



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Sixth periodic report submitted by Fiji under article 18 of the Convention, due in 2023^{*,**,**}

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* The present document is being issued without formal editing.

** The present document was submitted pursuant to the simplified reporting procedure. It contains the responses of the State party to the Committee's list of issues prior to reporting ([CEDAW/C/FJI/QPR/6](#)).

*** The annexes to the present document may be accessed from the web page of the Committee.



List of abbreviations

AMA	Agricultural Marketing Authority of Fiji
ANC	Ante-natal Clinics
AYFHS	Adolescent and Youth-Friendly Health Service National Operational Guidelines
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
COVAX	COVID-19 Vaccines Global Access
CPO	Child Protection Officer
CSO	Civil Society Organizations
CWP	Commonwealth Women's Parliamentarians
DFAT	Department of Foreign Affairs and Trade
DRM	Disaster Risk Management
DRR	Disaster Risk Reduction
DSP	Department of Social Protection
EDAWG	Election Disability Accessibility Working Group
EOC	Emergency Operation Centre
ERA	Employment Relations Act
FBO	Faith Based Organization
FBOS	Fiji Bureau of Statistics
FDB	Fiji Development Bank
FCGA	Fiji Country Gender Assessment
FEG	Free Education Grant
FEO	Fiji Elections Office
FHRADC	Fiji Human Rights and Anti-Discrimination Commission
FNAP	Fiji National Action Plan on the Prevention of Violence against All Women and Girls
FNPF	Fiji National Provident Fund
FP	Family Planning
FWCC	Fiji Women's Crisis Centre
GBV	Gender-based violence
GBVIE	Gender-based Violence In Emergency
GEDSI	Gender Equality, Disability and Social Inclusion
GFH	Gender Family Harm
GMAG	Gender Mainstreaming Action Groups

GMFT	Gender Mainstreaming Lead Facilitators Team
GNCP	Gender Non-Confirming People
GRPB	Gender Responsive Planning and Budgeting
HOS	Heads of Schools
HPV	Human Papilloma Virus
ICD	Gender Transformative Institutional Capacity Development Initiative
LBT	Lesbian, Bisexual, and Transgender
LGBTQ	Lesbian, Gay, Bisexual, Transgender and Queer
MCH	Maternal Child health Clinics
MCS	Ministry of Civil Service
MEPIR	Ministry of Employment, Productivity and Industrial Relations
MFAT	Ministry of Foreign Affairs and Trade
MOAW	Ministry of Agriculture and Waterways
MHMS	Ministry of Health and Medical Services
MOE	Ministry of Education
MOF	Ministry of Finance
MOU	Memorandum of Understanding
MRMD	Ministry of Rural and Maritime Development & Disaster Management
MSP	Medical Services Pacific
MWCSP	Ministry for Women, Children and Social Protection
MYS	Ministry of Youth and Sports
NAP	National Action Plan
NDMO	National Disaster Management Office
NDP	National Development Plan
NEC	National Employment Centre
NGO	Non-Government Organization
NGP	National Gender Policy
NWM	National Women's Machinery
OMRS	Open-Merit Recruitment Process
PALM	Pacific Australia Labour Mobility
PICP	Pacific Islands Chief of Police
RFHAF	Reproductive and Family Health Association of Fiji

RSE	Recognized Seasonal Employment Scheme
SDP	Strategic Development Plan
SHP	Self Help Program
SOP	Standard Operating Procedure
SRH	Sexual Reproductive Health
STEM	Science, Technology, Engineering and Mathematics
STI	Sexually Transmitted Infections
TELS	Tertiary Education Loans Scheme
TVET	Technical Vocational Educational Training
UNFPA	United Nations Population Fund
VAWG	Violence against Women and Girls
VIA	Visual Inspection by Acetic Acid
WMP	Women Members of Parliament
WPS	Women, Peace, and Security
WRD	Women's Resilience to Disaster Program

I. Introduction

1. The Republic of Fiji has the pleasure of submitting to the Committee on the Elimination of Discrimination against Women, the responses to the list of issues and questions in relation prior to the sixth Periodic Report on the implementation of the CEDAW.
2. The MWCSP coordinated the collection of information from all relevant Government Ministries and Departments, processed the information and prepared the following document, from 2018 through September 2023.
3. According to the Committee's instructions, the answers are summarized within the limit of 21,200 words.

II. Replies to the list of issues prior to reporting

General

Reply to paragraph 1 of the list of issues ([CEDAW/C/FJI/QPR/6](#))

4. As per the 2017 census collected by the FBOS, Fiji's total population stands at 884,887 compared to 837,271 in the 2007 census. This is an increase of 47,616 or 5.7 per cent. The average annual population growth is 0.6 per cent, due to low birth rates and out migration. Women make up 49.3 per cent of the population. While the proportion of males was higher below the age of 59 years. The female population was higher in the age groups above 60, indicating greater female longevity. Please see Tables 1 and 2 as Annex 1.
5. Political – The FEO has the National Register of Voters (NRV) containing a list of all registered voters in Fiji and their information in terms of age, gender and residential address. As at 30 June, 2023, the total number of registered voters in the NRV stands at 695,435 of which 346,244 are females and 349,191 are males. Following the 2018 General Election, the FEO released the 2018 Voter Turnout and Survey Report containing data extracted through a Voter List Analysis and the results from a nationwide Voter Survey. This data related to voter registration and voter turnout in all divisions in Fiji and abroad. It was collated in terms of sex, age and location. Data from the 2018 Voter Turnout and Survey Report revealed that there were 637,527 registered voters of which 316,431 were females and 321,096 were males. Furthermore, for the 2018 General Election, more females voted compared to males with female voter turnout being 223,439 and male voter turnout standing at 220,016. The FEO has also finalized data for the Voter Turnout Analysis of the 2022 General Election which revealed that more women voted compared to men with a total female voter turnout being 238,389 and the total male voter turnout standing at 234,440. Five (5) women were elected to the legislature as Members of Parliament.
6. Health – Fiji has made significant strides in the last 30 years regarding the following key indicators; Skilled Birth Attendance (SBA) increased from 98 per cent in 1990 to 100 per cent in 2021; the Total Contraceptive Prevalence Rate (CPR) rose from 29 per cent in 2009 to 36 per cent in 2021; and the Adolescent Birth Rate (ABR) decreased from 36 per cent in 2007 to 31 per cent in 2021. The MHMS reported a maternal mortality rate (MMR) of 39 per 100,000 live births in 2021, down from 47 in 2020. Despite progress, there remains room for improvement. Government initiatives aim to enhance access to health facilities and promote at least four prenatal visits per pregnancy. The Rural Pregnant Mothers' Food Voucher program incentivizes early booking for rural women. MHMS has decentralized antenatal

services and is exploring the placement of trained obstetricians in high-delivery sites. Ongoing clinical mentoring and implementation of clinical guidelines are part of capacity-building efforts. Contraceptive services for youth are also being expanded. The Safe Motherhood Hospital Initiative undergoes biannual audits to monitor progress. MHMS collaborates with international partners like the UNFPA and DFAT to enhance maternal health, focusing on family planning and stock management. Recent initiatives include the Maternal Perinatal Death Surveillance Response (MPDSR) for better monitoring and policy development, and the creation of gender-based violence guidelines. Programs for individuals with disabilities are being piloted for nationwide rollout in collaboration with the Disability Forum.

7. Education – Fiji has an inclusive education program in mainstream schools whereby 398 schools in Fiji enrol children with disabilities, of which 34 per cent of students were girls as of 202. Fiji has 17 specially designated schools, mostly in the urban areas that cater to children with disabilities, 37 to 38 per cent of which are girls. At primary level, 62 per cent of teachers are women whilst 57 per cent of teachers at secondary level are women. Forty percent of principals, head teachers and Directors of Departments at primary and secondary schools are women. For women enrolled in locally based tertiary institutions in Fiji, more than 50 per cent of graduates are women. Fiji also provides a National Toppers Scholarship Scheme wherein 54 per cent of recipients have been women from 2014 to 2020. Fiji also provides a TELS wherein 51 per cent of recipients have been women from 2014 to 2019.

8. Employment – The 2013 Constitution enshrines the right to equal protection, treatment and benefit of the law regardless of sex or gender identity. Holistically, as of mid-2023, 59 per cent of Civil Servants employed in Government are women. There are currently 7 female Permanent Secretaries ('PS') as compared to 4 female PSs in 2022. There are 120 position holders across Government that directly report to PSs, of which 35 per cent are women. Since 2015 the percentage of women in the civil service has increased from 41 per cent to 54 per cent in 2018. Fiji also has a NEC which assists Fijians in securing employment of which 42.93 per cent have been women since 2018 till date. The proportion of women earning wages or a salary increased from 62 per cent to 66 per cent from 2015 to 2019. Fifty percent of employed Fijians work in the formal sector of which 35 per cent are women.

9. Social Protection – Fiji's Social Protection Strategy (2021) prioritizes meeting people's needs through programs like the Poverty Benefit Scheme, Social Pension Scheme for the elderly, and the Care and Protection Allowance for vulnerable children's families, which primarily benefit women. Women with impairments are also supported through the Disability Allowance Scheme. According to Fiji's 2023 Voluntary National Review (VNR), the number of individuals benefiting from Social Assistance Programs increased from 95,540 in 2015 to a peak of 142,507 in 2019, then decreased to 118,272 in 2021. This still reflects an overall increase of 22,732 individuals from 2015 to 2021. The decrease may indicate either a growing need for social protection during the COVID-19 pandemic or improvements in the system's ability to identify those in need. The goal is to ensure support for those requiring it while creating opportunities to reduce dependency on social protection.

10. Collection and analysis of data relevant to the Convention – Fiji has continued to build capacity in the area of data analysis and data collection through training programs for Government officials, researchers, and data collectors on gender-sensitive data collection and analysis methods. This includes understanding the specific indicators and data points required under CEDAW. Two leading global experts on CEDAW conducted a three-day Learning Exchange held from 12 to 14 July 2022 wherein the importance of data analysis and the collection of data disaggregation was discussed so as to allow for a more nuanced understanding of how discrimination affects different groups within the population. Fiji has also begun the

roll out of the ICD initiative that the Ministry is undertaking with the MoF through the GRPB initiative aims to create an enabling environment to ensure integration of all women and girl's needs, interests, concerns, contributions and perspectives – into plans, policies, strategies, programs and budgets across Government Ministries and Departments. Fiji also continues to work and build on the engagement with Civil Society Organizations as well as inter-governmental organizations to gather data and insights from the grassroots level especially those living in the marginalized communities.

Women's rights and gender equality in relation to the COVID-19 pandemic and recovery efforts

Reply to paragraph 2 of the list of issues

11. The COVID-19 pandemic prompted Government to implement inclusive and innovative responses addressing women's vulnerabilities during the crisis. The MCS adapted general provisions to ensure continued Government services, including virtual sessions, work-from-home options, paid sick leave, quarantine provisions, transport for essential services, and decentralized services. The NWM coordinated the creation of a Guidance Note titled "Gendered Impacts of COVID-19 on Women in Fiji – Rapid Analysis and Recommendations," which examined the pandemic's effects on women across various sectors like Agriculture, Tourism, Transport, Health, and VAWG. It made recommendations advocating for a 'whole-of-government' and 'human rights-based' approach, which was endorsed by Cabinet as a guidance tool for implementing gender-sensitive responses. In the effort to contend with the coronavirus, Government identified areas that needed to be addressed to be able to mitigate the impacts of the pandemic, such as:

(a) Legislation – Act 1 of 2020 COVID-19 Response Act; Act 2 of 2020 Tax Administration (COVID-19 Response) (Amendment) Act 2020; Act 3 of 2020 Income Tax (COVID-19 Response) (Amendment) Act 2020; Act 4 of 2020 Value Added Tax (COVID-19 Response) (Amendment) Act 2020; Act 5 of 2020 Stamp Duties (COVID-19 Response) (Amendment) Act 2020; Act 6 of 2020 Customs (COVID-19 Response) (Amendment) Act 2020; Act 7 of 2020 Customs Tariff (COVID-19 Response) (Amendment) Act 2020; Act 8 of 2020 FNPF (COVID-19 Response) (Amendment) Act 2020; Act 9 of 2020 Public Health (COVID-19 Response) (Amendment) Act 2020; and Act 6 of 2021 Public Health (Amendment) Act 2021 were introduced to address the various impacts of the pandemic;

(b) Social Protection – Government, in collaboration with the FNPF, implemented the 'COVID-19 Unemployment Relief' program to support individuals who experienced income loss during the pandemic. Members with sufficient funds in their general accounts could access their superannuation in four phases, while the Government provided a total of \$185.5 million in top-ups for those lacking adequate funds, contributing to a total pay-out of \$366.3 million from both sources. In 2021, the MWCSP introduced a Social Assistance Policy aimed at assisting poor and vulnerable Fijians through adaptive social protection programs. This evidence-based policy emphasizes feasibility, affordability, sustainability, inclusivity, transparency, and accountability. It focuses on five strategic areas: developing gender-responsive and affordable programs; improving selection processes for greater impact; creating an Integrated Social Protection Information System; enhancing administrative capacity; and establishing robust monitoring and evaluation, including gender-disaggregated data;

(c) Education – Digital learning ensured that education was accessible. Heads of Schools (HOS) were encouraged to promote digital learning for students during COVID-19. Curriculum was realigned to ensure that learning continued and teachers to some extent monitored and provided feedback to District Offices. Weekly home study packages were also made available to all students both manually and digitally. Internet data was also provided for Year 12 and 13 students to ensure learning continued. Other initiatives include Standard Operating Procedure (SOPs) for Safe School reopening and awareness programs. HOSs and 913 Child Protection Officers were trained to provide Psycho-social support to students affected by COVID-19;

(d) Agriculture – to cushion the impact of the COVID-19 Pandemic on ordinary Fijians, the MOAW introduced the Home Gardening and Farm Support Initiative whereby they distributed more than 400,000 backyard farming seed packs and around 72,000 farm support seeds packs to 3,447 communities in the rural and urban sectors. This led to an influx of vegetables supply, increased access to healthy and nutritious food and increased utilization of backyard land for farming. COVID-19 pandemic restricted movements of people, closure of businesses and markets, thus the need to establish and strengthen the concept of home gardening using backyard space and container farming system for provision of nutritional vegetables or food supply. The initiatives also covered settlements in the urban centres. MOAW also introduced Backyard Farming initiative that supported Fijians who were unemployed due to the COVID-19 pandemic and had returned to the rural area to focus on agriculture. Farm Support Kit Assistance was provided to reinforce settlement support and to develop agricultural entrepreneurship of individuals in order to commence farming activities. A total package of \$400.00 per individual was provided which consisted of \$250 worth of farming tools, \$100 worth of planting materials and \$50.00 cash, for procurement of any other items needed. A total of 374 farmers were assisted, of which 79 per cent male and 21 per cent female. Also, MOAW with the AMA ensured access to adequate food of acceptable quality and nutritional value for Fijians in the lockdown area during the COVID-19 pandemic through the Green Link Operation. Through this, the two institutions ensured uninterrupted supply of fresh produce to local markets. A total of 220 farmers who were market produce suppliers were assisted under this initiative of which 32 per cent were female. These suppliers/farmers sold their produce at the border to AMA, middlemen and vendors for market supplies. Other interventions were implemented with other development partners through Food Security Cluster coordination, Farm Support Initiative, Cash for Cultivation, Farm Care Support, Provision of Seeds and Planting Materials, Poultry Farming Assistance; and Livestock Veterinary Services. In summary, the breakdown of the Food and Nutrition Security Initiatives beneficiaries in response to COVID-19 Pandemic are provided in Annex 2.

(e) Health – The Health team in the MHMS led Fiji's COVID-19 pandemic response in collaboration with the NDMO and supported by UN organizations like WHO. They implemented prevention measures, including masking, hand washing, social distancing, and vaccination. Individuals arriving in Fiji were regularly screened and placed in quarantine to curb transmission. Swabbing teams were dispatched to hotels and communities, and lockdowns were enforced where cases were confirmed, with necessary rations and services provided to affected households. Tertiary hospitals were strengthened to manage COVID-19 cases, and FEMAT was deployed to Lautoka and Suva hospitals, with a temporary FEMAT hospital set up at Vodafone Arena during the 2021 outbreak. Non-COVID-19 cases were referred to alternative sites, including Ante-natal and Maternal Child Health clinics, often set up in makeshift tents. Testing capacity was enhanced, with samples sent to the Doherty Institute in Australia when needed. The vaccination program began in April 2021, utilizing staggered deliveries from COVID-19 Vaccines Global Access (COVAX) and other partners, initially prioritizing frontline workers and vulnerable groups. The

MHMS, with USAID support, secured the mRNA vaccine (MODERNA) for pregnant women, allowing for a shorter vaccination period;

(f) Economic – The achievement of COVID-19 Pandemic Health response led to Fiji's vaccination rate to be well above 95 per cent for the first and second dose and borders opening for economic recovery on the 11th of November 2021 with partial opening and on the 1st of December 2021 for the rest of the world with necessary guidelines. Government reimbursed directly to employers 21 days of COVID-19 leave for employees that tested positive and were certified by the MHMS. This was only applicable to those with less than \$30,000 annual income. Fijians employed in the informal sector were tested positive for COVID-19 and were certified by MHMS received a Government assistance of \$1,000. The SME Credit Guarantee Scheme was expanded to assist small entities affected by COVID-19. All commercial banks in Fiji were offered loan repayment holidays on principal and interest for up to 6 months for businesses and individual customers facing hardship with mortgages and loan repayments due to the COVID-19 pandemic. It was expected to provide a relief of around \$400 million. Strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crisis and in elaborating adequate responses, such as policies, assistance programs, recovery efforts and the consolidation of the rule of law.

12. To implement the NGP, various ministries have taken initiatives to develop their own gender-related policies, strategies and programs. MHAI promotes gender equality through its Gender Equality Policy. MOAW has a 5-year Strategic Development Plan (2019-2023) aligning with national agriculture priorities and the SDG Framework, focusing on food security, farmer income, sustainable agriculture, and public sector performance. It emphasizes women's involvement in agriculture, setting targets for increasing registered women's groups and enhancing women's participation in the sector. As of 2022, the MOAW supported 247 Women Groups with farming resources and assisted 37 Women and Youth Groups in beekeeping. The MOAW's Policy for Gender in Agriculture (2022–2027) aims to close the gender gap in agriculture by ensuring equitable access to resources and services for all farmers. It outlines objectives for equal access to economic resources, information, decision-making, and gender mainstreaming in agriculture ministries. The policy integrates with Government initiatives like GRPB and addresses the needs of vulnerable groups, particularly in DRM through gender-sensitive policies. The NDMO collaborates with the MWCSP and UN Women on gender issues in DRR. During the COVID-19 pandemic, Government acted quickly, focusing on women's participation in crisis responses, exemplified by the Women's Resilience to Disaster Program. This initiative allows women to share experiences and recommendations, enhancing their resilience and capacity to address disasters.

Optional Protocol

Reply to paragraph 3 of the list of issues

13. Fiji is yet to develop an appropriate framework for the collection and collation of necessary information and preparation of all reports. However, the MWCSP has initiated programs and activities that could provide steps towards the development of a framework for data collection across Government agencies such as the ICD, the FCGA and the FNAP 2023–2028.

Visibility of the Convention

Reply to paragraph 4 of the list of issues

14. NGP aims to promote gender equality, equity, social justice, and sustainable development in Fiji. It focuses on improving the quality of life for women and girls in all diversities, ensuring gender mainstreaming across sectors, and eliminating gender-based discrimination. Key initiatives include gender-responsive planning, strategies against gender-based violence, and a commitment to gender equality within the Fiji Police, aligned with the Pacific Islands Chief of Police Strategic Plan 2020–2024. The MRMD emphasizes women's contributions, dedicating 20 per cent of program assistance to women and youth enterprises. Capacity-building activities incorporate CEDAW principles and include training for various stakeholders. The MOAW has initiated gender-focused internal capacity building to enhance productivity and resilience in the agricultural sector. The NDMO collaborates on data collection for inclusive disaster responses. The FEO promotes women's and persons with disabilities' participation in elections, working with Civil Society Organizations. The MoF has adopted a Gender Equity & Social Inclusion Policy (Annex 3) to address economic and political participation gaps. Lastly, Fiji has ratified the ILO Declaration to combat workplace discrimination.

15. The Department for Women, also known as National Women's Machinery;

(a) The NWM is responsible for advocating, coordinating efforts, and providing policy advice to Government on gender equality and the empowerment of all women and girls in Fiji. The Department's thematic priorities include Women's Economic Empowerment, Ending Violence against Women and Girls and Gender, Climate Change, and DRR. Improving the availability, access, and use of gender data and statistics is crucial for guiding strategic interventions to address gender gaps and issues. The Department strengthens partnerships and networks with NGOs, CSOs, FBOs, development partners, and institutions to address gender gaps and issues. These efforts align with Fiji's commitments to the SDG Agenda 2030, CEDAW, Beijing Declaration and Platform for Action, Fiji Constitution, National Development Plans, and the NGP. The Department's budget allocation has fluctuated over the years, with the highest growth rate in financial year 2021/22. In the new financial year (2023/24), the Department has been allocated a budget of \$5.24m, representing a 20 per cent increase compared to the previous year (2022/23). The total budget allocated to the MWCSP for the past 7 years, amounts to \$892.2 million, of which \$30.3 million was allocated to the NWM;

(b) In 2020, Fiji conducted a country gender assessment called the FCGA. This initiative was the first of its kind in the Pacific region and demonstrated Government's commitment to gender equality and the Sustainable Development Goals (SDGs), particularly SDG 5. Through the lead of the Department for Women, the FCGA took two years to complete and involved a comprehensive consultation process and various stakeholders, including Government agencies, CSOs and FBOs, the United Nation Organizations, the Pacific Community, the Asian Development Bank, and other NGOs. The assessment gathered existing data through collaboration with Government agencies and a thorough desk review. The FCGA has resulted in strengthened partnerships, the establishment of a Data Steering Working Group and a Peer Review Committee, and the launch of the assessment in March 2023. The NWM has planned programs to raise awareness and disseminate information to address the gender issues identified in the assessment and implement policy recommendations across Government;

(c) The ICD and GRPB initiatives were both endorsed by Cabinet in year 2020 and were led by the MWCSP in collaboration with the MoF. It received endorsement from two Cabinet decisions in January and December 2020. The ICD supports the GRPB initiative by the MoF, endorsed in February 2020. The FWRM serves as the technical CSO partner of the ICD and this was made possible through the support of the New Zealand and Canadian Government. In 2021, Alinea International was engaged to assist with the ICD's rollout through training materials and sessions. Various ministries participated in the first phase of the ICD between 2021 and 2023. Significant achievements from 2020 to 2022 include the establishment of GMAG in 19 agencies, capacity building for Gender Mainstreaming lead facilitators, and development of Gender Analysis of key sectors and settings, sector specific training materials including toolkits, progress toward the ICD's Goals. The FPF (FPF) encourages equal participation and this is encouraged through the FPF Gender Policy. MOAW is one of the selected Ministry for piloting GRPB. Through this, 2 programs (Poultry Extension Program & Vanilla Farming Program and Apiculture Farming Program, Coconut Farming Program and Post-Harvest Loss Program) were selected in 2021/22. The processes were followed and adopted which resulted in the formation of MOAW GMAG and successful implementation of the 2 selected programs achieving equal distribution of assistance to farmers. The MOAW GMAG Committee meets every Quarter to review the work-plan and monitoring update of the implemented programs. The summary of beneficiaries selected for the GRPB Programs are at Annex 4. Though MRMD is positioned for the next phase of the ICD initiative, they are currently in partnership with UNDP under the Governance for Resilience (G4Res) Project which have progressed the Risk-Informed Development (RID) that ensures all development programs are sustainable, risk informed taking into consideration climate change, disasters and gender and social inclusion risk through all the phases of project design, construction and operation in an effort to enhance the resilience of rural communities. This initiative recognizes that rural development has evolved from the traditional norm taking into account that women are integral in achieving development aspirations. As of 2020, the MYS has also formulated a Gender Policy which has been incorporated in the Ministry's work plan;

(d) The Constitution of Fiji under section 45 provides for appointment of members of the Fiji Human Rights and Anti-Discrimination Commission (FHRADC). The appointments are upon the advice of the Constitutional Offices Commission to the President and appointment of members to the Commission is for a fixed term of 3 years. Members can only be removed under section 137 of the Constitution and thus appointment of members of the Commission is safeguarded. Further, appointments to the Commission are based on the personal attributes, knowledge and experience of the appointed member on various matters likely to come before the Commission in accordance with section 45(3) of the Constitution, and not necessarily based on a person's gender. The Constitution also provides for any breaches of human rights and enforcement of the protection of human rights to be brought before the courts in accordance with section 2(4) of the Constitution. Part 4 of the Human Rights and Anti-Discrimination Commission Act 2009 provides for the processes and procedures undertaken by the Commission for complaints and investigations and proceedings of complaints before the Commissioner.

Non-governmental organizations, women human rights defenders and journalists

Reply to paragraph 6 (a) of the list of issues

16. Through the MOJ, a Checklist has been developed to meet the requirements of the Government in relation to the Registration of NGO and CSO. This checklist is publicly available on their website for ease since 2019. The MOJ has also created an online portal to ease the registration process and has decentralized their services at Divisional and District levels which make face-to-face registrations easier. In addition to this, the Ministry collaborates with the Government's REACH program to take its services to the most rural areas in Fiji. Government agencies such as the Ministry for Itaukei Affairs and Department for Women also provide support to the registering organizations through letters which aids the registration process. The Ministry has in place a Standard Operating Procedure to ensure timely processing of the registration applications.

Reply to paragraph 6 (b) of the list of issues

17. As of 2023, the Media Industry Development Act (2010) of Fiji was repealed by the Parliament through majority vote, thus giving journalists, including women journalists the freedom to express or publish information in the media freely without any oppression. Following the change of administration in December, 2022, women's rights organizations and civil society organizations have been able to freely and peacefully protest and a recent example of that was a public protest that was held on the 25th of August 2023 against Fukushima Waste water being dumped into the Pacific Ocean August the 25th, 2023.

Temporary Special Measures

Reply to paragraph 7 of the list of issues

18. The Employment Relations Act 2007 provides a statutory framework in Fiji to promote the welfare and prosperity of all people. It aims to establish fair minimum labour standards, prevent discrimination in employment, regulate employment relationships, and provide mechanisms for dispute resolution. MRMD administers development in rural areas and appoints women as District Advisory Councillors (DAC) to ensure their voices are heard in decision-making processes. MYS, in partnership with UNICEF, has developed a National Youth Policy that addresses gender-based inequalities. One of the measures adopted is ensuring 50/50 gender representation in training programs, grants, and other opportunities. The policy also includes comprehensive, youth-friendly, gender-sensitive sex and relationships education and services.

Gender stereotypes

Reply to paragraph 8 of the list of issues

19. In line with the Constitution, MCS has adopted the Open Merit Recruitment System across all Government agencies. This open and transparent process has given women an opportunity to apply for positions in the Civil Service and be recruited entirely on the basis of merit. At the MOJ, there are no preferential treatment based

on gender. The recruitment and selection are done by an open merit process with the current 60 supervisory positions, 36 are held by women (60 per cent). The Fiji Corrections Services used to have a Marriage Policy (2016) to terminate female officers who fell pregnant whilst single, unmarried or through a relationship with a male officer within the organization. This Policy has been abolished as of January 2023 and officers who were unfairly dismissed under this Policy have been since reinstated. In addressing gender stereotypes, the NWM through the NGP, which it intends to review in 2023, continues to support the ICD Program. ICD as mentioned above is the driver for change in institutional policy and addressing gender stereotypes across all Government ministries. This firstly addresses the assumption that the responsibility of implementing women's empowerment policies and programs lies only with the NWM. Between 2019 and 2021, the Graduate Women Fiji in collaboration with Government and other partners conducted a STEM Camp to encourage young girls aged 6–13 years from underprivileged areas such as urban informal settlement to pursue STEM subjects in their education and future careers. Over the course of the program about 100 girls participated and worked with professional women in the STEM field who were recruited as teachers and role models providing a safe and supportive environment for the students. The Ministry of ITaukei Affairs undertakes work at community level including the Cultural Mapping Program under the Special Revitalization Unit which identifies potentials amongst women in the 14 provinces, districts and villages in order to revitalize and conserve traditions and cultural handicrafts renowned only for a particular '*tokatoka*'. The '*Ketekete ni Marama*' is a program designed to create awareness on the roles of women in society, on the principles of ITaukei values and approaches accorded to women in the traditional setting. With the Ministry of Lands and Mineral Resources, there have been planned commemorations of International Women's Day in support of positive reflection on all things woman for the current operating year. Creating and promoting general awareness amongst men and women at work on the intrinsic value of women's role in society and within the organization, sensitizing and generating conversations around women roles and women issues at a predominantly male oriented workplace. What began as a social activity that's usually an afterthought is now a must conduct annual event for the organization in support of women and female role representation formally reflected in the Business Plan and Ministry's Quarterly Planner. Since 2018, Oceania Rugby has worked successfully with over 2,000 students who play rugby, over half of whom are girls with female coaches. This is to change attitudes, social norms and ending violence against women and girls initiatives, in partnership with MSP, which administers the Child Helpline and the Reproductive and Family Health of Fiji. This is mainly for young girls aged 12–14 years to help them understand their rights and to gain the skills to make independent decisions about their bodies, while at the same time working with girls' parents to support their daughters' decision.

Gender-based violence against women

Reply to paragraph 9 (a) of the list of issues

20. The MWCSF has led the development of the FNAP. This plan was developed in partnership with a Secretariat composed of MWCSF, the FWCC, UN Women, and a technical working group of Government ministries and civil society organizations approved by the cabinet. The role of the Secretariat is to provide strategic and technical oversight on the development and implementation of FNAP. Since its inception in 2019, Government has conducted a comprehensive national consultation process to ensure diverse voices and perspectives are heard. This consultation process was designed to engage as many Fijians as possible across 13 key settings, including

education, health and social services, workplaces, public spaces, and more. The aim of the consultation process was to identify key priorities for the prevention of Violence against Women and Girls (VAWG), increase awareness on the issues of VAWG and the FNAP, and promote engagement on the issue. The five-year FNAP was officially launched in June 2023, marking a significant step towards preventing violence against women and girls in Fiji.

Reply to paragraph 9 (b) of the list of issues

21. Fiji is actively involved in various initiatives and campaigns to address GBV as a human rights violation. Several key agencies have programs related to GBV such as the MHMS, which released the National GBV Guidelines for Health in 2023; conducted regional training of trainers followed by a national training of trainers in Fiji; facilitated a nationwide rollout of GBV guidelines in the same year; offers expert medical care, treatment, and referrals to GBV victims; provides clinical management, including forensic investigations, in a private and confidential setting; ensures the presence of health staff of the opposite sex for clients below 18 years of age. This also allows clients above 18 years to provide consent for the presence of additional health staff; enquires the presence of a 'neutral' adult female person, welfare officer, or female police officer when a medical officer, nurse practitioner, or nurse is alone; collects forensic materials and delivers them to investigating police officers; and records all investigations and outcomes in patient folders and registers. The FPF runs the '*Duavata*' Community policing awareness initiative program whereby they organize community symposiums, radio talks, and crime stoppers to raise awareness of GBV; implements initiatives like 'Neighbourhood Watch Zone,' 'Blue Light Program,' and 'Policing through Sports' to advocate against GBV and sexual offenses; and conducts GBV training and awareness programs.

Reply to paragraph 9 (c) of the list of issues

22. MWCSPP uses awareness strategies, including social media eCards and GBV referral pathways, and provides information for service providers and guidance notes for responding to GBV cases. They also launched initiatives like the "Children are a Precious Gift Package" and established a Child Helpline (toll-free number 1325) for emergencies at home; collaborate with civil society organizations and shelters to address and respond to GBV cases; and have set up a Domestic Violence Helpline (toll-free number 1560) which is operated by FWCC. The Ministry of iTaukei Affairs runs awareness programs targeting iTaukei communities through various initiatives. Programs include the '*Sauvaki ni Vanua*' Program, Cultural mapping program, Cultural awareness program, Leadership program, and exhibitions for women through the Fiji Arts Council. The MOE has a Child Protection Policy and counsellors to address child protection issues and have recently reintroduced pastoral counselling in schools. The Judicial Department encompasses the Magistrates Courts, Family Division of the High Court, Juvenile Court, and the High Court with jurisdiction over GBV cases; works in support of each other for all GBV offenses under the Domestic Violence Act 2009; provides legal aid counselling to victims; and applies key principles of domestic violence legislation and works closely with the Legal Aid Commission. These initiatives, conducted by various Government agencies, aim to raise awareness, provide support, and ensure the well-being of GBV victims while addressing this critical issue as a violation of human rights in Fiji.

Reply to paragraph 9 (d) of the list of issues

23. Through its 16 Days of Activism initiative, the MWCSP collaborates with the Haus of Khameleon and the Rainbow Pride Foundation, an organization that focus its work on the protection and rights of transgender women in Fiji to increase awareness and offer capacity building. Also, MYS is currently running the Sexual Reproductive Health and Rights program in partnership with UNFPA to provide training and awareness for young girls and women based on Rights, Relationships and Responsibilities, the Body, Puberty and Reproductions, Communication and Decision-Making Skills, Staying safe and Healthy future. Transgender women are protected under section 26 sub-section 3 (a) of the Fijian Constitution 2013. Section 13 of the Marriage Act 1968 states that “marriage in Fiji shall be the voluntary union of one man to one woman to the exclusion of all others”.

Reply to paragraph 9 (e) of the list of issues

24. The Fiji Domestic Violence Act 2009 contains provisions which outlines the protection measures for victims of domestic violence. The FPF conducts awareness in churches, and other social groups to address domestic violence. Also, MWCSP supports CSOs with the 16 days of activism against GBV and the ‘Thursdays in Black’ campaigns.

Reply to paragraph 9 (f) of the list of issues

25. The Fiji traditional method of dispute resolution known as ‘*Bulubulu*’ comes as a mitigating factor in the Fiji Judiciary. However, it is not grounds for withdrawal of complaints in criminal prosecution. Moreover, if the complainant does not accept the ‘*Bulubulu*’ apology then that carries weight in our criminal courts as an aggravating factor in sentencing under the Sentencing and Penalties Act 2009.

Reply to paragraph 9 (g) of the list of issues

26. The FPF also has a ‘No Drop Policy’ for a stringent, compliant institutional stance of ‘Zero Tolerance’ and ‘No Reconciliation’ for any case of GBV, domestic violence and sexual offences complaints. In doing so, the FPF works closely with the respective agencies within the Criminal Justice System such as the FHRADC, FWCC, Legal Aid Commission, Fiji Corrections Services, DSP and the Office of Director Public Prosecution in the management, reporting, investigation and prosecution of breaches of human rights by police officers. Further, section 154 of the Criminal Procedure Act 2009 allows for promotion of reconciliation but not for offences of domestic violence as per 154(6).

Reply to paragraph 9 (h) of the list of issues

27. The current number of females employed by the FPF is 1322 making up 26 per cent of the total number Police employees. Previously recruitment of Police Officers was on quota basis of 30:70 ratio. Today the recruitment process is on merit basis which has resulted in the increase of females in the FPF. The policies of the FPF on GBV and sexual violence also apply in case of allegation against officers.

Reply to paragraph 9 (i) of the list of issues

28. In Fiji, perpetrators of crimes are sentenced in accordance with the Sentencing and Penalties Act 2009. Additionally, measures to protect victims are mandated by the Domestic Violence Restraining Order Act 2004. The courts in Fiji consider various factors, including the Victim Impact Statement provided by the victim or complainant. This statement plays a crucial role in determining the severity of the sentence imposed on the perpetrator. For instance, in the case of *State v Tikoitoga – Sentence* [2020] FJHC 602; HAC104.2020 (31 July 2020), the court took into account the Victim Impact Statement as part of the sentencing process.

Reply to paragraph 9 (j) of the list of issues

29. Currently the awareness is amongst the healthcare workers mainly in the Tertiary based hospitals within the Emergency Departments & Obstetrics Gynaecology Department with the Sexual Reproductive Health doctors for the necessary post-Exposure prophylaxis. MHMS is working towards rolling out a National Training of Trainers in 2023 with Divisional Roll out of training in GBV on the recently developed guidelines.

Reply to paragraph 9 (k) of the list of issues

30. MHMS is supported by the MSP, an NGO supporting GBV response in Fiji through its divisional clinics.

Reply to paragraph 9 (l) of the list of issues

31. In Fiji, when the alleged perpetrator of a crime is the head of the household or the primary income earner and has been remanded or imprisoned, the court can refer the child or parent for financial assistance. The MWCSP provides two options for financial assistance in such cases, either the Care and Protection Allowance or the Poverty Benefit Scheme allowance.

32. The Self-Help Program (SHP) in Fiji, administered by MRMD, supports rural women by promoting economic activities and income generation. Over the past six years, MRMD has carried out more than 40 social and income-generating projects benefiting women and women's groups in sectors like Agriculture, Fisheries, Transport, and Water. These projects represent over 7 per cent of MRMD's total SHP projects during this period. For income-generating projects, applicants contribute one-third of the total cost, while social projects accept in-kind contributions. MRMD plans to establish a quota for women's projects in each of Fiji's four divisions.

33. A 2019 DIVA for Equality report highlighted that 83.64 per cent of Lesbian, Bisexual, and Transgender (LBT) women and Gender Non-Conforming People (GNCP) reported experiencing physical violence by an intimate partner, with 43 per cent sharing this experience only with close friends and 12 per cent not disclosing it to anyone. Among those who faced physical or sexual violence, 52 individuals were assaulted by a family member, with all survivors between 25 and 34 years old. The FWCC's national VAWG prevalence study revealed alarmingly high rates of violence against women and girls in Fiji, including high levels of sexual abuse of girls under 15 years. This calls for urgent multi-sectoral action to address GBV. Survivors of violence, particularly those who experienced physical or sexual violence, have poorer health and higher hospitalization rates. Childhood and adolescent violence is linked

to negative sexual and reproductive health outcomes, including unwanted pregnancies and STIs.

34. The indirect impact on children of women experiencing violence is also significant, as these children often need emotional support for behavioural problems and are at higher risk of academic setbacks, such as repeating years or dropping out of school. To address these issues, a guideline for comprehensive case management was developed to train healthcare workers in managing GBV cases. The guideline provides healthcare workers with tools and knowledge to handle cases effectively, from the initial assessment to referrals to appropriate services and authorities. The Ministry of Health and Medical Services (MHMS) played an active role in developing the National GBV Guidelines for the Health sector, which were finalized in 2023. A regional Training of Trainers was completed in September 2023, followed by a national training roll-out planned for the second half of the 2023/24 financial year.

Reply to paragraph 10 (a) of the list of issues

35. The offence of Rape is defined under section 207 of the Crimes Act 2009 and the offence of rape has three separate definitions in accordance with section 207(2) of the Crimes Act 2009 which are as follows:

- (2) A person rapes another person if:

(a) The person has carnal knowledge with or of the other person without the other person's consent; or

(b) The person penetrates the vulva, vagina or anus of the other person to any extent with a thing or a part of the person's body that is not a penis without the other person's consent; or

(c) The person penetrates the mouth of the other person to any extent with the person's penis without the other person's consent.

36. Interestingly, under the offence of rape in Fiji, a child under the age of 13 years is incapable of giving consent. There is no requirement for corroboration in Fiji now. There have been positive shifts in Fiji in the prosecution of rape offences whereby the maximum penalty of rape is now life imprisonment which was delivered in the case of *State v Peni Vukici* [2018] FJHC 1193; HAC104.2017 (14 December 2018), the precedent case for passing life sentence for the offence of rape. In this case, the perpetrator was found guilty by the court for committing the offence of rape of his daughter and granddaughter since they were 10 years old until the first victim's marriage and the second victim attaining 26 years of age. The perpetrator was sentenced to life imprisonment and the Court declined to fix a non-parole period thus leaving the fate of the perpetrator in the hands of the Executive. Additionally, the Sentencing Tariff for child rape has now increased to that of 11 to 20 years imprisonment from the previous 10 to 16 years imprisonment as per the case of *State v Gordon Aitchison*. The Sentencing Tariff for adult rape is a sentence between 7 to 15 years imprisonment.

Reply to paragraph 10 (b) of the list of issues

37. Consent is defined extensively under section 206 of the Crimes Act 2009 as follows:

- The term "consent" means consent freely and voluntarily given by a person with the necessary mental capacity to give the consent, and the submission without

physical resistance by a person to an act of another person shall not alone constitute consent;

- Without limiting sub-section (1), a person's consent to an act is not freely and voluntarily given if it is obtained:
 - By force; or
 - By threat or intimidation; or
 - By fear of bodily harm; or
 - By exercise of authority; or
 - By false and fraudulent representations about the nature or purpose of the act; or
 - By a mistaken belief induced by the accused person that the accused person was the person's sexual partner.

38. There are positive changes in the law and with the Judiciary in Fiji in the implementation of the principles of CEDAW. We also have domestic violence cases and assault in domestic cases, where courts have handed down high sentences for domestic violence offences, which is a reflection of the Judiciary's commitment to CEDAW.

Reply to paragraph 10 (c) of the list of issues

39. The Family Law Act 2003 at section 32 provides for an order of nullity of marriage by the Courts which must be based on the ground that the marriage is void.

40. A marriage is considered void on the following grounds as stipulated in the Act:

- (a) Either of the parties is, at the time of the marriage, lawfully married to some other person;
- (b) The parties are within a prohibited relationship;
- (c) The marriage is not a valid marriage under the law of the place where the marriage takes place, by reason of a failure to comply with the requirements of the law of that place with respect to the form of solemnization of marriages;
- (d) The consent thereto of either of the parties is not a real consent because-
 - (i) It was obtained by duress or fraud;
 - (ii) That party is mistaken as to the identity of the other party or as to the nature of the ceremony performed; or
 - (iii) That party is mentally incapable of understanding the nature and effect of the marriage ceremony; or
- (e) Either of the parties is not of marriageable age, and not otherwise.

41. As noted in section 32(d) above, consent to marriage is not a real consent if consent was given due to duress or fraud thus addresses the judiciary and Fiji's commitment in nullifying and addressing all forms of pressure on victims of rape to marry perpetrators. There are applications for Order of Nullity made available to all persons which is accessible online and from all the 18 Family Court registries located in all four divisions, that is, Central, Eastern, Western and Northern Divisions. Victims of rape also have the option of applying solely for an Order of Nullity if there is a circumstance whereby the other party to the marriage disagrees in entering such an application. Applications for Order of Nullity of a marriage are heard before the

Family Division of the High Court which has exclusive jurisdiction in adjudication of this application and is an indication of Fiji's serious commitment to implementing the principles of the Convention. In the case of NK and ZMR [2009] FJHC 95; Case No 0089.2009 (2 April 2009), which is a matter for an application of nullity of marriage under section 32 of the Family Law Act 2003 in which the wife to the marriage made an application for nullity of marriage on the ground that marriage was entered into with no real consent given and that the wife was pressured by her father and relatives to enter into marriage due to tradition and religious expectations of her family. The High Court ruled that since there was no real consent given to the marriage, the marriage should be declared null and void. The High Court when delivering its findings indicated that Courts in Fiji when applying the law under this Act are required to take into account *inter alia* the principles enshrined in CEDAW and that no one is allowed by law to be forced into marriage but both parties must willingly and freely enter into the marriage.

42. To increase efforts to prosecute and punish perpetrators and accomplices in cases of child marriage, child marriage is prohibited under our laws in Fiji as provided for in section 29 of the Marriage Act 1968 wherein the offence for marrying a minor is committed by any person in the following three (3) ways:

- (a) Wilfully and unlawfully marries a person under the age of 18 years; or
- (b) Induces or endeavours to induce any marriage officer or other person to solemnise marriage between parties when the person so acting knows that one of the parties to the marriage is a minor; or
- (c) Abets or assists the principal offender in any such act or endeavour as is described in paragraphs (i) and (ii), knowing that a party to the marriage or intended marriage is minor.

43. The offence of marrying a minor carries a conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 2 years. Previously the marriageable age for males was 18 years old and females at 16 years with consent required of parents to be able to enter marriage. After the 2009 amendment, section 29 as it is specifically outlined above, amended the age of a minor from 21 to 18, and made it an offence for anyone purporting to "marry" a minor, including marriage officers and civil marriage celebrants; The Constitution of the Republic of Fiji being its supreme law, has enshrined the Rights of Children under Article 41 which provides for protection of children from abuse, neglect, harmful cultural practices, any form of violence, inhumane treatment and punishment, and hazardous or exploitative labour, amongst other provisions and protections. The Constitution also upholds the best interests of the child which is the primary consideration in every matter concerning the child, also a requirement under the Family Law Act 2003.

Reply to paragraph 10 (d) of the list of issues

44. The Employment Relations Act 2007 at section 91 outlines the forms of child labour which is prohibited in Fiji and these include:

- (a) All forms of labour slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and any form of forced or compulsory labour, including forced or compulsory recruitment of children in armed conflict;
- (b) The use, procuring or offering of a child for illicit activities in particular for the production and trafficking of drugs as defined in relevant international treaties; or

(c) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances, and a person who engages a child in such prohibited form of child labour commits an offence.

45. Further, the minimum age for employment in Fiji of children is 15 years and a child between the ages of 13–15 years must not be employed in any capacity other than employment or light work in a workplace in which members of the same family or of communal or religious group are employed provided that such employment is not likely to be harmful to the health or development of the child, and the employment is not such as to prejudice the child's attendance at school, participation in vocational orientation or training programs approved by a competent authority or capacity of the child to benefit from the instruction received. A person found to be employing a child under the age of 15 years commits an offence. Curriculum content at the MOE promotes positive images of girls, for instance the new Literacy and Numeracy Curriculum enables children to develop respect and sensitivity to others, in particular, towards those whose gender, abilities, faith, and beliefs are different from their own. It promotes discernment and enables children to combat prejudice, discrimination, and violence against women, girls, and children. Other subjects include Moral Values and Civic Education at Primary level and Family Life Education for Secondary Level. In addition to this, schools also promote co-curricular programs such as Cadet, Girl Guides and Champions of Change. Entrepreneurial skills are also taught to equip students with sustainable lifelong skills. The NWM has included girls in the FNAP whereby violence against females of all ages is being addressed. The FPF has in place the Blue light Program which

Trafficking and exploitation of prostitution

Reply to paragraph 11 (a) of the list of issues

46. The Crimes Act 2009, which came into effect on the 1st February 2010, creates a member of offenses designed to fulfil Fiji's obligation under the United Nation Convention Against Transnational Organized Crime and two of its three protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (the trafficking protocol) and the Protocol against smuggling of Migrants by Land, Sea and Air (the Migrant Protocol). By criminalizing Human Trafficking and smuggling under Domestic Law, Fiji has shown commitment to effectively address this global problem. Trafficking in persons is a human rights issue. Traffickers are motivated by greed to take advantage of vulnerable victims. Traffickers use coercive tactics, including deception, fraud, intimidation, isolation, threat and use of physical force and or debt bondage to control their victims. The victims are generally subjected to degrading forms of exploitation such as forced prostitution, domestic servitude and other kinds of work. The relevant sections in the Crimes Act 2009 are Division 6 for the Trafficking in Persons and Children. In order to operationalize legislations stated above, these are policies developed by MHAI and Immigration, the lead agency in the development of the National Anti-Human Trafficking Strategy. In order to implement the strategy, the NAP to combat the Trafficking in Persons was also developed. Leading the implementation was a National Working Group, a "Whole of Nation" working group made up of Government and NGO officials.

Reply to paragraph 11 (b) of the list of issues

47. The NAP to combat the Trafficking in Persons, which deals with the implementation of The National Anti – Human Trafficking Strategy, is a document

that contains “Whole of Nation” actions to combat human trafficking. This includes, and is not limited to, law enforcement interventions to look at criminal syndicates that undertake human trafficking. This would require a deeper analysis of the structures in place and how best to combat them for long term success.

Reply to paragraph 11 (c) of the list of issues

48. The NAP to combat the Trafficking looks at all necessary actions needed to combat human trafficking. This also includes capacity building, training and awareness to all stakeholders to combat all forms of human trafficking. In addition, Fiji’s role as a regional transportation hub makes it a potential transit area for human trafficking. As part of the measure to address the issue of trafficking of persons, the Crimes Act 2009 under Section 111 to 121 provides for trafficking in person and section 117, specifically looks at the offense of “trafficking in Persons and Children”. It not only looks at international trafficking but domestic trafficking too. Harsher penalties are in place under this legislation with a minimum of 12 years and maximum of 25 years imprisonment for offenders. Border Police conducts in-house training and integrated training with relevant stakeholders to strengthen border security. Policewomen are distributed evenly to provide security or in cases where women assistance is required for local and international travellers.

Reply to paragraph 11 (d) of the list of issues

49. The work on this issue is articulated in the Republic Of Fiji NAP To Combat Human Trafficking 2021-2026. There are four Pillars the support the National Action Plan and Victim Support and Rehabilitation is identified under the Protection Pillar. This Pillar calls for a coordinated and collaborative approach to victim support and rehabilitation in the short, medium and long term with Government working together with Civil Society and Faith Based Organisations to undertake this important and sensitive work.

Reply to paragraph 12 (a) of the list of issues

50. In relation to legislation and regulations, with a view to decriminalizing women exploited in prostitution, Part 13 of the Crimes Act 2009 outlines the prostitution offenses. For any amendments to the law must come through the line Ministry for Cabinet approval for review of the Crimes Act 2009 which is the MOJ. The review of the legislation can be done by the legislature through the Law Revision Commission.

Reply to paragraph 12 (b) of the list of issues

51. The Family Law Act 2003 sections 88-94 outlines Child Maintenance orders. In a situation when there is arrears or default in payments, then a Judgment Debtor Summons application can be made to court.

52. Power of the Court

- 89-(1) In proceedings for a child maintenance order, the court may, subject to this Division, make any child maintenance order it thinks proper;
- (2) The court must, in accordance with the following sections:
 - Consider the financial support necessary for the maintenance of the child; and

- Determine the financial contribution, or respective financial contributions, towards the financial support necessary for the maintenance of the child that should be made by a party, or by parties, to the proceedings.

Reply to paragraph 12 (c) of the list of issues

53. When a father fails to pay child maintenance consistently, the Debtors Act [Cap 32] 1886 mandates imprisonment for defaulters. In 2018, the government, with Cabinet approval, established the Domestic Violence Support Fund in collaboration with key agencies, including those part of the Fiji National Service Delivery Protocol. This fund offers temporary monetary assistance to survivors of gender-based violence (GBV) until a court grants the Urgent Monetary Relief Order (UMRO), after which the assistance ceases. In the 2021/22 financial year, fewer than 10 women and children received aid from the fund, which had an allocation of \$30,000. The NWM administers the fund, and plans are in place for an annual budget review. The Poverty Alleviation Program (PAP), launched by the Department of Social Protection in 2015, offers financial support to inmates nearing discharge, including female offenders. Since its inception, five women inmates have benefited from the program. To deliver social and health services to women exploited in prostitution, Sex Workers have access to Sexual Reproductive Health (SRH) Clinics across Fiji, more specifically through the Central, Western and Northern division through the SRH Hub Centres.

Reply to paragraph 12 (d) of the list of issues

54. MYS prioritizes equal opportunities and empowerment for all youth, regardless of their backgrounds or circumstances. By providing vocational training and income-generating opportunities, the ministry can help individuals, including women, gain skills and knowledge for sustainable livelihoods. Although specific data on women facing domestic violence or involved in prostitution may not be available, the focus on empowerment can contribute to creating a more inclusive and supportive society.

Reply to paragraph 12 (e) of the list of issues

55. There are no targeted income-generating programs specifically for women wishing to leave prostitution, but various ministries and institutions provide income-generating opportunities and vocational training for women facing challenges in accessing formal employment or education. The Ministry of Youth and Sports (MYS) has a dedicated budget for training programs. The National Women's Machinery (NWM) supports women's institutions in Fiji through grants for vocational programs, life-skills training, financial literacy, and skills development. These initiatives include programs at the Makoi Women's Vocational Training Centre, Ba Women's Forum Training Centre, Alamnah Women's Training Centre, and Homes of Hope. The Department of Forestry also offers ongoing income-generating schemes for individual women and women's groups. Additionally, the Small Grant Scheme (SGS) under the Office of the Prime Minister (OPM) supports rural and peri-urban projects, with around twenty "Women Empowerment" projects assisted through the scheme. Last year, these projects included procurement of kitchen utensils, sewing machines, and screen printing items, totalling \$130,240. Regular monitoring of these projects has shown positive impacts on community and village development, with women's groups generating income from the provided equipment. Women are increasingly supported in establishing their own businesses. The Personal Securities Act (2019) allows women to use movable personal property as collateral to secure credit. The amendment to the Town Planning Act permits home-based businesses to operate in

residential areas without the need for re-zoning, provided they meet certain conditions. Women in Fiji can run businesses as sole traders, partnerships, incorporated companies, cooperatives, or associations. Additionally, Fiji's young, educated workforce, with 65–70 per cent of women, is positioning the country as a preferred destination for Global Outsourcing Services (GOS), offering further opportunities. The green and blue economies also present alternative income-generating platforms for women in all their diversity.

Participation in political and public life

Reply to paragraph 13 (a) of the list of issues

56. The Fijian Elections Office (FEO) does not have specific programs targeting women's participation in political and public life, but it conducts nationwide awareness activities to educate voters, including women, about electoral processes. The Know Your Election (KYE) campaign, held during the 2018 and 2022 General Elections, was a significant voter awareness initiative that included translated materials in various languages and was accompanied by a Voter Registration Drive. In non-election years, FEO also provides electoral process presentations at forums organized by NGOs, CSOs, and women's organizations. The FEO's Strategic Plan for 2024–2027 includes efforts to raise awareness about women's participation in political life. Changes to electoral laws, such as the Electoral (Registration of Voters) Act 2012 and the Interpretation Act 1967, support gender equality in political participation. The Fijian Constitution guarantees the right to be free from gender-based discrimination. As of mid-2023, 59 per cent of government civil servants are female, and there are more female Permanent Secretaries than the previous year. Additionally, 35 per cent of Tier II position holders, reporting to Permanent Secretaries, are female. While the Ministry of Youth and Sports (MYS) primarily focuses on youth and sports development and does not directly promote gender equality in political life, it acknowledges the importance of gender equality as a broader societal goal that requires collective efforts. The Ministry remains committed to developing youth potential and promoting sports while recognizing the need for gender equality in public life. In the lead-up to the 2022 General Election, the FEO implemented a two-phase Community Engagement Project. In Phase 1, FEO trained and certified 208 Community Election Advocates, including 47 women representatives from women's groups in villages and settlements across Fiji. These trained advocates disseminated information about FEO's electoral processes within their communities.

Reply to paragraph 13 (b) of the list of issues

57. The FEO also hosted a Stakeholders Forum on Enhancing Voter Participation at the Grand Pacific Hotel. The Forum provided an arena for active dialogue on election related issues by present stakeholders. The FEO invited various local and international stakeholders to attend. International stakeholders included representatives from Australia and New Zealand Electoral Commission as well as representatives from the International Foundation for Electoral Systems [IFES]. Local stakeholders included representatives from Political Parties, Grassroots Youth and Women's Groups, Academics and members from the EDAWG.

Reply to paragraph 13 (c) of the list of issues

58. FEO has contributed to the capacity-building in political leadership of women. In 2022, the FEO attended the “Mentoring Workshop for Aspiring Women Politicians” information session organized by the Commonwealth Women’s Parliamentarians [CWP] Fiji Group. The CWP Fiji Group consists of all the Women Members of Parliament of the Republic of Fiji (WMPs). CWP Fiji hosted a mentoring workshop for aspiring women politicians on 18 May 2022. The FEO attended this session as an invited speaker and presented on the Candidates Handbook, outlined the process to becoming a candidate and imparted critical information for candidates looking to participate in the 2022 General Election. CWP Fiji Group facilitated a mentoring Workshop for Aspiring Women Politicians, held simultaneously in Suva, Nadi and Labasa on 18 May 2022. The mentoring workshop had 192 women from around Fiji attending and led by the women MPs. The workshop was aimed at promoting women in politics and bring together women from all walks of life who were interested in entering politics. [see: <https://bit.ly/3KgcmRp>] Formation of CWP Fiji Group in 2019 as an informal women’s caucus to promote and encourage women to stand for elections and participate actively in politics.

59. FEO has not implemented special measures like a quota system to ensure equal and inclusive representation of women candidates on political party lists. The FEO does not provide financial support or training for women candidates seeking public office. Its primary role is to conduct awareness and information sessions on electoral processes for various stakeholders, including voters, political parties, media, civil society organizations, and the general public. While the FEO has conducted presentations to promote women’s participation in elections, these efforts mainly involved organized forums for women, organized by Women NGOs and the Media Watch Group, leading up to the 2018 and 2022 General Elections.

Education

Reply to paragraph 14 (b) of the list of issues

60. (MoE) has adopted multi-layered approaches to address post-pandemic educational challenges. A key initiative is the Free Education Grant (FEG), which covers tuition, textbooks, and bus services. Additional school-based support is provided, such as lunch packs and educational kits (e.g., bags, books, and stationery). School drop-out rates have fluctuated, with males having a higher dropout rate than females, though specific reasons for dropouts are not provided in the data. The MoE does not have a reintegration policy, but is accommodating to students wishing to return, with support from District Offices. The ‘Matua’ program offers a second chance for individuals aged 20 and above to complete their education. This year, the Ministry also enhanced the vocational sector with initiatives like the Technical Vocational Educational Training (TVET) Policy. This draft policy outlines the Fijian Government’s priorities for TVET over the next ten years, aiming to improve effectiveness, adapt to labour market changes, and support economic growth and innovation through collaboration between public and private sectors.

Reply to paragraph 14 (c) of the list of issues

61. The MHMS, in collaboration with UNFPA and the Ministry of Education (MoE), works to integrate sexual and reproductive health and rights education in schools. The Ministry of Youth and Sports (MYS) also emphasizes the importance of training women and girls, particularly focusing on reproductive health and rights.

MYS conducts regular reproductive health training programs to empower women and girls by providing essential information on contraception, family planning, STI prevention, and overall health. These programs aim to help women and girls make informed decisions about their bodies, health, and future, promoting empowerment and equality in society. Fiji's National Curriculum Framework 2013, managed by the MoE, and incorporates sexual reproductive health and STI concepts at both primary and secondary levels. At primary level, topics are covered under Healthy Living and Basic Science, while secondary education includes Family Life Education and relevant science subjects like Basic Science and Biology. The Curriculum Unit is reviewing the curriculum to ensure it is gender-sensitive. Additionally, language subjects like English and Indigenous languages (Vosa Vakaviti, Hindi, Urdu, and Rotuman) indirectly address issues related to sexual health and well-being. These subjects explore cultural values, sexual violence, and the empowerment of teenage girls. The Writing strand also encourages critical thinking, providing a platform for students to discuss topics such as gender equality, teenage pregnancy, and harassment in a supportive environment. With the FPF, awareness has been conducted through the Community Policing programs in schools. Also, MoE's Child Protection Policy (2015) shows the Ministry's commitment to the well-being, safety, respect and dignity of children; the creation of a fun and safe learning environment for all children regardless of age, culture, ability, gender, language, ethnicity and religious beliefs; taking all rational steps to protect children from harm, bias and humiliating treatment; respecting their rights, wishes, sexual orientation and feelings; ensuring students are not discriminated against poor performance; ensuring all doubts and allegations of abuse will be dealt with in a timely and appropriate manner; employing officers and teachers who are qualified, registered and suitable for their responsibilities; engaging children and parents in making schools a safe place for children and assist individual schools in developing and enforcing their own child protection policy. Other Policy areas include the Risk Management Policy, Special and Inclusive Education Policy and the Schools Standard Monitoring and Inspection Policy. The use of gender lenses in reviewing the curriculum will be implemented to remove any implication of violence in the curricula. Subjects where these concepts are embedded saliently are at Primary, Moral Values and Civic Education and at Secondary, Family Life Education, Science and Social Science.

Reply to paragraph 14 (d) of the list of issues

62. MoE does not have a Reintegration Policy or Program per se but there is a 'Matua' Program. Data from 2016 – 2021 indicates that the total enrolment in the 'Matua' Program increased by 80 per cent from 310 to 559 students, with women making up 63 per cent of the student population. However, the program is only available in Suva, limiting the opportunity for second chance education for girls and women living elsewhere in Fiji.

Reply to paragraph 14 (f) of the list of issues

63. The Ministry of Education (MoE) has seen an increase in female enrolment in STEM subjects. To further this, the Girls in ICT Program, launched in April 2023 in collaboration with the Ministry of Communication and Digital Fiji at Vunimono High School, engaged 50 female participants from Years 9 to 13. The program aims to boost girls' interest in computer courses and promote online safety. Over the past six years, the Ministry of Lands & Mineral Resources has seen a rise in women and girls entering male-dominated professions, with at least one female graduate with a Diploma in Surveying employed annually. The Open Merit and Recruitment

appointment process ensures discrimination is eliminated, allowing qualified women to be appointed based on merit. The Ministry of Youth and Sports (MYS) focuses on providing equal opportunities for women and girls in disaster reduction and climate change, acknowledging the unique challenges they face in these fields. MYS is committed to their active participation by offering reproductive health and rights training tailored to women and girls' needs. These trainings aim to empower them to engage in disaster risk reduction (DRR) and climate change initiatives. The Ministry also works to eliminate gender disparities through career counselling, scholarships, and incentives for fields like meteorology, DRR, and climate change, encouraging girls to pursue these careers. Additionally, the teacher-training curriculum is designed to challenge stereotypes and create a supportive educational environment for girls to pursue their interests without limitations. MYS is committed to creating a more inclusive and resilient society by ensuring equal opportunities for women and girls in these crucial fields. The NDMO coordinates early recovery and rehabilitation programs, in which sectors conduct Detailed Damage Assessments and provide their rehabilitation plans to the Government for funding. A key principle that is promoted in the recovery and reconstruction phases is Building Back Better, in which recovery is designed to conform to disaster resilient standards, with due consideration to inclusion requirements. The NDMO refers to the National Disaster Management Plan 1995 which is the guiding document on Rehabilitation and Relief. Ministry of Trade, Cooperatives, Small and Medium Enterprises in collaboration with the World Bank in 2019 developed a Guideline for Improving Safety and Resilience of New Single Storey Houses and Schools in Rural Areas of Fiji against cyclonic winds and earthquakes, drawing on good practices developed after Tropical Cyclone (TC) Winston. According to MoE, in 2017 there were 31 schools, 19 schools in 2020 and 12 in 2021 there that had been affected and rehabilitated. WASH facilities are also inspected and built to standard. The Ministry of Lands and Mineral Resources provides mapping services, technical advice and support towards national rehabilitation for severely affected schools by conducting geo-tech assessments for landslide, coastal inundation assessments and relocation assessments, to provide the important and necessary information in support of rebuilding decisions by other line agencies like NDMO and MoE.

Reply to paragraph 14 (g) of the list of issues

64. NAPVAWG promotes gender equality and the prevention of violence against women and girls, with actions to create safe, inclusive workplaces. It focuses on strengthening workplace policies that support gender equality, women's advancement, equal pay, maternity/paternity protections, and prevent bullying, sexual harassment, homophobia, and transphobia. The FPF also conducts Community Policing Awareness in schools, addressing issues like bullying. MoE is committed to a zero-tolerance policy on child abuse, child labour, trafficking, neglect, and exploitation, as outlined in the 2015 Child Protection Policy. This policy provides a framework for protecting children, including identifying and reporting abuse. Schools must develop their own child protection policies aligned with the Ministry, appointing a Child Protection Officer (CPO) responsible for investigations. Divisional offices also appoint CPOs or counsellors for handling child abuse cases. The Ministry works with government stakeholders and partners like UNICEF and the Substance Abuse Advisory Council to train over 927 participants, mostly school CPOs. The Behavioural Management Policy (2015) provides a framework for managing student discipline and behaviour in schools. It sets clear expectations for student conduct and outlines consequences for breaches of the school code of ethics. The policy fosters collaboration between schools, the MoE, parents, and communities to address behavioural issues in Fiji's schools.

Employment

Reply to paragraph 15 (a) of the list of issues

65. The Fiji National Employment Policy 2018, under Policy Priority 7, aims to promote greater gender equality in employment and working conditions. Several strategic actions and initiatives have been implemented to achieve this goal such as:

(a) Retaining Women with Post-School Qualifications Efforts are being made to identify ways to encourage more women with post-school qualifications to either remain in or return to formal employment. This is aimed at ensuring that women are not discouraged from pursuing their careers after acquiring qualifications;

(b) NEC – Since 2010, the NEC has been providing various services to registered unemployed individuals. These services include registration, counselling, aptitude assessment, life skills training, specific skills training, work attachment, volunteer attachment, and work placement into local employment, foreign employment, and regional volunteer placements. Notably, 492 women, between 2018 to 2024 have been successfully engaged in local work attachment and volunteer attachment;

(c) Foreign Employment Opportunities – A total of 1,494 women have been engaged in foreign employment under schemes such as the Recognized Seasonal Employment (RSE) Scheme and the Pacific Australia Labour Mobility (PALM) Scheme. These initiatives provide women with opportunities to work in foreign countries;

(d) Encouraging Women in Non-Traditional Jobs – The ministry has signed Memorandums of Understanding (MOUs) with employers and training providers to create opportunities for young women to train in occupations traditionally dominated by men. This promotes gender diversity in various industries;

(e) Open and Transparent Recruitment – The Fiji Civil Service has adopted an open and transparent recruitment process that aims to attract individuals from diverse backgrounds and experiences. The recruitment process is designed to be fair and free from nepotism or discrimination, promoting equal opportunities for all;

(f) Gender Balance in Recruitment Panels – Recruitment panels are required to have gender balance and include members from other Ministries or Departments, ensuring a fair and unbiased selection process;

(g) International Conventions – Fiji has ratified international conventions, including Convention 100 on Equal Remuneration and Convention 111 on Discrimination (Employment and Occupation). These conventions emphasize equal pay for work of equal value and the elimination of discrimination in employment based on various factors;

(h) Youth Employment Initiatives – MYS is actively working to identify the needs of young people, with a focus on providing them with employment opportunities. Initiatives like the Youth Career Fair and Expo collect data to identify skills gaps and develop solutions for youth employment;

(i) Youth Empowerment Programs – These programs encompass a wide range of training topics, including law and order, health and wellbeing, climate change, soft skills, financial literacy, project management, and more. They aim to equip young people with the skills and knowledge needed for personal and professional growth;

(j) Specialized Skills Training – The ministry offers specialized skills training through its youth training centres, providing young people with accredited qualifications in various fields;

(k) Mobile Skills Training – This program offers outreach skill-building opportunities, teaching youth new skills and improving existing ones. It aims to enhance employment opportunities and income generation for young people;

(l) Youth with Special Needs – The ministry recognizes the importance of providing skills training to youth with disabilities. Efforts are being made to enhance inclusiveness and empowerment for differently abled young people;

(m) Duke of Edinburgh's International Award – This award program is designed to recognize and celebrate the achievements and personal growth of young people through non-formal educational and volunteer activities.

66. These initiatives collectively promote gender equality, youth empowerment, and inclusiveness in the labour market, contributing to a more equitable and diverse workforce in Fiji.

Reply to paragraph 15 (b) of the list of issues

67. FPF promotes workplace equality, with women holding various roles such as Directorate, Officers in Charge, Station Officers, and NCOs (Sergeants and below), managing both male and female personnel. The Ministry adheres to the OMRS to ensure recruitment and promotion are based solely on merit, without discrimination. The Ministry of Rural and Maritime Development (MRMD) employs 31 per cent female officers from Senior to Permanent Secretary levels, including women in Director, Principal Officer, and Senior Administrative Officer positions. The Employment Relations Act 2007 (ERA 2007) prohibits discrimination based on gender and other factors in employment. The Ministry ensures fair practices through workplace inspections to prevent both direct and indirect discrimination. The National Employment Policy emphasizes equal access to public sector jobs and promotions for women. The Fiji Civil Service has reformed its recruitment process to be open, transparent, and free from nepotism and discrimination, with gender-balanced recruitment panels. Part 9 of the ERA 2007 focuses on Equal Employment Opportunities, and the Ministry of Civil Service (MCS) oversees the implementation of the OMRS. OMRS prioritizes merit, transparency, non-discrimination, and due process. Additionally, Fiji has ratified Convention 100 on Equal Remuneration, advocating for equal pay for work of equal value, regardless of gender. These measures collectively aim to achieve gender equality and fair employment practices in Fiji.

Reply to paragraph 15 (c) of the list of issues

68. ERA 2007 Section 6 (4) provides that every employer shall pay male and female workers equal remuneration for work of equal value. ERA 2007 Section 78 states that an employer must not refuse or omit to offer or afford a person the same rates of remuneration as are made available for persons of the same or substantially similar qualifications employed in the same or substantially similar circumstances on work of that description for any reason including the gender of that person. If Section 6 (4) and 78 of ERA 2007 is not being complied with, the worker must apply the Grievance Process within while raising an issue of being disadvantaged or discriminated against with the pay.

Reply to paragraph 15 (d) of the list of issues

69. The Ministry officers from the Labour Standard Services in Fiji have conducted around 14,616 workplace inspections across the country. These inspections include market vendors who provide employment, with the aim of ensuring fair and equal employment practices are being followed. Additionally, the Occupational Health and Safety (OHS) Unit conducts yearly inspections at the markets to ensure the health and safety of workers and prevent harm to property, the environment, and the public. OHS policies are available at all markets, and there is an active OHS committee that oversees the working conditions at these workplaces.

Reply to paragraph 15 (e) of the list of issues

70. Section 77(1)(a)(b) of the ERA 2007 states that an employer or someone acting on behalf of the employer must not refuse to employ a qualified applicant for available work or offer them less favourable terms of employment compared to others with similar capabilities in the same circumstances. The Fiji-Australia Vuvale Partnership focuses on strengthening the economic relationship between the two countries. As part of this partnership, the Pacific Labour Scheme allows Fijian workers to take up non-seasonal work opportunities in rural and regional Australia for up to three years. This scheme aims to provide income and skill development for Fijian workers, benefiting their families and communities. The Australia-Pacific Technical College (APTC) collaborates with the Pacific Labour Facility to train Pacific workers to meet the workforce demands of Australian employers under the PALM Scheme. This partnership addresses the shortage of Australian workers in sectors such as aged care and provides support for women. NEC has signed a Memorandum of Understanding (MOU) with employers to provide work experience opportunities for school leavers or graduates. There are no restrictions imposed by the NEC if a worker applies for formal employment overseas under the Recognized Seasonal Employer (RSE) or Pacific Labour Mobility (PALM) programs.

Reply to paragraph 15 (f) of the list of issues

71. The Ministry of Employment, Public and Industrial Relations in Fiji has taken several actions to enforce and ensure compliance with the ERA 2007, particularly concerning maternity leave and the rights of pregnant women in the workplace. Here are the key actions and provisions in place:

(a) Workplace Inspections – The Labour Standard Services has conducted a total of 14,616 workplace inspections across Fiji since 2018. During these inspections, the ministry audits company policies to ensure that maternity leave policies are in place. This helps guarantee that employers provide maternity leave to their female employees;

(b) Awareness Campaigns – The ministry has conducted awareness campaigns related to the ERA 2007 during workplace inspections. Additionally, formal awareness sessions have been organized for management in both the private and public sectors to educate them about the rights of pregnant women, especially those outlined in Part 11 on Parental Leave of the ERA 2007;

(c) Grievance Procedures – Through workplace audits conducted during routine inspections, the ministry ensures that all employers have Grievance Procedures in their company policies. These procedures are essential to guide women in case they are treated unfairly by their employer;

(d) ERA 2007 Section 104 (1) – explicitly prohibits the termination of female employees from employment on the grounds of pregnancy. This legal provision safeguards the job security of pregnant women;

(e) Maternity Leave Duration – The General Orders mandate that female employees in the Civil Service are entitled to maternity leave for 98 consecutive days. This requirement aligns with current employment law and ensures that female civil servants have access to an extended period of maternity leave;

(f) OMRS Guideline – was introduced in 2016 to promote equity, transparency, and fairness in recruitment decisions within the Civil Service. It emphasizes non-discriminatory practices and decisions based solely on job requirements. The OMRS aims to create a level playing field for all applicants;

(g) Harassment, Discrimination, and Bullying Policy – The ministry has developed a “Harassment, Discrimination, and Bullying Policy,” which is currently in the consultation stage. This policy underscores the commitment of the Fijian Civil Service to provide a safe and inclusive work environment, free from discrimination, harassment, and bullying. It outlines the requirements for appropriate behaviour, risk management, and the handling of complaints to ensure that incidents are treated seriously, confidentially, and fairly.

72. Overall, these initiatives and policies demonstrate Fiji’s dedication to upholding the rights of pregnant women in the workplace, promoting fairness in employment practices, and ensuring a safe and inclusive work environment for all civil servants.

Reply to paragraph 15 (g) of the list of issues

73. Under the revised budget amendment, Section 245C of the ERA 2007 has been amended. The amendment states that individuals are no longer entitled to paid family care leave within the COVID-19 period. Before the COVID-19 period, from January to May 28, 2020, the primary caregiver of a child was entitled to 5 days of paternity leave. From May 29, 2020, to July 31, 2021, the entitlement was reduced to 2 days of paternity leave. From August 1, 2021, to March 31, 2022, the entitlement further decreased to 1 day of paternity leave. As of April 1, 2022, the entitlement to paternity leave has been shelved.

Reply to paragraph 15 (h) of the list of issues

74. Fiji has implemented the 2008 National Policy on Sexual Harassment in the Workplace, which requires every employer to have an internal written policy and grievance procedure on sexual harassment. It is important for both staff and managers to collaborate in developing this policy to ensure commitment and reflect the needs of both parties. A member of the Health and Safety Committee can also serve as a Sexual Harassment Grievance Officer, equipped with counselling, mediation, negotiation, and conflict resolution skills. Victims of sexual harassment in the workplace can bring complaints under various legislative regimes, including the Human Rights and Anti-Discrimination Commission Act 2009, the Crimes Act 2009 (**‘Crimes Act’**), or the ERA 2007. Employers are liable if they fail to take reasonable steps to prevent sexual harassment and must develop and maintain a policy consistent with national guidelines. The Fiji Police follows a ‘No Drop Policy’ and handles internal complaints through an investigation panel, leading to suspension, police tribunal, and court proceedings if necessary. Ministries do not handle sexual harassment cases, which are strictly dealt with by the investigation panel. The

Ministry has an open-door policy for staff members to report any instances of sexual harassment or threats.

Health

Reply to paragraph 16 (a) of the list of issues

75. The MHMS has a structure in place that manages, “Women’s Health,” for Fiji, under the Family Health Unit, which has a program officer for Maternal Health and Gender issues. Apart from this, a position specific to cervical cancer is now regularized within the Ministry. The Fiji Pharmaceutical and Biomedical Services (FPBS) team has a specific individual who manages the supply chain management for Family Planning in Fiji for both Government and non-government partners who have a Memorandum of understanding with the Ministry. Following the national office, there are divisional support staff who specifically manage maternal, new-born and gender issues. All the above positions are management and coordination positions within the Ministry for women and girls. These positions are now regularized by the Government and permanently established as long as the ministries deem it necessary. These positions specifically work with women either in the obstetrics or gynaecology space. Apart from the above structure, the Ministry is made up of nurses, doctors and allied health workers who manage women and girls for any health issues they come to the health facility for; or a public health response required in the community. It includes technical skills for obstetrics, gynaecology, and sexual reproductive health inclusive of vaccination of HPV in schools and during antenatal clinics for all women and girls. In the 2023–2024 budget cycle the Government has significantly increased the budget for women’s health through the family health allocation to \$300,000; Cervical cancer to \$200,000 and for the first time the MHMS has a budget for gender-based violence of \$50,000, antenatal cardiac care budget of \$100,000 all equating to more than 100 per cent increase of budget for women’s health.

Reply to paragraph 16 (b) of the list of issues

76. The 2013 Constitution in section 38 and its relevant sub-sections provides for the women right of women to full autonomy regarding access to health services, which are articulated as follows:

(a) The State must take reasonable measures within its available resources to achieve the progressive realisation of the right of every person to health, and to the conditions and facilities necessary to good health, and to healthcare services, including reproductive healthcare;

(b) A person must not be denied emergency medical treatment;

(c) In applying any right under this section, if the State claims that it does not have the resources to implement the right, it is the responsibility of the State to show that the resources are not available.

77. While every woman and girl in Fiji has the right to health, there is a need to strengthen advocacy and awareness through health and all other sectors.

Reply to paragraph 16 (c) of the list of issues

78. Over the past five years, Fiji has reported over 5,000 teenage pregnancies, with approximately 25 per cent of these pregnancies involving individuals under the age of 15. Although all health facilities in Fiji provide adolescents with confidential

access to contraception and related information, there is a need to change stereotypical mindsets surrounding adolescent sexuality. In 2022–2023, the Ministry of Health and Medical Services (MHMS), with support from UNFPA, developed the Youth Friendly Health Services (AYFHS) Guidelines, including a training package to be rolled out. These Guidelines provide technical and operational guidance to government authorities, NGOs, and other stakeholders on delivering health services to young people. The Guidelines target a broad range of healthcare and non-healthcare professionals, including facility managers, clinicians, health promotion workers, outreach workers, and support staff, ensuring a standardized and comprehensive approach. The Guidelines align with international standards, such as the WHO Global Standards for Adolescent Youth-Friendly Services, and emphasize best practices and current evidence. They define the responsibilities of health workers and facilities and promote a more integrated, accessible, and sustainable healthcare system for young people. The eight WHO Global Standards covered in the Guidelines include health literacy, community support, appropriate service packages, provider competencies, facility characteristics, equity and non-discrimination, data and quality improvement, and young people's participation.

Reply to paragraph 17 of the list of issues

79. In Fiji, abortion offenses are outlined in sections 234–236 of the Crimes Act 2009. An abortion refers to the termination of a pregnancy. However, under common law, there are lawful exceptions, such as when the continuation of the pregnancy would endanger the mother's life (*Regina v Emberson* [1976] FJLawRp 21; [1976] 22 FLR 117). Currently, under the Crimes Act (section 234), abortions can be legally performed, but strict criteria must be met. If an abortion is carried out in good faith by a medical practitioner with reasonable care and skill, and the pregnancy is a result of incest or rape (including step brother or sister and grandparent), the abortion is legal. There is no specific timeline for when this abortion can take place, as it can be performed from the 1st week of fertilization, even before the delivery of the child at 9 months. In another scenario, if the pregnancy is at 20 weeks or 5 months, an abortion can still be lawful if not performing the abortion would seriously endanger the physical or mental health of the mother, or if the pregnancy itself would pose a serious danger to her physical or mental health. Although these exceptions exist in Fiji, in reality, applications for abortion are rarely made because by the time allegations of rape or incest are made, the pregnancy is often in its later stages or the child has already been born. These codified statutory exceptions reflect the evolving ethical, religious, medical, social, and economic perspectives on abortion.

Reply to paragraph 18 of the list of issues

80. The HPV vaccine administration is an important prevention arm of combating cervical cancer. Fiji introduced the HPV vaccine in 2013 in its school schedule and it is administered to all young girls of Year 8. The coverage for the HPV vaccine in Fiji has been above 95 per cent for the first dose and above 45 per cent for the second dose. The school program was significantly affected in 2021 due to the COVID-19 pandemic but regained momentum in 2022. The HPV vaccination program in 2024 will take a policy change recommended by the WHO of reducing the two doses to a single dose with a reduction in the age at which it is administered, as data shows sexual activity at a younger age. Thus, year of administration will reduce from Year 8 to Year 6. The Statistics on HPV Coverage is at Annex 5. MHMS currently uses Thin Prep as a priority screening method, followed by the traditional Pap smear and in certain instances VIA is also utilized. The above graph shows the consolidated

screening methods used by the Ministry. This screening happens in partnership with other stakeholders such as MSP and Reproductive and Family Health Association of Fiji (RFHAF). Statistics on the Cervical Cancer Screening in Fiji from 2018–2022 is at Annex 6. Also at Annex 7 are statistics that shows the number of patients who have been diagnosed in Fiji as either having breast or cervical cancer. These numbers had shown a gradual upward trend till 2020 when COVID-19 pandemic hit the shores of Fiji. This closely related to the number of screening conducted post COVID-19. The MHMS is updating its Cervical Cancer Policy to include HPV testing with likely move towards HPV-self swab after completion of pilot run. Fiji MHMS is leveraging on the number of gene expert machines that were made available to the country during COVID-19. Apart from updating policy direction strengthened country co-ordination of the cervical and breast cancer screening in collaboration with a number of stakeholders who work in the screening program such as Fiji Cancer Society, MSP, RFHAF and Diabetic Fiji is in progress.

Economic empowerment and economic and social benefits

Reply to paragraph 19 (a) of the list of issues

81. The Government of Fiji has implemented various programs and initiatives to promote equal access to financial resources, particularly for women. These efforts aim to raise awareness of women's rights to assets, bank accounts, and financial credit. Key points related to these initiatives include:

(a) Government and Line Ministries Collaboration: The Government collaborates with line ministries to introduce and implement programs that facilitate women's access to financial resources. This collaborative approach simplifies the process of accessing and benefiting from financial services for women;

(b) Role of the Reserve Bank of Fiji (RBF): The RBF plays a pivotal role in driving financial inclusion in Fiji. Financial inclusion is defined as ensuring that all adults, regardless of their location, socio-economic status, or gender, have access to and effectively use affordable and appropriate financial services and products. The RBF works in partnership with relevant stakeholders to achieve several key objectives, including providing timely access to financial products and services, promoting the use of financial products to meet various needs, offering financial education, and ensuring customer protection;

(c) Financial Literacy Training: In 2022, Fiji conducted financial literacy training for a total of 11,535 participants. Of these participants, 7,201 were female, demonstrating a strong commitment to empowering women with financial knowledge;

(d) Access to Financial Services: Various statistics highlight the progress in financial inclusion such as Registered mobile money users are active, with a higher proportion of females (67.8 per cent) compared to males (63.7 per cent); Internet banking is accessible to a significant portion of the population, with 38 per cent of females and 41.1 per cent of males using this service; A proportion of registered adults receive mobile money remittances, with 4.8 per cent registered females and 4 per cent registered males; A high percentage (84 per cent) of adults have access to bank accounts, with 78.1 per cent of females having bank accounts; and while 9.5 per cent of adults have access to formal credit, there is room for improvement, especially for females (6.6 per cent);

(e) Social Security Benefits for Farmers: MOAW has partnered with financial institutions to facilitate access to financial credit, assets, and bank accounts for farmers. Notably, the Bank of the South Pacific (BSP) provides digital-based banking

solutions to farmers, offering financial literacy training and enabling mobile banking services, even in areas with poor network connectivity. According to the MOAW, 4786 female farmers in comparison to 37,965 male farmers have savings accounts either in banks or other financial institutions. A breakdown of all Agriculture related stats is attached as Annex 8 to this report;

(f) Extension of Social Security: MOAW, AMA, and FNPF have signed a MOU to extend social security benefits to farmers. This enables farmers to use their FNPF funds for various social security needs, such as medical expenses, education, and disaster assistance;

(g) Women's Expo: The Fiji National Women's Expo, organized by MWCSP provides a platform for women artisans to showcase their crafts and connect with markets. The expo also facilitates easy access to services like opening bank accounts. In 2019, 400 women artisans participated, and a similar event was planned for 2023;

(h) Financial Support for Women Entrepreneurs: The Fiji Development Bank (FDB) allocates \$500,000 to support female entrepreneurs through its Women's Entrepreneur Loan Package. This initiative targets registered businesses operating for at least six months, offering loans ranging from \$1,000 to \$5,000 with a repayment term of up to three years. This allocation covers the 10 per cent equity required for loan packages, making it easier for female entrepreneurs to access finance. Between 2022 to 2023, 778 women; and between 2023 to 2024, 1247 women benefitted from this initiative;

(i) Women in Fisheries and Youth Programs: Ministries such as Fisheries and Youth and Sports also prioritize financial literacy training for women. These programs include topics like business literacy, financial literacy, budgeting, credit, savings, entrepreneurship, and more. From 2020 to 2024, about 37 women's groups have benefitted from this initiative.

82. In summary, the Fiji Government through various ministries is actively working to ensure equal access to financial resources, especially for women. These efforts include financial literacy training, partnerships with financial institutions, and support for women entrepreneurs in various sectors of the economy. These initiatives aim to empower women and promote economic inclusion.

Reply to paragraph 19 (b) of the list of issues

83. Fiji's Ministry of Employment, Public and Industrial Relations (MEPIR) has implemented provisions related to women's pension contributions while they are on leave to care for their children. Key points regarding these provisions include:

(a) Employer Deductions with Consent: According to the ERA 2007, Section 47(1) (b), employers in Fiji have the authority, with the written consent of the worker, to deduct an amount due by the worker as a contribution to various funds or schemes. These may include provident funds, school funds, pension funds, sports funds, superannuation schemes, life insurance or medical schemes, credit unions, trade unions, co-operative societies, or other funds or schemes of which the worker is a member. Employers are responsible for collecting these deducted amounts and paying them to the relevant fund or scheme management entity;

(b) Maternity Leave Entitlement: Under the ERA 2007, Section 101(1), a woman employed in a workplace in Fiji who is expecting to give birth is entitled to maternity leave. This entitlement allows her to abstain from work for a period of 84 consecutive days, provided she provides her employer with a certificate from a registered medical practitioner or registered nurse specifying the expected date of

birth. Notably, this provision has been amended through Act No. 23 of 2018, which changed the maternity leave entitlement from 84 days to 98 days.

84. These provisions reflect Fiji's commitment to supporting women in the workplace, particularly during pregnancy and childbirth. They ensure that women have the opportunity to take maternity leave and contribute to various funds or schemes as agreed upon with their employer. The recent amendment extending maternity leave to 98 days further enhances support for women in balancing work and family responsibilities.

Reply to paragraph 19 (c) of the list of issues

85. In Fiji, efforts have been made to enhance accrued pension benefits for women by amending regulations related to civil service employment. Here are the key points regarding these amendments:

(a) Amendment to Civil Service Regulations: The Civil Service (General) Amended Regulations were further revised and published in the Gazette on January 21, 2023. These amendments pertain to the retirement age for civil servants employed by Permanent Secretaries and were made under the authority of Section 127 of the 2013 Constitution. The changes in retirement age were implemented following the endorsement of the Public Service Commission and subsequent approval by the Cabinet;

(b) Increase in Retirement Age: The amendments notably allow for an increase in the retirement age to 60 years for all civil servants covered by these regulations. This change extends the working lifespan of civil servants, providing them with the opportunity to work until the age of 60 and consequently accrue greater pension benefits;

(c) MEPIR – ERA Section 77 (1) (d): MEPIR also plays a role in safeguarding workers' rights. According to the ERA 2007 in Section 77 (1) (d), if an applicant for employment or a worker is qualified for a particular type of work, an employer or someone acting on their behalf must not retire the worker, require the worker to retire or resign, except where there are written laws or employment contracts specifying a retirement age. These regulatory amendments and provisions aim to promote gender equality and financial security for women by extending the period during which they can contribute to their pensions and ultimately receive greater pension benefits. Additionally, they emphasize that retirement should not be forced upon workers based on age, ensuring that retirement decisions are made in accordance with written laws or contractual agreements.

Rural women

Reply to paragraph 20 (a) of the list of issues

86. According to the FCGA, rural women earn, on average, 75 per cent of what rural men earn and an urban-rural wage gap of 45 per cent significantly increases the poverty vulnerability of people in rural areas. It is the Constitutional Right under the Bill of Rights of all Fijians including women, to have access to Social Protection. The State is obligated to provide this pursuant to the 2013 Constitution under section 37 Right to social security schemes, which states:

- 37 (1) The State must take reasonable measures within its available resources to achieve the progressive realization of the right of every person to social security schemes, whether private or public, for their support in times of need, including

the right to such support from public resources if they are unable to support themselves and their dependents;

- (2) In applying any right under this section, if the State claims that it does not have the resources to implement the right, it is the responsibility of the State to show that the resources are not available.

87. In Fiji, Social Protection Programs (SPP) administered by the DSP target poor households, persons with disabilities, vulnerable children, and older persons. These non-contributory cash or in-kind transfers have eligibility criteria and, in some cases, conditions. The 2021 Social Assistance Policy prioritizes gender-responsive programs for various life stages. A majority of working women, particularly 75 per cent in rural areas, lack social protection and employment stability. Less than one-third of those in paid informal work are women, with 35 per cent of working women and 62 per cent of working rural Fijians in precarious employment. Average earnings for rural men and women are 75 per cent and 45 per cent of the national average, increasing women's poverty susceptibility. In 2019–2020, 24.1 per cent of the population lived in poverty, with consumption below F\$2,179.39 per adult equivalent (AE) per year. Poverty rates were nearly equal for women (28.9 per cent) and men (30.8 per cent), but rural areas faced double the poverty rate of urban areas, accounting for 36.5 per cent of all poverty. Women and girls in rural areas are particularly vulnerable to poverty due to natural disasters and inadequate public services. In 2021, 76.2 per cent of Fijian households and 88 per cent of children under 18 received social assistance in the previous three months. In 2019, 87.5 per cent of Fijians aged 65 or older received a pension. The DSP has offices across all districts, including maritime areas, and collaborates with Divisional Commissioners and Provincial Offices to raise awareness of social protection programs in rural communities. The Department also utilizes the REACH Program which targets rural communities to provide a mobile service expo to those who cannot easily access essential services. Between 2015 and 2019, REACH conducted 59 missions in 1,153 communities in 152 districts throughout the 14 provinces in Fiji. A total of 26,003 people have been assisted, 9,664 of which were women. Out of the 47,561 services that were provided during these missions, 56 per cent were provided to women. Data related to REACH are at Annex 9. In rural development, women have been forthcoming with aspirations in participating in leadership and economic development initiatives in their communities and these are deliberated in development forums such as the Village Meetings (*'Bose va Koro'*), District Meetings (*'Bose Ni Tikina'*) and Provincial Meetings (*'Bose Ni Yasana'*). Women assisted under the Self-Help Program (SHP) in the last 7 years (2016–2022) accounts for 7 per cent of the total SHP projects. Projects requested by rural women cover a range of sectors including Entrepreneurship, Agriculture, Fisheries, and Transportation, to name the few at a cost of over \$450,000FJD.

88. The Government, through the MOAW, offers financial support to 30 commercial farmers and agro-processors, providing equity that covers 20 per cent of investment costs, while the Fiji Development Bank (FDB) funds the remaining 80 per cent. This initiative, introduced in 2022, aims to enhance farm mechanization and infrastructure, strengthen food systems, boost exports, and improve supply chain resilience, with loans up to FJD\$250,000 available to eligible farmers. Currently, 5.5 per cent of beneficiaries are women. The Ministry also runs the Self-Help Program (SHP) to empower rural women through economic activities, having implemented over 40 social and income-generating projects benefiting women over the past six years. The Community Access Roads, Footpaths & Footbridges (CARFF) program, fully funded by the Government, has seen over 300 projects completed at a cost of FJD\$7 million from 2016 to 2021, enhancing access to essential services. The Rural Housing Assistance program, reintroduced in 2023 with a FJD\$3 million commitment, provides various housing assistance schemes, requiring applicants to contribute one-

third of costs, except for Social Welfare recipients. The High Risk Water Program, launched in 2021, has implemented 13 Ecological Purification Systems at a cost of over FJD\$570,000, improving access to clean water for rural households and reducing waterborne disease risks. The Seafaring Entrepreneur Assistance subsidy program aims to enhance accessibility and promote entrepreneurship in maritime communities. Fiji's social protection schemes, crucial during the COVID-19 pandemic, supported over 118,000 individuals in 2021, with a focus on gender equity in social assistance programs targeting the elderly, vulnerable families, and persons with disabilities.

89. In 2021, 76 per cent of Fijian families and 88 per cent of children under the age of 18 lived in households that received at least one sort of social assistance. In 2019, however, only 87 per cent of Fijians 65 years of age or more got a form of social protection. Fiji has achieved the SDG 3.1.2 target, with 100 per cent of births in Fiji attended by skilled professionals. In 2020, the Rural Pregnant Mothers Program provided food vouchers to over 8,000 rural women who were pregnant, with the aim to improve maternal health and reduce child mortality (Source: https://www.mwcsp.gov.fj/wp-content/uploads/2023/04/0227_DeepDive_SINGLE_PAGES.pdf). Most working Fijian women are engaged in informal employment characterized by a lack of job security, irregular income and no social protection. This includes three quarters of rural women, women in informal settlements, older urban and rural women, including widows, women with disabilities and women who identify as part of the LGBTQ community. Women account for less than one third of Fijians in paid informal employment. Nearly four in 10 working Fijians, including 35 per cent of working women and 62 per cent of employed rural Fijians, are engaged in vulnerable employment; that is, they are self-employed or own-account workers, or they are subsistence or family/community workers. The MSME scheme which was set up in 2012 was expanded in November 2020 to include micro-enterprise which has a total allocation of \$9.0 million and is administered by the Reserve Bank of Fiji. Under the scheme, the Government will guarantee 60 per cent of the principal outstanding on defaulted MSME loans up to a limit of \$60,000 per business. In particular to encourage women participation in business and support the development of rural areas and traditional sectors. Government will guarantee 75 per cent of the principal outstanding on defaulted loans up to a limit of \$75,000 per business on all MSME loans to women entrepreneurs as well to those involved in agriculture, forestry and fisheries sector. The scheme is expected to improve MSME access to finance by alleviating high collateral requirements and at the same time enable lending institutions to share part of the risk with the Government. The scheme is accessible through commercial banks, licensed credit institutions and the FDB. (Source: https://www.rbf.gov.fj/wp-content/uploads/2022/03/MSMECGS-Guidelines_Mar2022.pdf)

Reply to paragraph 20 (b) of the list of issues

90. The Fiji Government has not yet developed targeted programs to promote the equal sharing of household and childcare responsibilities between men and women, nor to address the prioritization of men in terms of food access. However, traditional gender roles persist, particularly in rural Fijian households, where women are typically responsible for domestic chores such as cooking, cleaning, and childcare, while men are the primary breadwinners, often involved in agriculture or other income-generating activities. Extended families are common in rural areas, and childcare duties are usually shared among mothers, grandmothers, and extended family members. In rural Fiji, men tend to handle heavy agricultural work, while women, particularly in subsistence farming, are more involved in crop production. Women (85 per cent) are significantly more involved in crop production compared to men (29 per cent), highlighting their crucial role in ensuring food security for their families. While traditional roles define women's responsibility in subsistence

agriculture, there are signs of change. Younger generations, with better access to education and increased awareness of gender equality, are recognizing the need for more equal sharing of household and childcare duties. In rural Fiji, a sense of collective responsibility prevails, with extended families and neighbours providing support in childcare and chores, especially during busy times or illness. Efforts from NGOs and government initiatives are gradually shifting attitudes about the division of labour within households, and there is growing movement towards more equitable responsibility sharing. These changes, however, vary by community, influenced by cultural traditions, economic conditions, and exposure to external factors.

Reply to paragraph 20 (c) of the list of issues

91. Our legislation, in particular native land, provides for the land owning unit wherein land is owned not based on gender but whether the person is a member of the ‘*mataqali*’/land owning unit. The legislations on Land Use provides for the land bank wherein the requirement on dealing with native land requires 60 per cent of the ‘*mataqali*’ which is inclusive of women thereafter the land goes to the land bank. The Ministry of Lands & Mineral Resources currently has an ongoing project for groundwater activities specifically for rural and isolated communities that do not have access to tap water supply. Moreover to make available groundwater resources were present for human consumption and other uses in order to address water problems. The current budgeted amount for the project is \$2.5M for large islands [Vanua Levu, Viti Levu and Taveuni] an increase of \$500,000 from last year and \$1M for small islands [Lomaiviti, Lau, Yasawa, Kadavu and Beqa group of islands]. Due to its positive impact on communities, the ministry has also continued to receive annual increases to funding allocated to this project. For the operating period of 2019 to 2022, 31 boreholes were successfully drilled under this project.

Reply to paragraph 20 (d) of the list of issues

92. The Ministry of Land’s land sale process or consent to sell or transfer, does not prioritize male applications over female applications. Whilst this process does not actively advocate for women’s interest in land ownership, the regulatory requirements in land dealings does provide the framework for merit awarding of leases and ownership irrespective of gender. Rural women if registered proprietors of any land, estate or interest or holds a lease over a leasehold land are given the same privilege rights in relation to registration of land, titles and deeds. The Registrar of Titles (ROT) will register documents that are lodged in the registrable form ensuring that the registered proprietor signs the documents. All documents relating to registration are fairly dealt with by the MOJ.

Reply to paragraph 20 (e) of the list of issues

93. The Ministry of Housing Informal Settlement Upgrade and Formalisation Program. The program targeted informal settlements with the aim of offering 99 years leased fully serviced subdivided lots within these areas. The High Risk Sanitation program (HRS) under the MRMD is a fully funded program and aligned to the 2013 Constitution which guarantees the right for every Fijian to have access to clean and safe sanitation facilities. Realizing this entitlement, the Government is committed to provide access to adequate sanitation facilities in rural areas. The 2017 National census reports that about 30.5 per cent of rural households use high risk sanitation in Fiji and this is equivalent to 25,387 households or 102,996 people in a household of 4 people. The initiative covers the construction of flush toilets and specifically targets

vulnerable community members such as older persons, persons living with disability and single mothers. From 2021 to 2022 financial year, the Ministry has constructed over 59 flush toilets in nineteen (19) communities at a cost of over \$286,000FJD. Households in Sawa Village in Verata, Tailevu located in the Central Division used to share sanitation facilities but this has now become a thing of the past after the Government completed the construction of six (6) flush toilets for six (6) families on 19th July, 2022. This is consistent with the Government's plan to reduce health related diseases particularly typhoid, dengue and dysentery. According to the village headman, Mr. Isaia Waverailagi "Because of the problems they used to face, the program will greatly assist the families to improve their livelihood".

Disaster risk reduction and climate change

Reply to paragraph 21 (a) of the list of issues

94. The MYS is committed to addressing gender disparities through training programs focused on DRR and Climate Change Adaptation (CCA) for women in Fiji. These sessions highlight women's vital roles in community resilience, empowering them in decision-making and policy development related to DRR and CCA. The programs aim to enhance women's agency, recognizing their contributions to building resilient communities. With Fiji's vulnerability to flooding and tropical cyclones impacting the economy and population, these initiatives are essential for mitigating climate change effects on agriculture. MOAW has integrated climate resilience into agriculture through its Strategic Development Plan, enhancing research and implementing adaptation strategies for farmers. Various agricultural development initiatives include training in DRM and DRR, farm rehabilitation, and support programs for livestock and sustainable land management. The MOAW conducts damage assessments pre- and post-disaster to inform rehabilitation plans and ensure timely provision of essentials like water and food. The Fiji Government allocates funds annually to the NDMO for immediate response needs, creating a revolving fund for disaster relief. Relief supplies are prepositioned, and a structured disaster response mechanism ensures community needs are met within two to seven days after a disaster, demonstrating the Government's commitment to citizen welfare in crises. The details of all the programs are detailed in Annex 10. The NDMO works with MWCSP, Police and counselling service providers to ensure that women have a complaint mechanism in place for all issues related to GBV, harassment and appropriate measures are taken to ensure the safety and dignity of victims and those at risk. The NDMO collaborates with multiple stakeholders to integrate support mechanisms into disaster preparedness plans. These mechanisms include the establishment of women-only shelters, designed to serve as safe spaces where women can report cases of GBV and seek access to rehabilitation. This effort ensures a complaint mechanism is readily available to address a wide spectrum of issues related to GBV and harassment. Moreover, it underlines the commitment to safeguarding the dignity, safety and well-being of victims and individuals at risk within the context of disaster response and preparedness.

Reply to paragraph 21 (b) of the list of issues

95. The Environment Management Act 2005 is the relevant legislation regarding environment for private sector.

Reply to paragraph 21 (c) of the list of issues

96. The NDMO aims to provide inclusivity by actively involving women, including those residing in rural areas, in the development of DRR and climate change policies. Key policy documents, including the National Disaster Risk Reduction Policy (NDRRP), the National Humanitarian Policy, and the Community Disaster Risk Management Training Manual all emphasize the importance of actively involving women and girls in planning and discussions pertaining to DRM and Climate Change Adaptation (CCA). Furthermore, the NDMO has taken measures to provide support for women, girls and all vulnerable groups for the duration of the disaster cycle. This is through the establishment of the Safety and Protection Cluster, of which is designed to address the unique needs of the populations prior to, during and after disaster events. The NDMO ensures that women are included in all discussions relating to DRR and DRM. The NDRRP, the National Humanitarian Policy and the Community Disaster Risk Management Training Manual all advocate for the engagement of women and girls in planning and discussions for DRM and Climate Change Adaptation (CCA). In addition, the NDMO has set up the Safety and Protection Cluster to ensure that the needs of women, girls and all other vulnerable groups are adequately provided for prior, during and after disasters. In further highlighting policies and discussions, the Sendai Mid-Term Review 2023, Fiji launched a market-based parametric micro-insurance program in 2021 to address climate-related risks, this marked Fiji as the first nation in the Pacific to do so. By initially targeting smallholder farmers, fishers, and market vendors, the program intends to expand to include other livelihood sectors and small and medium-sized businesses. Two regional insurance companies underwrite the program, while aggregator partners facilitate its widespread distribution. To ensure equitable access, Fiji's Parliament passed legislation exempting parametric insurance products from VAT on August 1, 2021. This legislative move underlines Fiji's commitment to making these insurance benefits more accessible to low-income and vulnerable groups. This innovative insurance policy aligns with Fiji's broader efforts in DRR and CCA, aiming to provide financial protection against the impacts of natural disasters. As a form of micro-insurance, it prioritizes affordability and accessibility, promoting a more inclusive and resilient approach to managing climate-related risks and disaster response. This insurance policy is designed with the objective of providing financial protection to women and other vulnerable individuals in the event of natural disasters. As a micro insurance product, its fundamental purpose is to offer affordability and accessibility, particularly for individuals with limited financial resources.

Disadvantaged groups of women

Reply to paragraphs 22 and 23 of the list of issues

97. Fiji's Policy and Regulatory Framework supports creating an enabling environment for women and promotes gender equality across the whole of Government. Section 26 of the 2013 Constitution states that every person is equal before the law and has the right to equal protection, treatment and benefit of the law. Furthermore, a person must not be unfairly discriminated against, directly or indirectly on the grounds of inter alia the person's actual or supposed personal characteristics or circumstances, including race, culture, ethnicity, colour, place of origin, sex, gender, sexual orientation, gender identity and expression economic, disability, age, social or health status. Fiji has adopted the principles and grounds of anti-discrimination in section 26 of the 2013 Constitution within our legislation. Section 6 of the ERA 2007 outlines the fundamental principles and rights of all persons employed in Fiji which includes inter alia that every employer shall pay male

and female workers equal remuneration for work of equal value, and that no person shall discriminate against any worker or prospective worker on the grounds of inter alia gender, sexual orientation, social origin, pregnancy and disability. Furthermore, section 75 of the ERA 2007 provides for the prohibited grounds for discrimination which is a reflection of section 26 of the 2013 Constitution, and includes prohibited discrimination against gender, sexual orientation, disability, economic and social status, and interestingly, HIV/AIDS status. MEPIR has conducted ongoing awareness on anti-discrimination with particular emphasis on the prohibited grounds of discrimination stipulated in the ERA 2007. Such awareness by the Ministry is made through radio talkback shows and training awareness with employers, workers and communities. MCS through its processes, guidelines and training across the civil service, promotes an environment that values diversity, fairness and equity in all staffing decisions, particularly with regard to activities which would impact on relative merit of recruitment and selection decisions, and advocates for inclusiveness that is free from discrimination. In addition, for any discipline matters across all Ministries, the principles of natural justice equally apply with elimination of all forms of discrimination in the process. MCS also has the Discipline Guideline and Harassment Guideline across the civil service which is referred to in circumstances whereby social inclusion and disability issues are raised for discussions. MRMD is considering the formation of a Gender Committee that will look into the development of a Gender Policy that is aimed at addressing issues faced by women in the rural areas including issues faced by disadvantaged groups of women in our communities. The MHMS is currently providing health services to all women, regardless of status or which disadvantaged group they identify themselves in.

98. Fiji has made significant efforts to ensure the rights and inclusion of persons with disabilities in various aspects of society, including education, health, employment, and legal recognition. Key highlights of these efforts include:

(a) Legal Framework and Ratification: Fiji ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2017 and passed the Rights of Persons with Disabilities Act in 2018. This legal framework upholds the rights of persons with disabilities and ensures equal citizenship, rights, and responsibilities;

(b) Access to Justice: Fiji has introduced initiatives to enhance access to justice for persons with disabilities. This includes the Rights Empowerment and Cohesion program and Access to Justice Services provided by organizations like the Fiji Disabled Peoples Federation and the Fiji Association of the Deaf. District Disability Committee members often participate in these awareness programs;

(c) Training of Personnel: Various organizations and associations collaborate to provide training to personnel within the justice and prison systems. This includes awareness programs, sensitization, and interpreter services, ensuring that justice and legal services are inclusive and accessible;

(d) Equal Recognition before the Law: Fiji's Constitution and the Rights of Persons with Disabilities Act uphold equal recognition before the law for all citizens, including those with disabilities. Institutions like the Legal Aid Commission and the Human Rights and Anti-Discrimination Commission are established to support the exercise of constitutional rights and provide legal assistance when needed;

(e) Health Services: Fiji ensures financial accessibility to health services by providing healthcare and medication at no cost to recipients. Assistive technologies are also made available through disability service providers, supported by Government grants. Additionally, there are initiatives to make health information and services accessible to persons with disabilities in various formats and languages;

(f) Employment: Fiji promotes equal employment opportunities for persons with disabilities through policies like the National Employment Policy, employment quotas, and tax incentives for employers who hire individuals with disabilities. Initiatives like “Include Disability Employ ‘THIS’ Ability” (IDEA) prepare individuals with disabilities for employment and combat stigma;

(g) Vocational Training and Self-Employment: Fiji offers accessible vocational guidance programs and vocational training. There is a focus on entrepreneurship, with initiatives supporting self-employment and small business ventures for persons with disabilities;

(h) Education: To ensure equal access to education, Fiji provides scholarship programs for persons with disabilities. The Scholarship Scheme for Students with Special Needs covers tuition and related costs. Additionally, organizations like the Fiji Society for the Blind offer scholarships to visually impaired students.

99. Overall, Fiji’s commitment to inclusivity and equal rights for persons with disabilities is reflected in its legal framework, policies, and collaborative efforts across various sectors. These initiatives aim to create a more inclusive and accessible society for all citizens.

Marriage and family relations

Reply to paragraph 24 (a) of the list of issues

100. Child marriage is prohibited under our laws in Fiji as provided for in section 29 of the Marriage Act 1968 and in enforcing this, the MOJ partakes in REACH Programs to increase awareness in rural areas on the legal marriage age which is 18 years for both men and women, the prohibition of child marriage and the penalties for failure to abide by such laws. The services are also made accessible through the REACH Program to allow accessibility for those who would travel long distances to access Birth, Deaths and Marriages services under the MOJ. The MOJ also participates in Roadshows organised by MRMD, and the Ministry of Itaukei Affairs wherein more awareness is shared to the rural and maritime areas on the legal marriage age and prohibition of child marriage in Fiji. MHAI through the FPF conducts awareness by Community Policing Officers in schools and communities on the legal marriageable age of 18 years and above.

Reply to paragraph 24 (b) of the list of issues

101. In 2021, section 4 of the Electoral (Registration of Voters) Act 2012 was amended by the Electoral (Registration of Voters) (Amendment) Act No. 40 of 2021 which made it a requirement that applicants must state in their application for voter registration their full name as specified on their birth certificate. This meant that married women who chose to use their married surname for voter registration would have to change their name on their birth certificate in order to include their married surname. This amendment brought discrimination against married women and infringed on their democratic right to vote. However, with the recent change in administration in 2023, the coalition Government brought positive change through the Electoral (Registration of Voters) (Amendment) Act 2023 on 14 July 2023, that removed the requirement for voter registration applicants to have their full name in the application as per their birth certificate, which was passed by the Parliament of Fiji and entered into force. This Electoral (Registration of Voters) (Amendment) Act 2023 removed all of the amendments made in 2021 by the Electoral (Registration of Voters) (Amendment) Act No. 40 of 2021. The implication of this new change is that

married women who wish to register as voters with their married name do not need to change their name on their birth certificate to reflect their married name. Married women have the freedom to register as voters using their full name whether that be their married name or maiden name therefore women in Fiji can fully practice their democratic right to vote, free from discrimination.

Additional information

Reply to paragraph 25 of the list of issues

102. MHAI in Fiji is actively engaged in promoting the Women, Peace, and Security (WPS) agenda, in line with international resolutions such as Security Council Resolution 1325. This includes fostering a gender-inclusive workplace, offering gender mainstreaming training, collaborating with disciplined forces on WPS, and supporting interagency initiatives. While Fiji does not have a formal WPS NAP several government agencies, including the Fiji Police Force (FPF) and Republic of Fiji Military Forces (RFMF), conduct training on gender-based violence. The MHAI also partners with the RFMF on arms tracking and monitoring. Fiji's commitment to the WPS agenda extends beyond traditional security issues to include climate change and cybersecurity. Women's representation in the RFMF and FPF has increased, although senior-level representation remains limited, and both forces are working to enhance women's involvement in peace operations and the military.

103. In July 2023, the Fijian Government reversed amendments made to the Interpretation Act 1967 and the Electoral (Registration of Voters) Act 2012, which had previously restricted women from registering under their spouse's surname without updating their birth certificates. The revisions now allow women to register under their chosen name without restrictions.

104. MOE in Fiji organized a national Education Summit in September 2023, focusing on inclusion, collaboration, partnership, and transparency. The summit highlighted the achievement of female students, who have outperformed boys in Year 12 and 13 National Examinations since 2018. Female teachers also make up 65 per cent of the teaching workforce. The MoE also supports schools in building and maintaining infrastructure and trains education officials in disaster preparedness due to Fiji's vulnerability to natural disasters.

105. The Healthy Schools Program (HPS), launched in 2009 through an MOU with other government bodies, aims to address health issues in schools. The program now focuses on diet and physical activity, water, sanitation and hygiene (WASH), and mental health and wellbeing. The MoE collaborates with organizations like UNICEF, ADRA, Plan International, and Save the Children Fiji to build capacity in disaster risk reduction (DRR) and resilience. These partnerships have led to the development of new tools like the ONA application for damage assessment and reviews of emergency supplies like School in a Box kits and Recreation Kits to ensure they meet local needs. The School-Based DRR and Resilience Building (SBDRR&RB) initiative helps ensure that children are protected from hazards in schools, homes, and communities.