an equal basis with others. They were often stigmatized and neglected by their communities and families.¹¹³

112. JS2 recognized the need for access for persons with disabilities, including infrastructure accessibility and access to justice, education, health care facilities, and information.¹¹⁴

113. JS6 stated that there was an absence of state-funded homes or programs for young adults over 18 who had disabilities and required permanent care. Upon reaching adulthood, those individuals were required to leave children's homes, exposing a critical gap in social services in Fiji.¹¹⁵

114. JS2 recommended that Fiji urgently carry out the National Disability Audit for all public infrastructure in consultation with the organizations for persons with disabilities.¹¹⁶

115. JS6 stated that persons with disabilities in Fiji faced heightened vulnerability to gender-based violence, exacerbated by existing infrastructural inadequacies. A notable deficiency lied in the lack of sensitisation and communication skills among frontline responders, including medical personnel, law enforcement officials, and civil servants, thus hindering the access of persons with disabilities to essential services when confronted with instances of gender-based violence and related challenges.¹¹⁷

116. JS6 recommended that Fiji ensure a full and proper implementation of the Persons with Disabilities Act, with due consideration for women and girls living with disabilities.¹¹⁸

117. HRADC stated that there were significant challenges and limited educational opportunities for persons with disabilities in Fiji. Persons with disabilities had lower enrolment rates and were three times more likely to have never attended school compared to those without disabilities. There was a lack of inclusivity in primary schools with poor accessibility by children with disabilities to education facilities and transportation. Additionally, the lack of specialists for special schools was also a significant issue.¹¹⁹

118. HRADC recommended that Fiji prioritize and accelerate efforts towards ensuring disability-inclusive education and accessibility within and around school grounds.¹²⁰

119. JS2 recommended that Fiji provide for accessible educational materials for persons with disabilities, ongoing teacher training, and support to teachers/teacher aid in special schools, mainstream schools and tertiary level.¹²¹

120. JS2 recommended that Fiji review existing employment policies, regulations and programmes regarding persons with disabilities, and ensure they were implemented and delivered effectively.¹²²

121. JS2 stated that persons with disabilities experienced heightened barriers in accessing health services in Fiji, as compared to persons without disabilities.¹²³

122. HRADC stated that women and young persons with disabilities were prevented from fully realizing their sexual and reproductive health and rights and their rights to legal capacity and to be free of gender-based violence.¹²⁴

123. HRADC recommended that Fiji commits a specific budget necessary for the implementation of the finalized National Policy on Persons with Disabilities 2024-2033.¹²⁵

Indigenous Peoples and minorities

124. JAI stated that climate change profoundly impacted indigenous peoples in Fiji concerning land ownership, relocation, and ethnic tensions. Involuntary climate-induced displacement in Fiji could threaten traditional livelihoods and cultural heritage. There was a strong desire among communities to remain in their traditional lands, despite the potential risks. JAI recommended that Fiji, in addition to its Standard Operating Procedures for Relocation, explore ways to acknowledge and support voluntary immobility for those who chose to remain in vulnerable areas.¹²⁶

125. JAI stated that the planned relocation of iTaukei communities inland could exacerbate insecurity for Indo-Fijian settlements. There was also disparity in mechanisms for requesting relocation between iTaukei and Indo-Fijian communities. Overall, the possibility of forced displacement posed a threat to the livelihoods of Indo-Fijian communities, especially in rural areas dependent on leased land. Climate change exacerbated existing discussions and tensions over land ownership between iTaukei and Indo-Fijian communities. JAI encouraged Fiji to continue to engage in land ownership discussions, protecting the needs of all Fijians in their current and future livelihood.¹²⁷

126. JS4 stated that Fiji had failed to fulfil a number of fundamental rights of the Banabans enshrined in the Fiji Constitution, including the rights to education, housing, water and sanitation, adequate food, and health.¹²⁸

127. JS4 stated that the Senior Medical Officer at the Rabi Health Centre had declared the island's water unsafe for people to drink. It also stated that the single health centre on Rabi Island was unable to meet the health needs of Banabans and was severely under-resourced. Non-basic healthcare treatment and maternity care could only be accessed by travelling between 80 and 200 kilometres to nearby islands which could be prohibitively costly for some.¹²⁹

Lesbian, gay, bisexual, transgender and intersex persons

128. JS2 stated that people of Diverse Sexual Orientation, Gender Identity and Expression, and Sex Characteristics were omitted from the Gender Equity and Social Inclusion Policy 2021–2024 and the 2014 National Gender Policy, further diminishing their status in the country affecting their access to justice and making them invisible in national data collection and the national budget. It recommended that Fiji develop a National Sexual Orientation, Gender Identity and Expression, and Sex Characteristics Policy.¹³⁰

129. JS2 recommended that Fiji consider including specific provisions in existing legislation to address crimes motivated by prejudice or bias against transgender persons and adopt mechanisms that ensure that all reported crimes against transgender individuals were thoroughly investigated by law enforcement agencies.¹³¹

Migrants

130. HRADC stated that it continued to receive complaints relating to the exploitation of migrant workers in the private sector. The nature of complaints related to verbal and other forms of abuse and violence, unfair terms and conditions at the workplace, not allowing time to pray, failure to follow contractual obligations, and misrepresentation and false promises by some recruiters after taking money.¹³²

131. HRADC recommended that Fiji strengthen measures in line with the ICRMW to eliminate the exploitation of migrant workers and their families in Fiji.¹³³

Notes

¹ A/HRC/43/8, A/HRC/43/8/Add.1, A/HRC/43/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

*Civil society**Individual submissions:*

BC	Broken Chalk, Amsterdam (the Netherlands);
ECLJ	The European Centre for Law and Justice, Strasbourg (France);
ECP	End Corporal Punishment, Geneva (Switzerland);
HRADC	The Human Rights and Anti-Discrimination Commission, Suva (Fiji);
JAI	Just Atonement Inc., New York (United States of America).

Joint submissions:

JS1	Joint submission 1 submitted by: CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa); Amnesty International, London (United Kingdom of Great Britain and Northern Ireland); Fiji Council of Social Services, Suva (Fiji); Pacific Islands Association of Non-Governmental Organisations, Suva (Fiji);
JS2	Joint submission 2 submitted by: Citizens' Constitutional Forum, Suva (Fiji); Fiji Disabled People's Federation, Suva (Fiji); Fiji Women's Rights Movement, Suva (Fiji); Fiji Women's Crisis Centre, Suva (Fiji); femLINKpacific, Suva (Fiji); Pacific Centre for Peacebuilding, Suva (Fiji); Trans Affirmative Action Guild, Valelevu (Fiji); Spinal Injury Association Fiji, Suva (Fiji); Reproductive and Family Health Association of Fiji, Suva (Fiji); Human, Ecological Indigenous Rights (HEIR) Defenders Network Fiji, Nasinu (Fiji); Rainbow Pride Foundation, Suva (Fiji); Social Economic Empowerment Program, Suva (Fiji); Grace Trifam Ministry, Suva (Fiji);
JS3	Joint submission 3 submitted by: Marist International Solidarity Foundation, Rome (Italy); Marist Star of the Sea Province; Marist Brothers, Fiji, Trust Board; Marist Brothers High School, Suva (Fiji);
JS4	Joint submission 4 submitted by: Banaban Human Rights Defenders Network, Rabi Island (Fiji); International Center for Advocates Against Discrimination, Chappaqua (United States of America);
JS5	Joint submission 5 submitted by: The Advocates for Human Rights; Minneapolis (United States of America); The World Coalition Against the Death Penalty, Montreuil (France);
JS6	Joint submission 6 submitted by: Fiji Women's Rights Movement, Suva (Fiji); Fiji Women's Crisis Centre, Suva (Fiji); FemLINKpacific, Suva (Fiji); Reproductive & Family Health Association of Fiji, Suva (Fiji); Medical Services Pacific, Suva (Fiji); Citizens Constitutional Forum, Suva (Fiji); Trans Affirmative Action Guild, Suva (Fiji); Fiji Disabled People's Federation, Suva (Fiji).

³ The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

⁴ HRADC, p. 4. See also JS2, para. 44 (ii).

⁵ JS5, para. 5.

⁶ JS2, para. 27 (vi).

⁷ Ibid., para. 6 (i).

⁸ HRADC, pages 4 and 5.

⁹ JS1, p. 13.

¹⁰ HRADC, p. 4.

¹¹ Ibid., paras. 6 and 10.

¹² Ibid., para. 7.

¹³ Ibid., p. 3.

¹⁴ JS6, p. 6.

¹⁵ JS2, para. 39.

¹⁶ HRADC, para. 8.

¹⁷ ECP, paras. 1.3, 2.1, 2.5, 2.6 and 2.7.

¹⁸ HRADC, p. 4.

¹⁹ JS2, para. 14 (ii).

²⁰ Ibid., para. 8.

²¹ HRADC, p. 4.

²² JS2, para. 36 (ii).

²³ JS1, para. 4.2.

²⁴ Ibid., paras. 4.3 and 4.4.

²⁵ Ibid., p. 13.

²⁶ JS2, para. 36 (i).

²⁷ HRADC, p. 4.

²⁸ JS1, p. 13.

²⁹ Ibid., p. 13.

³⁰ Ibid., para. 4.8.

³¹ Ibid., p. 13.

³² Ibid., p. 14.

³³ Ibid., para. 4.11 and p. 14.

³⁴ JS4, para. 28.

³⁵ JS1, p. 13.

³⁶ Ibid., p. 12.

³⁷ Ibid., p. 13.

- ³⁸ Ibid., para. 1.8.
³⁹ Ibid., p. 14. See also JS4, para. 27.
⁴⁰ JS2, para. 44 (i).
⁴¹ JS1, p. 12.
⁴² Ibid., p. 12.
⁴³ HRADC, p. 4.
⁴⁴ ECLJ, para. 18.
⁴⁵ Ibid., para. 21.
⁴⁶ Ibid., para. 23.
⁴⁷ BC, para. 31.
⁴⁸ JS6, p. 11.
⁴⁹ Ibid., p. 11.
⁵⁰ Ibid., para. 21.
⁵¹ HRADC, para. 29.
⁵² BC, para. 18.
⁵³ HRADC, para. 29.
⁵⁴ JAI, para. 20.
⁵⁵ JS6, para. 36.
⁵⁶ HRADC, para. 20.
⁵⁷ Ibid., p. 6.
⁵⁸ JS6, para. 24.
⁵⁹ HRADC, para. 31.
⁶⁰ Ibid., p. 8.
⁶¹ JAI, para. 19.
⁶² Ibid., para. 36.
⁶³ HRADC, p. 8.
⁶⁴ Ibid., p. 8.
⁶⁵ JS6, para. 25.
⁶⁶ Ibid., para. 28.
⁶⁷ JS2, para. 50 (i).
⁶⁸ JS6, p. 15.
⁶⁹ HRADC, para. 22.
⁷⁰ BC, para. 14.
⁷¹ Ibid., para. 21.
⁷² Ibid., para. 19.
⁷³ Ibid., para. 23.
⁷⁴ Ibid., para. 15.
⁷⁵ Ibid., para. 26.
⁷⁶ Ibid., para. 27.
⁷⁷ Ibid., para. 28.
⁷⁸ Ibid., para. 30.
⁷⁹ JS3, para. 19 (b).
⁸⁰ JAI, para. 12.
⁸¹ HRADC, p. 9.
⁸² Ibid., p. 9.
⁸³ JAI, para. 21.
⁸⁴ JS2, para. 6 (v).
⁸⁵ Ibid., para. 4.
⁸⁶ Ibid., para. 20.
⁸⁷ JS6, para. 12.
⁸⁸ Ibid., para. 12.
⁸⁹ Ibid., para. 19.
⁹⁰ JS2, para. 10.
⁹¹ Ibid., para. 12.
⁹² JS6, p. 9.
⁹³ Ibid., para. 15.
⁹⁴ JS2, para. 14 (iii).
⁹⁵ JS6, p. 9.
⁹⁶ JS2, para. 14 (iv).
⁹⁷ Ibid., para. 26.
⁹⁸ Ibid., para. 27 (iii).
⁹⁹ Ibid., para. 27 (iii).

- ¹⁰⁰ Ibid., para. 27 (iv).
¹⁰¹ JS3, para. 28 (a) and (f).
¹⁰² JS6, para. 17.
¹⁰³ Ibid., p. 9. See also JS3, para. 28 (g).
¹⁰⁴ JS3, para. 23 (b) and (d).
¹⁰⁵ HRADC, para. 25.
¹⁰⁶ JS6, para. 18.
¹⁰⁷ Ibid., p. 9.
¹⁰⁸ HRADC, p. 7.
¹⁰⁹ JS6, p. 9.
¹¹⁰ Ibid., p. 9.
¹¹¹ HRADC, para. 24.
¹¹² JS3, para. 13.
¹¹³ HRADC, paras. 18 and 19.
¹¹⁴ JS2, para. 54.
¹¹⁵ JS6, para. 18.
¹¹⁶ JS2, para. 55 (i).
¹¹⁷ JS6, para. 13.
¹¹⁸ Ibid., p. 6.
¹¹⁹ HRADC, para. 23.
¹²⁰ Ibid., p. 6.
¹²¹ JS2, para. 55 (ii).
¹²² Ibid., para. 55 (iii).
¹²³ Ibid., para. 54.
¹²⁴ HRADC, para. 19.
¹²⁵ Ibid., p. 5.
¹²⁶ JAI, para. 30.
¹²⁷ Ibid., para. 31.
¹²⁸ JS4, para. 13.
¹²⁹ Ibid., paras. 16-17.
¹³⁰ JS2, paras. 51 and 53 (i). See also JS6, p. 6.
¹³¹ JS2, para. 58 (i).
¹³² HRADC, p. 8.
¹³³ Ibid., p. 9.
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