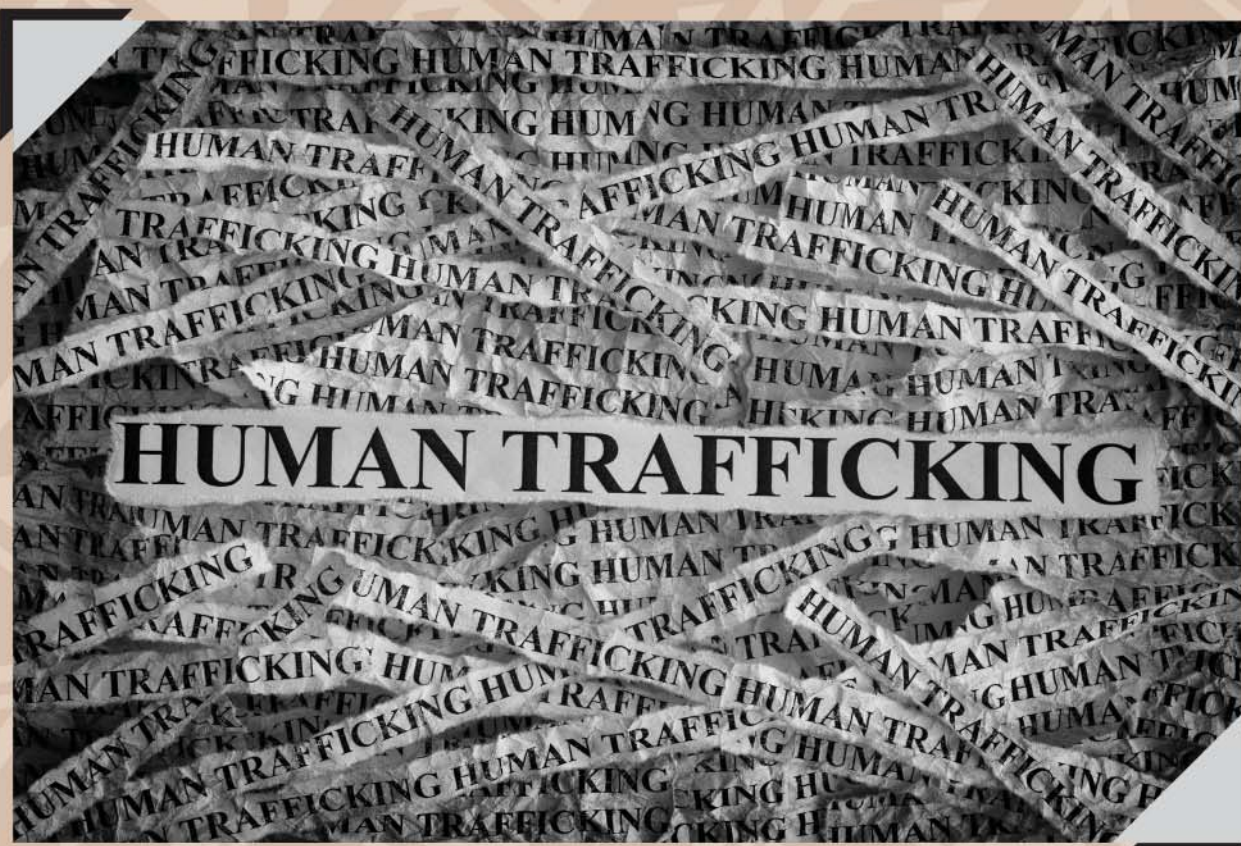




REPUBLIC OF FIJI

NATIONAL ANTI-HUMAN TRAFFICKING STRATEGY 2021- 2026



MINISTRY OF DEFENCE, NATIONAL
SECURITY & POLICING IN
COLLABORATION WITH THE EUROPEAN
UNION AND THE INTERNATIONAL
ORGANIZATION FOR MIGRATION



Foreword

by the Minister for Defence, National Security and Policing

Trafficking in persons is a crime against humanity that crosses international borders and limits victims of their Constitutional right to live freely. As the hub of the Pacific, Fiji has an extensive porous border with a huge maritime space that makes it vulnerable to trafficking in persons. It serves as a transit point and destination country for men, women and children. Moreover, the country currently provides the only air-link interconnectivity across the region. Countering human trafficking through the strengthening of our internal controls will effectively reduce the illegal movement of people to other States within the region that transit through Fiji.

With the limited data on trafficking in persons, it is difficult to ascertain the real impact of human trafficking in the region and Fiji is no different. As such it is only prudent that we must establish a robust system that counteracts the trafficking of persons before it escalates to an unprecedented scale where we are restricted to respond effectively. I acknowledge the existence of mechanisms and initiatives that are employed by relevant and mandated agencies to respond to the different types and phases of human trafficking. However, the time has come to consolidate all of our efforts into a robust, responsive and effective plan in line with Government's "whole of Government and whole of Society" approach.

The Fijian Government's National Human Trafficking Strategy (HT Strategy) is accompanied by an organic National Action Plan to Combat Human Trafficking (HTNAP) that is continually progressing and revolving to meet the ever-changing landscape. It outlines objectives and activities that ensure that our response to human trafficking is driven by the four-pronged pillars of the Palermo Protocol – **prevention, protection, prosecution** and **partnership**. Furthermore, the HT Strategy builds and strengthens the existing response mechanisms and commitments by relevant agencies. It maintains mandated functions with the responsible agencies with a greater emphasis on PARTNERSHIP translated in the cross-cutting objectives and actions. On this note, I wish to acknowledge and sincerely thank the European Union (EU) whose funding through the International Organization for Migration (IOM) made the development of this Anti-Human Trafficking Strategy and National Action Plan possible. I also wish to acknowledge the continued financial assistance and technical support of the IOM office here in Fiji that have enhanced our national efforts in combatting human trafficking through the Strategy and its National Action Plan.

The HT Strategy underlines the Fijian Government's determination to tackle trafficking in persons. I believe that as we progress with the implementation of the actions outlined in this HT Strategy, we will be able to address this issue in Fiji and likewise across the region. I want to assure all Fijians that as we launch this 2021-2026 HT Strategy, we are clearly sending a message that we will work towards eradicating all forms of human trafficking in Fiji.



Honourable Inia B. Seruiratu

Minister for Defence, National Security and Policing



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Introduction

Trafficking in persons, especially women and children, is a worldwide problem affecting all countries, regardless of the social, political or economic circumstances that govern them. The enforcement of this criminal offense in a number of cases implies an organized criminal structure and several related criminal offenses such as sexual servitude and slavery, etc. This phenomenon, including stages of recruitment, transport and exploitation of victims, occurs in its various forms on the territory of the countries of origin, transit and final destination. Women, children and men who are victims of trafficking are subjected to various forms of abuse and exploitation that violate their fundamental human rights. Human trafficking is a multifaceted, complex and dynamic social phenomenon characterized by concealment. It is therefore difficult to speak with precision about the numbers in terms of estimating the scope of this phenomenon, and it is very important to analyse the available data in order to comprehend trends and novelties in the ways and forms of manifesting this phenomenon and creating adequate responses.

On the global scale¹, over the last 13 years, 225, 000 trafficking victims have been identified of which 50% were women, 29 % children (7% boys and 21% girls) and 21% were men. Women and girls were most often identified as victims of sexual and forced labor exploitation, whereas with men and boys the situation is reversed. However, other forms of exploitation, such as the exploitation of children through begging, criminal activities and participation in armed conflicts, are also present. For this basic reason, the United Nations in Palermo, Italy, in 2000 adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred to as the Trafficking Protocol). The Trafficking Protocol is a set of international diplomatic guidelines established by the United Nations Convention against Transnational Organized Crime (UNTOC). The Trafficking Protocol is one of three Protocols adopted to supplement the Convention.

The United States Trafficking in Persons Report (US TIP Report) is the U.S Government's principal diplomatic tool to engage foreign governments on human trafficking and is a comprehensive resource of governmental anti-trafficking efforts. According to the US TIP Report, Tier 1 category countries are countries that have full compliance with the minimum standards of the Trafficking Victims Protection Act (TVPA). Tier 2 countries are those that have shown and proven significant efforts to comply with the TVPA. On the other hand, Tier 2 Watch List countries are countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to abide by those standards. Indicators for a Tier 2 country to be downgraded to Tier 3 are as follows:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year².

1 Global Report on Trafficking in Human Beings, United Nations Office on Drugs and Crime, UNODC, New York, 2018 http://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf

2 Trafficking in Persons Report, Office of the Under Secretary for Global Affairs, University of California, 2004

The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year. Lastly, Tier 3 countries are those countries that failed to show any effort to comply with TVPA.

Fiji was moved from the Tier 3 to the Tier 2 Watch list in June of 2010 and the various stakeholders (both Government and non-governmental organizations) have positively combined their efforts based on an interagency partnership approach for the development and implementation of the HTNAP to combat human trafficking.

The Fijian Government is focusing on preventing cases before they occur hence, plans are being developed to increase Fiji's capacity to detect trafficking activity and to assist victims. In addition to these initiatives, Government is also addressing the issue of displacements resulting from natural disasters and climate change which create vulnerability to modern slavery in the Pacific island countries (PICs). Increase in the frequency and intensity of climate-induced weather events – particularly in a region already prone to natural disasters – are likely to worsen the situation. As a result, people may make hasty decisions in their search for safety and a way out of poverty, thereby falling prey to deceptive smugglers, recruiters, and employers. Communities that will host those displaced by climate change are also vulnerable where competition for land and conflict between existing and relocated communities arise. Women are likely to be particularly affected as customs relating to land rights often limit their access to land or force them to marry in order to access land.

Furthermore, another area on which Government will focus on is labour mobility schemes. Workers who seek to fill labour gaps in low and semi-skilled sectors in destination countries, such as Australia and New Zealand, are vulnerable to labour exploitation. Reports have indicated an increased vulnerability of spouses (mostly women) and children of workers who had stopped sending money home, including the rise of domestic violence once workers return and had to readjust to life at home. Concerns were also voiced for children who are offered less protection when one or both parents participated in labour mobility schemes overseas, as well as for those who may have to work to help support mothers when family breakdown had occurred. Several respondents highlighted a need for research and evaluation on the social impacts of the schemes on communities in the participating PICs.

In developing this strategy, there was a series of consultations carried out by the Ministry of Defence, National Security and Policing (Ministry) with key stakeholders in Fiji. These were facilitated by technical assistance from the authorities in New Zealand, Australia, the United States of America (USA), United Nations Children's Fund (UNICEF), International Organization of Migration (IOM) and the United Nations Office on Drugs and Crime (UNODC). The results of these consultations led to the drafting of a HT Strategy (in line with the Sustainable Development Goals (SDG) 5.3, 8.7, 16. 2, Palermo Convention and other international Conventions that Fiji has ratified in relation to forced labour, sexual servitude and modern slavery. The HT Strategy is also aligned to Fiji's HTNAP and key Government agencies' operational plans, and is operationalised by the HTNAP.

THE SITUATION IN FIJI

As the regional hub in the Oceania region, Fiji plays a significant role as the origin, transit and destination country in the context of international migration. The US TIP Report has consistently reported that Fiji is a source, destination and transit country for children, men and women subjected to forced labour and sexual exploitation due to its geographical location with vast maritime space and porous borders (US State Department, 2020).³ Limited investigations and research in Fiji have found incidences of forced labour, slavery and domestic and international trafficking of persons, including women and children. This includes issues involving forced labour of migrant labourers on farms, factories, construction industry, fishing vessels, garages, sex trafficking of migrant and local women and children in the sex trade and allegations of exploitation of Fijian workers in the agriculture and service industries abroad.

Furthermore, in the past several years, human traffickers have exploited domestic and foreign victims in Fiji, and traffickers exploit victims from Fiji abroad. Fijian adults, who are employed overseas, in New Zealand, Australia and Tonga, are normally subjected to forced labour, specifically in the construction and agriculture industries. Traffickers subject workers from South and East Asian countries to forced labour in small and informal farms and factories, construction, and on fishing vessels that transit through Fiji or aboard fishing vessels (mainly China- and Taiwan-flagged) from Fiji and the Solomon Islands territorial waters and ports. Such individuals endure poor living conditions, work for limited or no compensation on foreign fishing vessels in Pacific waters, and accrue debt⁴.

According to a recent report from Walkfree-Minderoo Foundation on slavery in the Pacific, migration from China and elsewhere in Asia following investment flows into the PICs, has heightened the risk of modern slavery among migrant workers from Asia in the construction, logging, and fishing sectors and of migrant women from Asia in hospitality and tourism, and in massage parlours. The report states that the confiscation of passports was common among male migrant workers in the construction sector in Fiji and that, in Fiji and the Solomon Islands, there is little political will to enforce labour standards for fear of impacting much-needed investment⁵.

An incident that was reported in Fiji in 2016 highlighted the issue of child sexual exploitation involving children taken to private boats anchored offshore near Fiji where they were sexually abused and raped by foreign men⁶. Some reports found that some transnational traffickers were members of Chinese organized crime groups that recruited women from China to enter Fijian shores on tourist or student visas. Upon arrival, brothel owners confiscated their passports and forced these women to engage in prostitution. Sources further suggested that Fiji specifically is a source country for children subjected to trafficking in

3 US Department of State; 2018 Trafficking in Persons Report: Fiji; <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>

4 Pacific Immigration Development Community, 2014 People Smuggling, Human Trafficking and Irregular Migration in the Pacific.

5 Walkfree- Minderoo Foundation; 2020; Murky Waters: A Qualitative Assessment of Modern Slavery in the Pacific; <https://cdn.minderoo.org/content/uploads/2020/03/04091414/Walk-Free-Foundation-Pacific-Report-03-2020.pdf>

6 United States Department of State, 2010 Trafficking in Persons Report - Fiji, 2010, available at: <https://2009-2017.state.gov/documents/organization/142982.pdf>

persons, specifically forced prostitution within the country, as well as a destination country for women and children from China, Cambodia and Thailand⁷.

In addition, China and the Philippines were typical source countries for people trafficked for sexual exploitation in the Pacific region, particularly Fiji. Chinese nationals, particularly from rural areas of China, have entered the Pacific on tourist and student visas and engaged in illegal sex work. Thailand has recently emerged as a source country for trafficking in persons and Asian women entering Fiji on student visas have also been found working as prostitutes⁸.

Although Fiji's visitor free-visa regime for Chinese nationals has attracted a high number of Chinese nationals entering Fiji and the region, it should be noted that the majority of travellers are genuine visitors. Only a recorded small percentage of these travellers seek to exploit legal avenues.

Research conducted in Fiji on child labour by the ILO and national agencies⁹ have found that children in Fiji are in the worst forms of child labour, including in the commercial sex trade-prostitution, pornography; in illicit activities such as trafficking drugs, begging, gambling, robberies; and in hazardous child labour such as deep sea diving, collecting seafood, agriculture, sugarcane harvesting, construction and scavenging and scrap metal collection. Additionally, there are children working below the minimum age in the informal sector in garages and street vending. A significant number of child labourers are out of school and work long hours. The Fijian child labour research studies found that the vulnerabilities that push children into child labour in Fiji may also result in children being further exploited by being trafficked into the worst forms of child labour and recommended the need for comprehensive research on human trafficking, and in particular on the trafficking of children in Fiji.¹⁰

End Child Prostitution and Trafficking (ECPAT) International reported that there is little research to investigate the means by which children in Fiji have been exploited through prostitution, however, recent US TIP Reports have suggested that family members, taxi drivers, foreign tourists, businessmen, crew on foreign fishing vessels, and other traffickers have allegedly exploited Fijian women and children in sex trafficking. Traffickers exploit victims in illegal brothels, local hotels, private homes, and massage parlours, and sometimes utilize websites and cell phone applications to advertise victims for commercial sex¹¹.

7 UNODC, 2016 Transnational Organized Crime in the Pacific: A Threat Assessment, September 2016, available at: https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16_TOCTA_Pacific_web.pdf

8 UNRISD, New Perspectives on Gender and Migration: Livelihood, Rights and Entitlements edited by Nicola Piper, 2008, Routledge, available at: https://books.google.co.th/books?id=5ZTbAAAAQBAJ&pg=PA114&lp-g=PA114&dq=smuggling+migrants+fiji&source=bl&ots=F_sw1XcdqK&sig=ACfU3U1ecyZDZX1c74zuM-rm3FNXNvln-Hg&hl=en&sa=X&ved=2ahUKEwjChbiV26joAhWLXSsKHTD7C6I4HhDoATAAegQICRAB#v=onepage&q=fiji&f=false

9 Child labour in Fiji: A survey of working children in commercial sexual exploitation, on the streets, in rural agricultural communities, in informal and squatter settlements and in schools: A summary report of five child labour research surveys conducted in Fiji through the ILO International Programme on the Elimination of Child Labour (IPEC); 2010; https://www.ilo.org/suva/publications/WCMS_155659/lang--en/index.htm

10 2018 Findings on the Worst Forms of Child Labor: Fiji; https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2018/Fiji.pdf

11 Reuters, Fiji urged to end the silence and crackdown on child prostitution, December 2017 available at: <https://www.reuters.com/article/us-fiji-sextrafficking-children/fiji-urged-to-end-the-silence-and-crackdown-on-child-prostitution-idUSKBN1E226I>

In addition, some Fijian children are at risk of trafficking as families follow traditional practices in sending them to live with relatives or family members in cities, where they could be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees (ECPAT International, 2019). Child prostitution and trafficking is an issue in the Pacific but it is often difficult for children to report cases abuse to the police as it is culturally taboo to speak against elders.

Some key factors leading to children's vulnerability to sexual exploitation in Fiji include poverty, disabilities, gender inequalities and cultural taboos in talking about sex. This taboo around child sexual exploitation means there are no figures on how many are sold for sex across the region. Moreover, cultural practices can be considered opportunities to source additional income. For example, there have been reports of foreigners exploiting the cultural informal adoption system in Fiji (known as 'sinister adoption') to access children for sexual exploitation purposes or abuse (Save the Children Fiji, 2005). Past studies, media reports and anecdotal evidence from NGOs and communities in Fiji have indicated that the average age of children exploited in prostitution has decreased over time. Similar reports have described that while girls comprise the majority of children exploited in prostitution in Fiji, boys are also exploited in this way as well (Reuters, 2017).

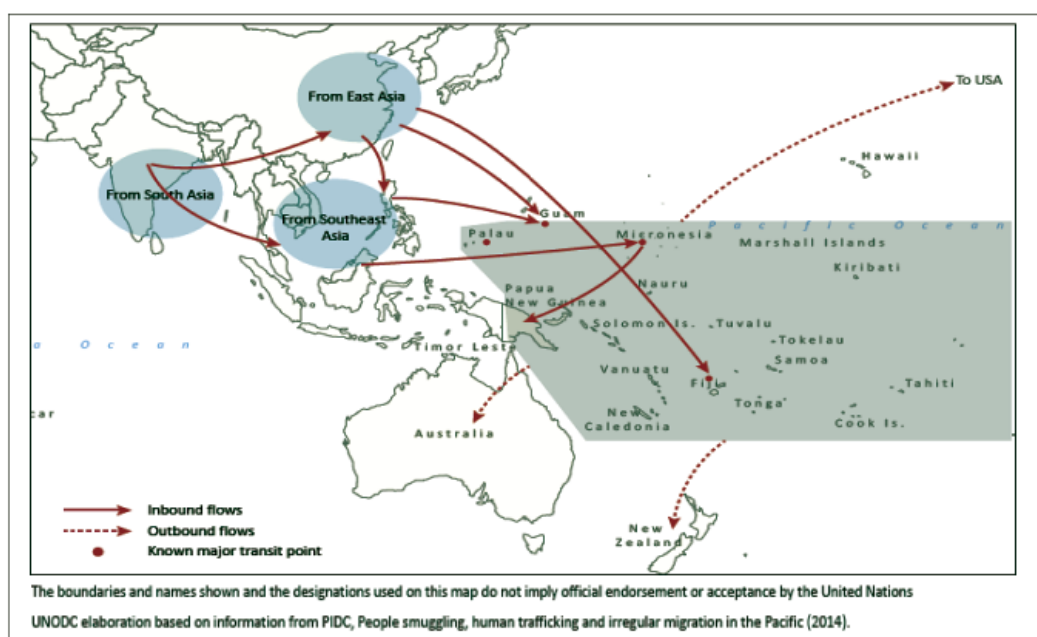
Potential Overlap of Smuggling of Migrants and Human Trafficking in Fiji

The UNODC observes that migrant smuggling in the Pacific region is frequently facilitated by immigration fraud, with PICs viewed as transit points for migrants attempting to enter Australia, New Zealand or the USA. Notwithstanding the lack of reliable and representative data, UNODC further notes that detections from the Pacific Immigration Development Community (PIDC) members, excluding Australia and New Zealand, have generally been minimal, and such activities have not been a significant concern for PICs. For example, the number of migrant smuggling convictions during 2005–2013 as reported by PIDC members, totalled 22 (UNODC, 2016). Fiji being the hub of the Pacific will always be vulnerable to irregular migration, human trafficking smuggling of persons and other related transnational crime (Pacific Islands Report, 2016).

Information on the smuggling of migrants and non-smuggler facilitated irregular migration from, to, and through the Pacific is scarce and the phenomenon of migrant smuggling in the PICs does not appear to affect the region on any considerable scale. The available information suggests that the Pacific islands may be used as a transit points by nationals of countries in Southeast Asia, South Asia and East Asia for smuggling to Australia and New Zealand. Key transit countries for smuggling in the region are Fiji, Samoa, Palau, Federated States of Micronesia, and Papua New Guinea (UNODC, 2018).

Figure 1: Below shows popular source and destination countries for migrant smuggling in the Pacific region.

Figure 1: Smuggling Routes



In addition, for PIDC member states there were 200 cases of migrant smuggling in the region with the exclusion of Australian figures. Many irregular travellers, including smuggled migrants, are identified at the airports of Pacific countries, with the migrants apprehended as ‘border refusals’ and promptly returned to the country from which they travelled¹².

Border refusals may indicate the level of irregular migration to and through the Pacific region, as well as the demand for migrant smuggler services. Such refusals are usually based on an investigative assessment that the traveller is a ‘non-genuine’ traveller. PIDC member states reported a total of 3,930 border refusals in 2013 as tabulated below¹³.

Visa-free arrangements in Pacific countries appear to be facilitating migrant smuggling and irregular stays. For example, Fiji’s free visitor visa regime has reportedly led to a high number of Chinese nationals arriving in Fiji and overstaying their visas while also engaging in non-authorized employment.

In 2013, PIDC member states reported 18,000 cases of migrant smuggling. Approximately 70 per cent of these smuggled migrants were male adults. Most irregular migrants in Fiji are other Pacific islanders, particularly nationals of Tuvalu and Kiribati. It is estimated there are less than 100 of these irregular migrants arriving in Fiji per year. Tuvalu reported 20 Nepalese visa-over stayers in 2016. The irregular migrants had arrived in Tuvalu after boarding flights from Fiji¹⁴.

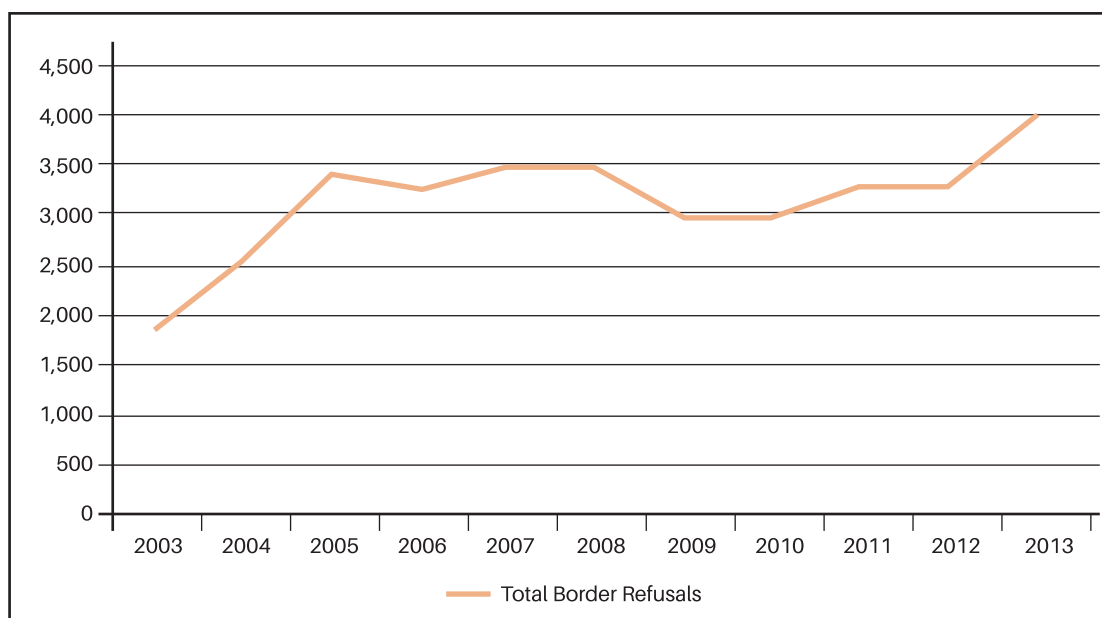
12 UNODC, *Migrant Smuggling in Asia and the Pacific: Current Trends and Challenges Volume II*, 2018

13 Ibid

14 Ibid

The Pacific continues to be viewed as transit countries for smuggled migrants attempting to enter Australia, New Zealand and the US. The increasing incidences of border refusals returns and immigration related fraud in the region continues to support this perspective. The upward trajectory of border incidences indicates an increasing number of attempts to enter the Pacific region illegally. PIDC members reported that the drawing factor in smuggling incidences has been employment opportunities¹⁵.

Figure 2: Total Border Refusals, 2003-2013.



The scattered nature of the states and territories in the vast Pacific limits most smuggling activity to the international airline industry and to a lesser extent, the shipping industry. Migrant smuggling by air usually involves people travelling individually or in small groups of 2-5, as opposed to sea vessels which can carry hundreds of migrants at a time (UNODC 2018).

The Pacific island economies are heavily dependent on tourism and in order to support the growth of this industry, a number of countries have announced new direct flights into Asia and are considering other destinations. The exact list is subject to change, but, for example, it was reported in 2014 that Fiji had direct flights to Hong Kong, China and the Republic of Korea. Papua New Guinea had flights to the Philippines and Singapore, and Palau to several Chinese destinations, the Republic of Korea, Japan and the Philippines (UNODC 2018).

Pacific island nationals have also been identified by national authorities in an irregular status in destination countries in North America, Australia and New Zealand. Most of these cases appear to involve Pacific island nationals overstaying their visas. For example, New Zealand deports each year, on average, several thousand nationals of Samoa and Tonga due to nationals of these countries overstaying their New Zealand visas. New Zealand further deports smaller numbers (on average, less than 1,000 persons each year) of nationals of Fiji and Tuvalu.

15 Ibid

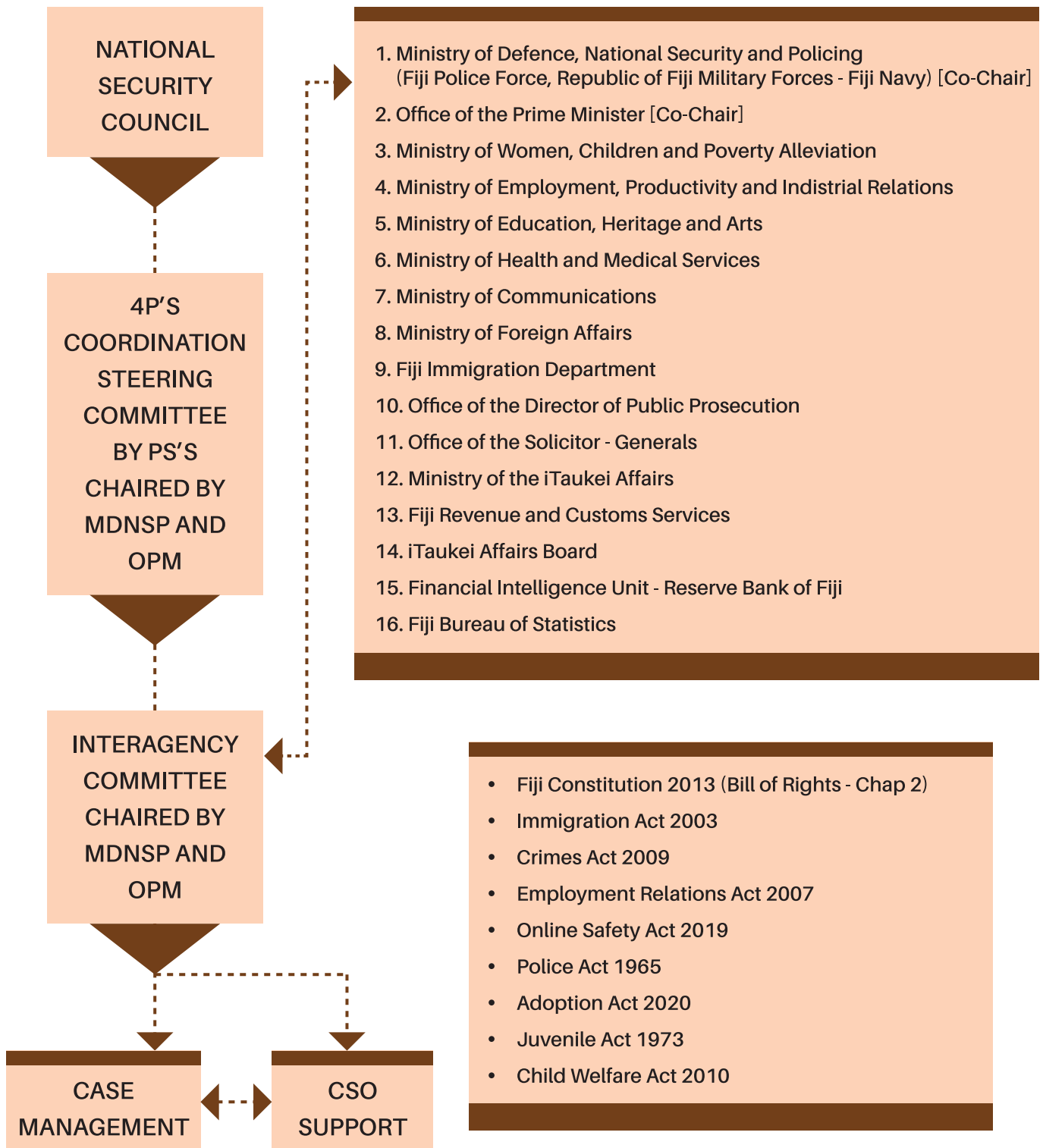
The National Human Trafficking Framework

The National Human Trafficking Framework (Framework) provides the proposed broad overview of the coordination mechanism and how the system will operate at national level to combat all forms of trafficking of persons' activities. By using the balanced approach of addressing human trafficking activities, the Framework is expected to provide the following:

1. Coordinate actions and strengthen inter-linkages between the existing systems or agencies to achieve the longer term strategic objectives of HT Strategy through operationalising the shorter to medium-term HTNAP.
2. The National Defence and Security Council (NSDC) will be the administrative arm of combatting human trafficking and its management. The NSDC will determine and direct the actions of the programmes to protect Fiji's integrity and the security of all Fijians to ensure the prosperity and safety of Fijians and our visitors.
3. The proposed Coordination Steering Committee comprised of key Permanent Secretaries (Coordination Steering Committee) will oversee the coordination and implementation of the 4 P's namely, Prevention, Protection, Prosecution and Partnership of this HT Strategy. The Coordination Steering Committee will be chaired by the Permanent Secretary of the Ministry and the Permanent Secretary for the Office of the Prime Minister.
4. The Interagency National Human Trafficking Committee (Interagency Committee) is comprised of technical working groups for policy guidance and briefs which will provide sound advice to the Coordination Steering Committee and NSDC.
5. The Interagency Committee will oversee the human trafficking case management system, coordinate victim support services and review current legislation and policies to effectively address prosecution of related cases. Furthermore, the supporting pillars of the Committee are:
 - a. Case Management Coordinator (CMC): This designated personnel will streamline the monitoring and coordination of required activities and support. The appointment of a CMC will also ensure that the required support services are provided to the victims through the support of the civil service organization (CSO) groups and that the perpetrator is processed from investigation to prosecution until either conviction or resolution is reached in a human trafficking case.
 - b. Civil Society Organizations/Non-Governmental Organizations - to provide technical support on areas that Government stakeholders deem necessary.
6. The Framework will serve as a guide and baseline framework to approach the urgent intent of the Government, therefore, it can be modified or adjusted as and when required or new information arises.
7. Political commitment is vital in combatting Illicit Financial Flows (IFFs) linked to trafficking in persons. Support from our political leaders and whole of Government approaches are instrumental for a successful strategy to combat IFFs.

8. All key Permanent Secretaries will be involved to ensure support for the implementation of the HT Strategy and HTNAP.

Figure 3: National Human Trafficking Framework



PARTNERSHIPS FOR COMBATTING HUMAN TRAFFICKING IN FIJI

As outlined in the Framework, all national stakeholders were consulted and will continue to be involved in the implementation of the HT Strategy, focused on building a safe, healthy and resilient Fiji, as well as on addressing all forms of trafficking through a comprehensive and integrated approach.

The following stakeholders' contributions and participation were and will be integral in progressing the urgent fight against human trafficking activities in Fiji:

1. Ministry of Defence, National Security and Policing (Fiji Military Forces, Fiji Navy, Fiji Police Force)
2. Office of the Prime Minister
3. Ministry of Education, Heritage and Arts
4. Ministry of Employment, Productivity and Industrial Relations
5. Ministry of Health and Medical Services
6. iTaukei Affairs Board
7. Ministry of Women, Children and Poverty Alleviation
8. Ministry of Foreign Affairs
9. Fiji Immigration Department
10. Ministry of Communications
11. Fiji Bureau of Statistics
12. Office of the Director of Public Prosecutions
13. Fiji Revenue and Customs Services
14. Fiji Financial Intelligence Unit, Reserve Bank
15. The Solicitors-Generals Office
16. Faith-based organisations
17. Civil society groups and organisations
18. International partners and agencies

STRATEGIC AREAS AND OBJECTIVES

The HT Strategy builds on existing response mechanisms with the commitment and combined efforts with partners to address human trafficking in Fiji. It relies on and continues to develop on the basis of previous international and domestic experience and provides for new initiatives in response to trafficking in persons in all its forms and segments.

At the national level, the HT Strategy puts emphasis on achieving the goal of the Government in its National Development Plan to strengthen maritime surveillance systems and patrols to eliminate illegal fishing and human trafficking in Fiji. The HT Strategy provides an analysis of the current situation in the fight against trafficking in persons, identifying new challenges, and also implementing strategic goals in line with international standards and practices.

The overall objective of the HT Strategy is to improve the efficiency and functionality of the prevention, identification, protection, assistance and monitoring of victims of trafficking with a special focus on women and children, as well as the effectiveness of investigations, prosecutions and adequate punishment of perpetrators of this crime in accordance with national criminal legislation and accepted international standards.

The HT Strategy has four key strategic areas:

- **Strategic area 1. Prevention of trafficking in persons**
- **Strategic area 2. Protection of victims of human trafficking**
- **Strategic area 3. Prosecution of traffickers**
- **Strategic area 4. Partnership, coordination and international cooperation**

The vision of the HT Strategy is to create a just, humane, gender-sensitive and empowered society that protects people from all forms of trafficking.

The mission of the HT Strategy is Fiji's commitment to maintaining transparent, responsible and pro-active anti-trafficking initiatives in line with international human rights standards.

The HT Strategy is operationalised by the HTNAP, which sets short, medium and long-term targets aligned to the strategic objectives of the HT Strategy.

THE 4P PARADIGM APPROACH

Counter-trafficking activities focus on four strategic areas, also known as the “4P” paradigm, comprised of Prevention of human trafficking, Protection of victims, Prosecution of traffickers and Partnership amongst key stakeholders, both domestic and internationally. The 4P principles act as a policy framework used by governments worldwide to combat trafficking of persons.

1. PREVENTION OF HUMAN TRAFFICKING

Prevention is a crucial component to monitor human trafficking across nations. Globally, prevention efforts have been concentrated largely on the supply side of trafficking by addressing the vulnerabilities of communities. In more recent times, efforts extend beyond raising awareness campaigns to strengthening labour laws enforcement and strengthening partnerships between governments, law enforcement, and non-governmental organizations. Other prevention activities that tackle the “push factors” of migration have also been implemented such as the provision of vocational training, access to microcredit and access to education for vulnerable children. However, in many cases, prevention strategies have failed to integrate into policies due to lack of evidence-based research, planning and impact evaluations.

AIM: To improve preventive activities and involvement of all stakeholders at the state level in the implementation of such activities.

Specific objective 1.1	Equip government officials in operational roles with the competency to identify and manage suspected people trafficking activity through specialized training and technical assistance in partnership with relevant development partners.
Specific objective 1.2	Increase targeted messaging and awareness on labour and sex trafficking to the public via social media and mainstream media.
Specific objective 1.3	Improve understanding of the nature of people trafficking through research on trafficking issues of relevance to Fiji and improve and enhance information sharing and intelligence gathering amongst key stakeholders.
Specific objective 1.4	Strengthen border securities and permit policies, including issuance of visa electronically to prevent migrant workers being trafficked in and out of Fiji, as well as persons trafficked within the country.
Specific objective 1.5	Improve the knowledge of all professionals and representatives of the NGOs and CSOs sector in Fiji who are in touch or may come in touch with victims of trafficking in human beings in terms of the identification, referral and protection of victims and criminal prosecution of offenders.
Specific objective 1.6	Improve the knowledge of key stakeholders on the risks and consequences of child pornography and other forms of sexual exploitation and abuse of children by sharing information and communication technologies and intelligence.
Specific objective 1.7	Increase resilience of vulnerable groups by supporting projects for the empowerment of vulnerable groups in partnership with NGOs and CSOs.

Specific objective 1.8	Improve the data collection system by developing a centralized national human trafficking data base for key stakeholders in Fiji, and reporting on data annually, and to implement research studies to identify trends in trafficking in human beings through trans-border crimes.
Specific objective 1.9	Strengthen the national inter- agency coordination mechanism to counter IFFs. For effective response, Government needs to develop institutional mechanisms that give clear responsibilities and facilitate straight forward co-ordination and collaboration between agencies, both at the policy design and implementation levels.

2. PROTECTION OF VICTIMS

Within the strategic area of protection of victims, special attention will be paid to improving the identification method by redirecting the focus from a criminal justice approach to a victim-oriented approach. Victims of human trafficking, of whom women and children are the most vulnerable, are very difficult to be detected, hence a quality model is needed for their protection and reintegration back into society. This strategic area focuses on the age and gender specificities of the crime itself, providing an adequate response to their vulnerability.

Immediate protection for potential or identified victims of trafficking must be provided in order to keep them safe.

Protection also takes into account the immediate needs of the victims, from psychological help and legal assistance to meeting basic necessities such as food, clothing and housing. Bilateral cooperation has often been strong in returning victims across borders and the service of quality has been improving over the years. However, as many victims are not identified, they also remain unprotected. In the end, victim protection and assistance are left to the discretion of the state.

AIM: To improve the identification of victims of trafficking in human beings and the quality of protection and assistance provided to them during their social reintegration.

Specific objective 2.1	Formal appointment of a CMC as the designated personnel to streamline the monitoring and coordination of required activities and ensure that the required support services are provided to the victims through the support of the CSO group and that the perpetrator is processed from investigation to prosecution until conviction for the end to end processing of a human trafficking case.
Specific objective 2.2	Enhance integrity and technology of travel documents, data capturing and bio metric capabilities for travelers at borders including E-Gates and improvements of Integrated Border Management System (IBMS).
Specific objective 2.3	Key stakeholders to provide repatriation assistance for victims of trafficking.
Specific objective 2.4	Key stakeholders to develop policies for victims of people trafficking in persons that provide for alternative options to enable victims to remain in country rather than to return to their country of origin.

Specific objective 2.5	Provide immediate medical attention for victims of trafficking as victims might have encountered physical and mental health problems during the process of their being trafficked.
Specific objective 2.6	CMC to coordinate with Government key stakeholders and relevant CSOs and NGOs to provide financial assistance, housing assistance or temporary accommodations for victims of trafficking.
Specific objective 2.7	Key stakeholders to provide appropriate protection to victims of trafficking from all forms of threats such as threats against their families or any attempt by traffickers to injure or harm the victim.

3. PROSECUTION OF TRAFFICKERS

Prosecution is a necessary element for governments to eradicate human trafficking. Although the Trafficking Protocol consists of a mandatory provision to criminalize traffickers, the crime remains largely under-prosecuted and unpunished. Prosecution-related activities include implementation of specific anti-trafficking laws, provision of training of police officers, lawyers, and judges to effectively respond to trafficking and the establishment of special anti-trafficking police units. However, many countries that have ratified the Trafficking Protocol fail to provide a legal framework to cover all provisions from the Trafficking Protocol in a comprehensive manner.

AIM: To strengthen the capacities of criminal prosecution bodies for the prosecution of trafficking in human beings, for the purpose of having more efficient criminal and financial investigations.

Specific objective 3.1	Enhance investigation capabilities to prosecute human trafficking offenders successfully and assist victims of trafficking on their participation in the criminal justice process.
Specific objective 3.2	Ensure that victims in the prosecution process have access to trauma- informed care, appropriate support and access to information on victims' rights in variety of languages.
Specific objective 3.3	Mobilise enforcement agencies to proactively prosecute human trafficking cases and prevent all forms of human trafficking.
Specific objective 3.4	Continue with the harmonisation of provisions of the national legislation in the area of combating of trafficking in human beings in line with regional and international obligations and standards.
Specific objective 3.5	Ensure the operationalization of joint investigations teams through the initiation of investigations and joint training activities amongst Inter Agency Committee (IAC) service responders such as the Fiji Revenue and Custom Services, Fiji Immigration Department, Fiji Police Force, Biosecurity Authority of Fiji, Ministry of Employment, Productivity and Industrial Relations and the Ministry of Defence, National Security and Policing.
Specific objective 3.6	Strengthen capacities in the Judiciary in order to have an efficient criminal prosecution and more effective identification and confiscation of proceeds originating from criminal offences.

4. PARTNERSHIP, CO-ORDINATION AND INTERNATIONAL COOPERATION

Maintaining and developing strong partnerships both within and outside Government is crucial to the success of the Framework and the HT Strategy. The Fijian Government understands that TIP cannot be tackled by Government agencies alone and that we must work closely with the civil society, all sectors of the community, foreign State partners, regional and international organizations and bodies.

AIM: To strengthen the co-ordination and partnerships among numerous stakeholders in this area, from all sectors of the society on both the national and international level and to promote networking.

Specific objective 4.1	Strengthen the domestic co-operation and coordination of relevant stakeholders and organisations in combating human trafficking.
Specific objective 4.2	Build strategic partnerships and the co-operation with the civil and private sector.
Specific objective 4.3	Strengthen strategic partnerships at the regional and international level in areas to reduce push factors that leads to people trafficking to Fiji and seek assistance for anti- trafficking projects.
Specific objective 4.4	Ensure that Fiji engages continually through its participation in international and regional forums on people trafficking issues.
Specific objective 4.5	Improve coherence and ensure coordinated actions aligned to international norms and standards and establish peer review mechanisms, multilateral cooperation initiatives and information exchange mechanisms. Furthermore, strengthening of partnership and cooperation with countries which are key sources and destinations of IFFs and also identifying key development assistance policies can support measures to counter IFFs.

ANNEXURES:

ANNEX 1: TERMS USED IN THIS STRATEGY

- a) Trafficking in human beings: According to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (2000), 'trafficking in human beings' means the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation involves, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; Article 3(a). Recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be deemed a 'trafficking in persons', even if it does not include any of the means referred to in subparagraph (a) of this Article; Article 3 (c).
- b) The victim of trafficking in human beings refers to any person who is the subject of trafficking in human beings, in accordance with the above definition.
- c) A potential victim of trafficking refers to any person who the authorities/organizations responsible for initial identification consider to have been victims of trafficking.
- d) Smuggling of migrants shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident; Article 3 (a)
- e) Children means persons under 18 years of age; Article 3 (d)
- f) Strategy evaluation means that at the end of the implementation period of the Strategy, a post-implementation evaluation will be carried out.

ANNEX 2: LIST OF INDICATORS TO IDENTIFY VICTIMS OF TRAFFICKING (VOTS)

Investigators should have access to a simple handbook with these indicators and a checking column with a “yes” or “no” answer. It must be added as a piece of investigative procedure when given to the prosecutor.

Each identification interview must include relevant information, such as:

Indicators of victims of trafficking common to all forms of exploitation:

- The age
- The accommodation habits (where do they live, what do they eat, how do they pay?)
- Needy condition for various reasons (economic, family, discrimination)
- Deception about working and/or living conditions
- Specific methods of transport and arrival (in group and without knowing each other, following pre-established routes, having different reference persons in the various phases, etc.)
- Subjugation to traffickers (for trust, fear of threats and/or physical or psychological violence)
- Deprivation of self-determination capacity (in terms of movement, working conditions and hours, choice of accommodation, interpersonal relations, ability to turn to authorities, etc.)
- Isolation regarding communication (taking away/deprivation of means of communication)
- Unavailability of identity documents (due to lack/deprivation) or availability of forged documents
- Total or partial withholding of the money earned (debt bondage)
- Reticence and/or inconsistent/contradictory statements
- Vulnerability and exploitation linked to irregular presence on the national territory concerned
- Vulnerability through not knowing the language and the laws of the country of destination
- Vulnerability and exploitation following threats of retaliation against the victim’s relatives, also in the event of reporting to the authorities
- False statements of legal age to avoid measures to protect minors
- Availability of counterfeit documents
- Obligation to lodge in a given place
- Deprivation of freedom of movement throughout the working day, with impossibility of leaving the work place
- Continuous monitoring during the working day (also through video-surveillance systems) and leisure time

Indicators of victims of trafficking for sexual exploitation

- Trauma
- Cultural conditioning
- Isolation, uprooting
- Being convinced of being unable to abandon prostitution for various personal or social reasons
- Impossibility of avoiding prostitution even if in unfavourable physical conditions (pregnancy, illness, unprotected sex)
- Existence of a loving relationship with the trafficker
- Recurring reports of minors prostituting themselves
- Availability of counterfeit documents proving the existence of (fictitious) kinship relations between victims and traffickers
- Forced marriages and marriages of convenience with citizens of the destination States
- Large number of immigrants in the place of accommodation
- Large numbers living at the place of work
- Obligation to lodge at a given place
- Deprivation of freedom of movement throughout the working day, with impossibility of leaving the work place
- Continuous monitoring during the working day (also through video-surveillance systems) and leisure time
- Impossibility of exercising fundamental freedoms, including trade-union freedoms, in the workplace, and of benefiting from the envisaged welfare and social security guarantees
- Not knowing the identity of employers/guards and knowing only their fictitious names
- Frequent transfers in the national territory
- Legal and economic working conditions considerably below the minimum standards laid down by legal contractual rules
- Forced labour in seriously unsafe/unhealthy places, impossible/difficult access to health services
- Impossibility of choosing an employer and negotiating working conditions and wages
- Partial deprivation of wages (due to unreasonable deductions, failure to comply with collective agreements, payment of the “debt bondage”)
- Acceptance of work arrangements enforced by means of violence, threat or intimidation
- Possible punishment at work, including the use of violence
- Possible (sexual or non-sexual) violence for the purpose of subjugation and control
- Fictitious possession of bank accounts which are used by the traffickers
- Obligation to pay the employer or pay for work permit to get the job

Indicators of victim of trafficking for other types of exploitation (begging, perpetration of criminal activities, trafficking in organs)

- Daily forced employment in criminal activities (bag-snatching, pickpocketing, burglary, vehicle theft, shoplifting, drug pushing) for several hours during the day
- Forced hospitalisation
- Forced cohabitation, sometimes also paying
- Impossibility of living and moving autonomously
- Presence of a “controller”
- Forced begging for several hours each day, inter alia to pay the debt bondage for the travel
- Vulnerability due to disability or other psychological or physical condition of inferiority (for instance, pregnancy) for the purpose of begging
- Vulnerability for being a member of a minority for the purpose of begging and/or perpetrating illegal activities
- Reports of non-compliance with compulsory education laws for under-age victims
- Recurring reports of minors involved in begging and/or illegal activities
- Illegal international adoption of foreign minors
- Extreme poverty or conditions of need

ANNEX 3: RELEVANT INTERNATIONAL CONVENTIONS RATIFIED BY FIJI

SRL	
1	Convention on the Rights of the Child (CRC, 1898)
2	ILO Minimum Age Convention , No. 138, 1973
3	ILO Worst Forms of Child Labor Convention, No. 182, 1999
4	ILO Forced Labor Convention, No. 29, 1930
5	ILO Abolition of Forced Labor Convention, No. 105, 1957
6	UN Convention against Transnational Organized Crime and Supplementary Protocols- (i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; (ii) Protocol against smuggling of Migrants by Land, Sea and Air; and (iii) Protocol against the Illicit Manufacturing of Trafficking in Firearms, their Parts and Components and Ammunitions .
7	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing
8	International Convention on the Protection of the Rights of All Migrant Workers and Members of the Families;
9	International Convention for the Protection of All Persons from Enforced Disappearance 2010
10	Convention for the Suppression of Trafficking in Women and Children , 1921
11	Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1987
12	Convention on the Elimination of All Forms of Discrimination Against Women, 1981
13	WHO Protocol to Eliminate Illicit Trade in Tobacco Products 2012
14	International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966
15	International Covenant on Civil and Political Rights (ICESCR) 1966
16	Convention on the Civil Aspects of International Child Abduction, 1980

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