

**THE COMMERCIAL SEXUAL
EXPLOITATION AND SEXUAL ABUSE OF
CHILDREN IN FIJI: A SITUATIONAL
ANALYSIS**

A Project of



**Save the Children
Fiji**

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PROLOGUE

The United Nations Economic & Social Commission for Asia and the Pacific (UNESCAP) has recognized the existence of commercial sexual exploitation of children (CSEC) and child sexual abuse (CSA) in the Pacific Region. As a result, it undertook with UNICEF and ECPAT to coordinate a seven situational analyses in the Pacific in order to increase understanding and awareness of the issue. Discussing this issue may be deemed by some as being potentially sensitive. Agencies with the mandate to advocate for human rights and children's rights, however, have a vital responsibility to investigate the issue, bring it to the attention of the rest of the population and educate people on the wider issues regarding child abuse.

UNESCAP appointed Save the Children Fiji as the implementing agency for Fiji's Situational Analysis on CSEC and CSA. This was considered to be extremely timely particularly as our experience in and observations of issues affecting children reveals that there are children in Fiji living in situations where they experience horrific types of abuse, violence, exploitation, and neglect. This situational analysis, we believe will generate the type of awareness, attention and more importantly dialogue needed for organizations in this country to collectively come together and create a stronger safety net for our children.

We are grateful to UNESCAP for taking the initiative and making this possible for Fiji.

EXECUTIVE SUMMARY:

This study is a situational analysis of Commercial Sexual Exploitation of Children (CSEC) and Child Sexual Abuse (CSA) in Fiji. It attempts to examine the prevalence and knowledge of CSEC and CSA in Fiji and is part of a broader process of creating a regional knowledge base on these issues. The research team strongly believes that this documentation of CSEC and CSA as a situational analysis has uncovered only a small portion of this widespread issue, therefore should be the first of many more studies to be conducted. Furthermore, in-depth research of this phenomenon is imperative in order to increase our understanding of prevalence, contributing factors, the perpetrators, short term and long term effects on the victims, potential risks for children, and areas that need to be addressed through education and awareness-raising. This view is also shared by the many individuals and communities that took part in this survey.

The report examines the various types of CSEC and CSA in Fiji and it identifies some of the main perpetrators of CSEC and CSA. For purposes of this report, CSEC takes five most common forms: prostitution, pornography, child sex tourism, adoption, and early marriage. CSA can include rape, incest, molestation, domestic sexual and physical abuse, sodomy, pedophilia, and witnessing third party involvement.

The situations for those at highest risk of CSEC are also similar to those at risk for CSA: children from economically disadvantaged families, children who live with extended family, children who live on the streets, children who suffer parental neglect and children who live in violent households. The underlying factors contributing to the risk of CSEC and CSA are lack of job opportunities, which create financial hardships for families and lack of funding for children's education, inability to afford basic daily needs, as well as a cycle of abuse and neglect already present in some families.

A significant amount of perpetrators of CSEC and CSA are male. In cases of CSA, it has been found that the perpetrators are often times known to the victims and either family members or family friends. In cases of CSEC, however, research information indicates that a small number of foreign residents have been identified in urban areas of Fiji as alleged perpetrators of this abuse. Perpetrators are often closely linked to and/or introduced to 'middle men,' who are generally local men (e.g. taxi drivers). The research team also found evidence of women acting as 'agents' for local perpetrators by arranging meeting points for young girls and older men for monetary exchange. These observations indicate that CSEC is gradually becoming more organized and complex in nature causing the possibility of harm to at-risk children to increase. For local 'agents' CSEC is gradually becoming a lucrative business.

Due to the sensitive nature of CSEC and CSA, recognizing this abuse and the trends/risk factors that parallel it is often complicated, making it difficult for law enforcement to catch and prosecute those involved. Preventive measures at local and international level are required.

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ACRONYMS USED IN THIS REPORT:

| | |
|---------|--|
| CCC | Coordinating Committee on Children |
| CSA | Child Sexual Abuse |
| CSEC | Commercial Sexual Exploitation of Children |
| CST | Child Sex Tourism |
| DPP | Director of Public Prosecutions |
| FVB | Fiji Visitors Bureau |
| FWCC | Fiji Women's Crisis Centre |
| NGO | Non-Governmental Organization |
| NPA | National Plan of Action |
| PCP | Pacific Childrens Program |
| SCF | Save the Children Fiji |
| SRA | Student Research Assistant |
| UNESCAP | United Nations Economic Social Commission – Asia/Pacific |
| UNICEF | United Nations International Children Emergency Fund |

SECTION ONE: INTRODUCTION

1.1 Background and purpose of the study:

Fiji ratified the Convention on the Rights of the Child (CRC) in 1993. This convention sought to protect the interests as well as the rights of the child in as far as their development, participation, protection and survival was concerned. Since then, both Government and non governmental organizations have introduced initiatives such as law and policy reforms in order that the socio-economic environment of the nation reflects the spirit of the CRC.

Heinous acts against children such as the commercial sexual exploitation of children and child sexual abuse are in direct violation of Articles 19, 34, 36 of the CRC. As advocates for children, we are educated on how to recognize CSEC and CSA and consequently we are able to positively indicate that forms of CSEC and CSA is in existence in Fiji.

Fiji signed the Stockholm Declaration and Agenda for Action against the Commercial Sexual Exploitation of Children in 1996. Upon becoming a signatory, the Fiji government undertook appropriate action to protect its children against commercial sexual exploitation. This undertaking was reaffirmed at the Pacific Regional Workshop on Combating Poverty and Commercial Sexual Exploitation of Children and Youth held in Nadi, Fiji in September 2003 and the Post-Yokohama Mid-Term Review of the East Asia and Pacific Regional Commitment and Action Plan against Commercial Sexual Exploitation of Children held in Bangkok, Thailand in November 2004.

The first step to combating CSEC and CSA in Fiji is to understand the setting in which these issues can occur. Fiji, like most countries in the Pacific region, has little consolidated information on CSEC and CSA. This analysis is an attempt at consolidating that information and providing an understanding of the CSEC/CSA issue in Fiji, as well as responses taken by stakeholders to combat the problem.

The main purpose of this analysis is action-oriented: to serve as a baseline on which to strategize and plan immediate and future action by government and civil society on CSEC and CSA issues.

1.2 Study Objectives

- To document the existing situation of CSEC and CSA in Fiji.
- To identify and analyze the causes and risk factors surrounding the issue of CSEC and CSA, including the profiles of children, exploiters and key actors.
- To document and analyze government, civil society and country-based international organization responsibilities, related interventions and level of coordination on CSEC and CSA.

1.3 Definitions

A Child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained otherwise, (*United Nations Convention on the Rights of the Child; Article 1*).

Child Sexual Abuse (CSA) is defined as:

- *An abuse of the unequal power relationship between a child or a young person and an older, bigger or more powerful person, which usually includes a betrayal of the child's trust.*
- *The sexual activity – either actual, or attempted or threatened – between a child or young person, and an older, bigger or more powerful person.*

Commercial Sexual Exploitation of Children (CSEC) is defined as:

“...a fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a modern form of slavery.”¹

The three primary forms of CSEC are: child prostitution, child pornography, and trafficking of children for sexual purposes. Other forms of CSEC include child sex tourism and child marriage for the purposes of sexual abuse or sexual exploitation.

Child Prostitution is defined as *“...the use of a child in sexual activities for remuneration or any other form of consideration.”* (Optional Protocol on the Convention on the Rights of the Child)

Child Pornography is defined as *“...any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes,”* (Optional Protocol on the Convention on the Rights of the Child).

Trafficking is defined as, *“all acts involved in the recruitment or transportation of persons within or across borders, involving deception, coercion or force, debt bondage or fraud, for the purpose of placing persons in situations of abuse or exploitation, such as forced prostitution, slavery-like practices, battering or extreme cruelty, sweatshop labor or exploitative domestic services”².*

Child Sex Tourism (CST) is defined as *“...the commercial sexual exploitation of children by persons who travel from their own country to another usually less developed country to engage in sexual acts with children.”³*

Tourist is defined as, *“a person who is traveling or visiting a place for pleasure,”* (Oxford Advanced Learners' Dictionary, 1995).

Early Marriage is defined as *“...a marriage of children and adolescents below the age of 18.”⁴*

Because adoption is referred to throughout the report, it is defined here, as well as ‘sinister’ and ‘informal’ adoption (in the context of CSEC):

¹ Questions and Answers about Commercial Sexual Exploitation of Children; An Information Booklet by End Child Prostitution, Child Pornography, and the trafficking of Children for Sexual Purposes (ECPAT) International.

² Ibid

³ Ibid

⁴ Ibid

Adoption is defined as, “*to take somebody else’s child into one’s family and become its’ parent(s),*” (1995).

For the purpose of this report “**Sinister Adoption**” is defined as adoption of a child for purpose of exploitation or abuse.

“**Informal Adoption**” refers to the movement of one child from its birth parents to another couple, usually within the same family and usually because the latter are unable to bear children of their own. This is carried out without proper adherence to laws on adoption and registration of new births.

1.4 Research Methods:

The situational analysis was conducted using a qualitative approach with a variety of methods. Participatory methods were used where practicable.

The study was focused in five urban locations identified as high-risk areas by Save the Children Fiji (SCF). These areas are: Suva, Nadi, Lautoka, Levuka and Savusavu. Fiji consists of two main islands, Viti Levu and Vanua Levu and many small islands.

Suva, the capital of Fiji, is the main urban center and at the last national census in 1996 had a population of 214,628. It houses many international institutions and organizations, has a fast growing business sector, and is a key port of entry not only for Fiji but also services the South Pacific region. Nadi, the base for the main international airport, is a major tourist destination area. Nadi’s neighbor, Lautoka, is the second city of Fiji and is also a port of entry and sometime host to major tourist ships. Savusavu, on Vanua Levu, is also a port of entry and a key destination for international yachts. Savusavu has a growing rural population of hotels and resorts, and overseas-based homeowners, particularly from the United States, who spend their winter break based in the town.

The Research Team consisted of a Principal Researcher, a private consultant; two co-researchers who are staff of SCF, and a student research assistant (SRA). The Team underwent training with other regional teams designated to the project, at the Inter-Agency Group Training Workshop on CSEC and CSA Situational Analysis Research in Pacific Island Countries, held from 12-16 July 2004 in Suva, Fiji. This workshop enabled the country researchers to learn how to conduct this research and learn more about CSEC and CSA.

Information was gathered from both primary and secondary sources. The primary sources included focus group discussions, unobtrusive observation, and interviews with key informants, both adults and children. A primary source that had been utilized at the beginning of the research process was questionnaires for the following category of people:

- Children aged between 13-17 years old and still in school
- Children aged between 13-17 years old and who have dropped out of school
- Children in institutions
- Parents and community leaders

Although these questionnaires were administered in each of the communities visited, later analysis of the community responses uncovered a risk that the respondents did not fully comprehend the

questionnaire. This in essence was from the collective belief that the quality of this tool was dubious. The validity of the participants responses then came into question. Consequently, it was decided that the questionnaire would not be referred to in this report neither would it be included in the report annex.

Secondary sources used included library-based research, use of the print media, statistics from agencies such as the Police Department, Fiji Women's Crisis Centre, and anecdotal evidence. The research team was able to access 130 young female prostitutes across the five centers for the purpose of face to face interviews. They were either below the age of eighteen or were under eighteen when they became involved in prostitution.

Focus groups were identified in each of the study areas. As areas are large SCF identified partner organizations to assist in the identification of communities they had worked, or are working, in which to base the study. Each of the communities is a squatter settlement where low income earners and their families live. The ethnic make-up of most of these communities was predominantly Fijian with the exception of Nadi, which was almost 80% Indo-Fijian. Most participants had not completed either primary or secondary schooling and literacy levels were lower than the Research Team had anticipated. Thus the focus group discussions became very important in the gathering of information.

For Suva, the settlements were chosen through personal contacts of the Principal Researcher. In Nadi, the Fiji Women's Crisis Center provided contact with a long established settlement made up predominantly of cane farmers and laborers. In Lautoka, the Family Support and Education Group identified a settlement of descendants of indentured Solomon islander laborers, a community they work with, and in Savusavu the Department of Social Welfare identified a settlement of families who had moved from the interior and outer islands of Fiji, to provide greater access to education for their children.

In each community, three focus groups discussed the issue of CSEC and CSA:

- Children between the ages of 13-17 years,
- children between the ages of 13-17 years who had left school without completing their education and
- parents and community leaders

To encourage discussion a card exercise was used whereby participants listed what they thought were the main causes of CSEC, with three colored cards denoting the different levels of priority assigned to the three different causes of CSEC. The Research Team later sorted the cards and analyzed the results.

Focus group discussions were also held with groups outside of the squatter settlement communities. Children between the ages of 13-17 years residing in institutions who were victims of abuse, neglect and violence were also surveyed. The institutions chosen were the Veilomani Boys Centre in Ba (a town in Viti Levu), and the Mahaffey Girls Home in Suva. Both institutions cater for wards of the state. In the former the boys are abandoned children whereas the girls in the latter are mostly victims of sexual abuse who are sent to the girls' home by the judicial courts for care and protection. Most residents of the two hostels are students. A third hostel, the Devo Boys Centre in Suva, caters for boys over the age of 16 years, and the majority have left formal schooling. Again, 8-10 respondents

from each institution were invited to participate in the questionnaire survey, the card exercise, and discussions. No attempts were made to conduct in-depth interviews with these children.

The fourth institution was the Vocational Center for Disabled Persons. Due to the nature of the students' disabilities, focus group discussions did not take place. Instead, an interview was conducted with the Program Coordinator.

Unobtrusive observation, while limited, was used to gather data. The method recognizes that people are "...at times unable or unwilling to tell about their [or other's] behavior: ...they may lack sufficient insight to report on it or, because their behavior is illicit, taboo, or deviant, they may be reluctant to do so," (Hughes, M & Kroehler, C. 2005, pg 24). Due to the stigmatic nature of CSEC and CSA, there is a general reluctance to acknowledge and talk about the issues. Thus unobtrusive observation is considered a way of gathering information. The unobtrusive observation occurred in high-risk areas such as nightclubs, bars, hotels, and a marina. Nightclub observations were carried out by the research team in the greater Suva area as well as in Savusavu. The research team was told of two particular nightclubs in Suva that children frequently visit. A visit to these nightclubs provided the research team with the opportunity to speak to door bouncers as well as bartenders about the activities of children in these establishments. The opportunity also allowed the research team to witness how children interact amongst each other and with adults in this environment.

Key informants interviewed were members of government departments and NGOs. The government departments included the following: the Director of Public Prosecution, Director of Housing and Squatter Settlements, Ministry of Education, Ministry of Youth, Employment Opportunities and Sport, Fiji Human Rights Commission, Fiji Law Reform Commission, Department of Social Welfare, Ministry of Multi-ethnic Affairs, and the Police Department. The NGOs included the following: the Vocational Centre for Disabled Persons, Fiji Women's Crisis Centre, Fiji National Council of Women, Fiji Women's Rights Movement, Fiji Council of Social Services, Women's Action for Change, Women's Heart in Action and the Ecumenical Centre for Research, Education, and Advocacy.

1.5 Study Limitations

It was challenging to collect information on CSEC in Fiji due to the lack of any previous studies or published data on the issue. To date there have only been two reports on the subject of CSEC in the last five years:

- *Report on the Mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, and*
- *Report on the Pacific Regional Workshop on Combating Poverty and the Commercial Sexual Exploitation of Children and Youth held in Nadi, September 2003.*

Budgetary constraints and time constraints (the team had twelve weeks to complete the study) meant that community selection was confined to the communities that Save the Children Fiji and their partners are already working in. These communities, for the most part, are squatter settlements that are made up of low income earners and their families. The information gathered from the communities, therefore, is not necessarily a true representation of the total population of the country. It should not be used to assess prevalence.

The same constraints made it challenging to record and transcribe interviews for in depth analysis. Instead, for the purpose of this report, notes which were taken during focus group discussions and face to face interviews were summarized and specific examples used to illustrate points.

SECTION TWO: COUNTRY CONTEXT

2.1 Country Profile

The Republic of the Fiji Islands is made up of approximately 330 islands that total 18, 333 square kilometers in land area⁵. It is regarded as the hub of the Pacific as its location makes it a key destination point for both air and sea transportation.

Fiji's population according to the last census in 1996 was 772, 655. It is estimated that the number has grown to 845, 000 people⁶. Fiji has a relatively young population with about 54% below the age of 25 and 46% below the age of 19 according to the 1996 census. While the majority of people reside in rural Fiji, the urban population is fast growing due to internal migration, especially with the search for jobs and the impact of displacement of cane farmers in the sugar industry.

The economy of Fiji, while diversified, relies heavily on tourism as its main earner of foreign exchange. The majority of tourists to Fiji are from Australia and New Zealand, with growing expansion of tourists from the United States and Asia. The tourist infrastructure is well developed in some places such as Nadi and is developing in other places. Stakeholders in the industry have argued that development of greater infrastructure needs to take place for the tourism industry to grow and to achieve its goal of \$1 billion in annual earnings and 500, 000 visitors by 2007⁷. The newest type of tourist to Fiji has been the backpacker, and the eco-tourist, both of who have greater contact with local populations. Other well-performing foreign earners are: garments, sugar, fish, gold, and mineral water. The garment industry is growing and is currently the second highest foreign exchange earner. It is characterized however by low wages and a lack of unionization. Thus its workers are open to abuse especially from the more unscrupulous owner. There have been too many examples of owners closing their factories and leaving in the middle of the night without informing and paying their workers. A large number of women, in particular young women school leavers, are employed in this industry. Anecdotal evidence and media reports suggest that these women are subject to various forms of abuse, including sexual abuse⁸.

Politically, Fiji has a democratically elected government. However tensions remain between various political parties particularly over the 2000 coup. Ethnicity remains a dominant factor in the country and affects the country's politics, economy and society. Fiji's population is a multi-cultural, multi-racial mix, with indigenous Fijians comprising 51%, Indo –Fijians (descendants of Indians from the Indian subcontinent) approximately 44%, and Asians, Caucasians, and other Pacific Islanders making up the rest. The ethnic division is illustrated by the contrast between the private and public sectors; Indo-Fijian families largely control most private businesses, while indigenous Fijians largely head government ministries and the armed forces.⁹

⁵ Ministry of Information, Communications and Media Relations. [Fiji Today 2004/2005](#)

⁶ Ibid

⁷ Ibid

⁸ Ibid

⁹ [Fiji Country Report on Human Rights Practices – 2001.](#)

Tension between ethnic Fijians and Indo-Fijians has been a longstanding problem. The stated purpose of past military and civilian coups was to ensure the political supremacy of indigenous Fijians and to protect their traditional way of life and communal control of land.

Control of the land remains a highly sensitive issue. Ethnic Fijians communally hold over 80% of land, the government holds another 8%, and the remaining land is free hold. Indigenous Fijians' traditional beliefs, cultural values, and self-identity are tied to the land. A number of agricultural landlord (indigenous Fijians) and tenant (Indo-Fijian farmers) agreement leases have expired, and many more continue to expire. The uncertainty over future land tenure arrangements is a significant cause of tension between the indigenous Fijian and Indo-Fijian communities.¹⁰

2.2 Social and Cultural Overview:

Fiji is a multi-cultural and multi-religious country. The two main ethnic groups are indigenous Fijians who make up 51.1% of the total population while Indo-Fijians make up 43.6%. The remaining 5.3% of the population is made up of minority groups which include the Chinese community, the Rotumans, and the mixed ethnic group (Part-Europeans).

Fiji's religious diversity includes all the major religions of the world, in particular Christianity, Islam, and Hinduism. The predominant religion is Christianity, which exists through many denominations. The official language of Fiji is English, a remnant of her colonial past, although Hindi, Fijian and Urdu are also taught in schools.¹¹

Women in both the indigenous Fijian and Indo-Fijian communities have functioned primarily in traditional roles. Men head most households in Fiji, but poor households have a higher proportion of women as their heads than any other income groups. There is a clear link between economic need and sex work. Women sex workers are often pressured into this work by lack of money caused by unemployment, divorce, desertion, failure of men to pay child maintenance and lack of support from relations¹².

Men are usually better educated, which gives them advantages over women. Indo-Fijian rural women are most disadvantaged by lack of education. Poor women suffer poverty in many different ways, including ill health.

Reliable estimates indicate that 10 percent of women have been abused in some way¹³. However, following the political crisis in 2000 and the resulting sense of lawlessness and downturn in the economy, reports of domestic violence and police brutality against women increased. Suva, Ba, Labasa, Lautoka, and Nadi have women's crisis centers funded by foreign governments, which offer counseling and assistance to women in cases of domestic violence, rape, and other problems such as child-support. The Fiji Women's Crisis Centre conducted a survey in 2001 titled *The Impacts of the May 19 Coup on Women in Fiji*. Findings revealed that 14% of the women surveyed had experienced either verbal or physical abuse as a result of the coup, either directly or her family members had been the victims. The report goes on to state that women, especially Indo-Fijian

¹⁰ Ibid

¹¹ Ministry of Information, Communications and Media Relations. [Fiji Today 2004/2005](#)

¹² UNDP and the Government of Fiji. [Fiji Poverty Report](#), 1997

¹³ Bureau of Democracy and Human Rights. [Fiji Country Report on Human Rights Practices - 2001](#). March 4, 2002.

women were targets for gang rapes and that such sexual violence against women was used as a weapon of terrorism in the aftermath of the coup.

Women are generally paid less than men, a discrepancy that is especially noticeable in the garment industry. Garment workers, most of whom are Indo-Fijian, ethnic Fijian, and Chinese females, receive wages that are considerable lower than in other sectors.

The link between poverty, poor living conditions, poor nutrition and ill-health is most evident in children primarily because of their vulnerability. Children in poor households must often go without many of the important things that they need like adequate housing and water supply. Poor water supply and inadequate sanitation causes many health problems.

Although people do not have to pay tuition fees at primary school, school is neither free nor mandatory. As a result up to 5 percent of children fail to enroll into Class One and enrollments slowly drop with each class as they go higher.¹⁴ Education is critical in getting better paid and secure employment. With these trends of child enrollments and drop outs, a lot of children will have few opportunities to get the better paying sort of jobs when they are adults.

Law and order is a key area of concern particularly the increasing incidences of violent crime. Usually there are daily media reports of increasingly violent and daring robberies. Frequently it seems that these robberies end in murder. In many cases the offenders are male youth in their 20s. There has also been an increase of reports in the media of sexual offences, many involving children.

A key social factor for Fiji is the level of unemployment especially among youth. Research in various parts of the world indicates a correlation between unemployment and crime. In Fiji it is a major factor of crime in urban areas.¹⁵ Another factor is inadequate parental care and supervision, especially in single-parent families.¹⁶ Added to this is the gradual breakdown of traditional support systems such as members of the extended family providing care for children. Because there are very few other options for looking after children when their families cannot manage, some children 'drift' from one household to another.

Societal changes have undermined the traditional village and extended family based structures. Outgrowths of these changes include increased child abuse and a growing number of homeless youth in urban areas. Homeless children are often seen on the street working as shoeshine boys or involved in prostitution. Children mostly work on the streets, in homes as domestics, and in auto repair shops. The Ministry of Labor has few or no resources to investigate reports of child labor or charge offending employees.¹⁷

Another social issue of concern is that of inadequate housing. This is particularly true in Suva where the growth of squatter settlements is fast becoming a phenomenon. With increasing numbers of people migrating to urban centers, the need for affordable housing has also increased. Squatter settlements have proved a viable option particularly if a family is supported by low or no wages.

¹⁴Fiji Poverty Report. 1997

¹⁵ Adinkrah, M. 1995. Crime, deviance and delinquency in Fiji. FCOSS in association with ACPF, Department of Sociology, USP, and the Fiji Prison Services, Suva, p. 18

¹⁶ Ibid

¹⁷ Bureau of Democracy, Human Rights and Labor. Fiji Country Report on Human Rights Practices - 2001. March 4, 2002

Discussions with children living in squatter settlements revealed that the lack of privacy and living in open, exposed conditions (often one room dwelling home) exposed them to types of behaviour inappropriate for their age e.g. sexual acts between adults. This in turn puts these children at risk of internalizing the implication that sexual intercourse is something to be practiced freely. The very real side effect of this is the risk of children engaging in hazardous sexual practices. Open living arrangements also increases the vulnerability of women and children in these settlements to abuse by family relatives and visitors alike. Children are also at greater risk of dropping out of school making them vulnerable to illegal activities like child labor and CSEC.

SECTION THREE: TYPES AND PATTERNS OF CSEC AND CSA

The following section is based on the findings of the community focus group discussions with adults and children, observations in nightclubs/bars/brothels and face to face interviews with government and non-government representatives. As indicated earlier, there is little other information available on CSEC in Fiji.

3.1.1 Types of Commercial Sexual Exploitation of Children:

For this preliminary study it was found that CSEC is not restricted to either rural or urban centers. The survey found that there are five types of CSEC in Fiji. These are: prostitution, pornography, child sex tourism, adoption, and early marriage.

- Prostitution:

There is a general consensus across communities and amongst NGOs working on these issues, that the general age of those involved in prostitution is decreasing. The observations of the research team on the streets and in the nightclubs of Suva and Savusavu, and from media reports and anecdotal evidence support this view. There is also a general consensus that while girls are the predominant group involved in prostitution an increasing number of boys are becoming involved too. A local Magistrate when interviewed stated that in the last two years there has been a gradual increase in the number of cases involving young boys working as prostitutes come through the courts. Short of being caught in the act, prostitution can be difficult for the Police to prove. Most of these cases are brought to the attention of the courts when either one of the parties (young male prostitute/perpetrator) lodges a complaint with the Police. Such complaints are either for theft on the part of the young male prostitute or failure of the perpetrator (mainly foreigners) to pay for the services of the young male prostitute after disagreement on the service fee.

The forms of prostitution are both individual and organized (brothel) operations. Brothels exist mainly in the urban centers and are well known to the locals. Such is the demand for teenage girls that the team was informed of a network of teenage girls working out of one of a well known motel in Suva that also serves a brothel. This motel is allegedly owned by a local businessman. Based on findings by the research team, it was discovered that brothels such as these were also found in Nadi.¹⁸ The research team, in its interviews with the prostitution victims in Suva discovered that 33% of the total victims are still in school and come from broken homes.

¹⁸ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 200.

Box 1

“A network of young school girls involved in prostitution operates out of the motel in which I work. How this network works is that if clients want young girls when they come to the motel, then they tell the Receptionist what type of girl they want and come back the next day. In the meantime the Receptionist will get in touch with whichever one of the young girls closely matches the description. Contact is made on the girl’s mobile phone. The girl will come into town the next day, change out of her school uniform then come up to the motel to wait for her client”

Motel Worker, Female.

Where individuals operate, the reasons for doing so range from young girls being prostituted as a means of supporting their families, street kids (girls and boys) being prostituted as a means of survival, taxi drivers sexually exploiting girls in exchange for transport to school¹⁹ or for a free ride, young people with disabilities supporting themselves/having an independent income²⁰, an opportunity for free alcohol and cigarettes while nightclubbing, and parental neglect.²¹ The research team discovered through face to face interviews with young female prostitutes that not all of them were brought up in situations where they experienced financial difficulties in the home or a lack of access to education.

Box 2

“I resorted to working as a prostitute out of boredom. I do not come from a poor family. Both of my parents work and so I am left on my own most of the time. In fact my mother holds a senior position in Government”

17 year old female prostitute, Fijian

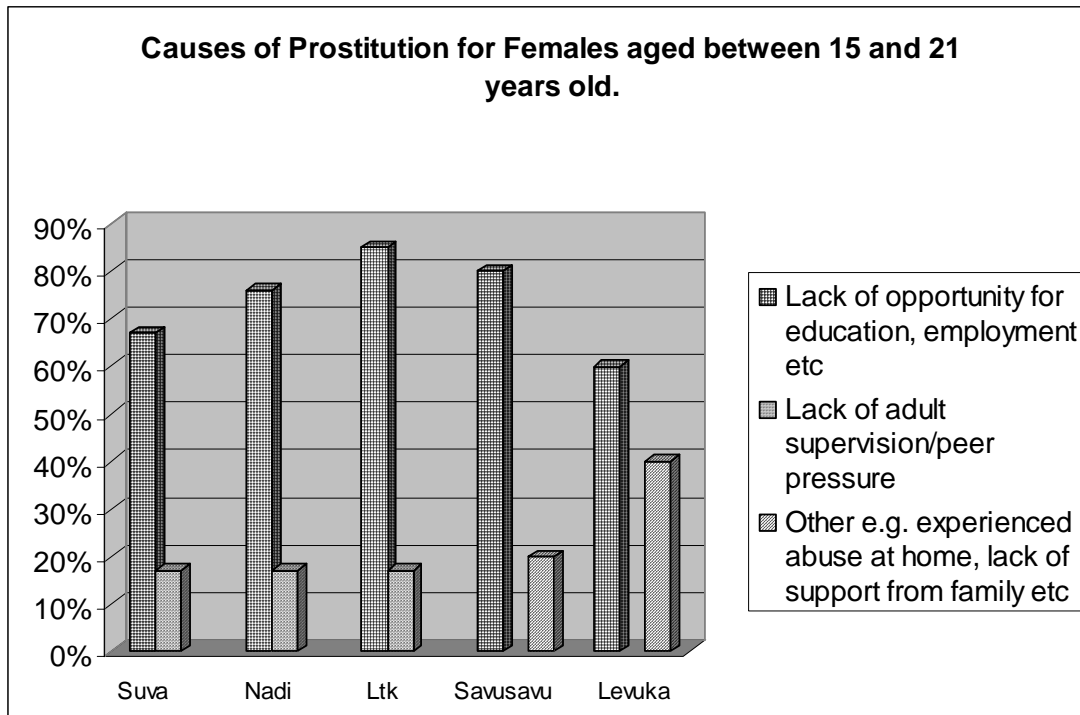
Although an overwhelming majority of the young female sex workers that were interviewed in each of the five centers indicated the lack of access to education and employment opportunities as significant push factors into the world of prostitution, other reasons such as abuse experienced in the home, lack of support from either immediate or extended family, peer pressure, and lack of parental supervision were also shared with the research team. This revelation minimizes the myth that only children from poor socio-economical backgrounds are vulnerable to commercial sexual exploitation.

The following graph illustrates the varying causes given by the young female prostitutes interviewed, for their being involved in prostitution.

¹⁹ Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva, p.19.

²⁰ Apolonia. 2004. Vocational Training Centre for Disabled Persons, Suva. Personal communication.

²¹ Focus group discussions in Suva, Nadi, and Lautoka, 2004.



In Suva, 67% of the prostitution victims interviewed felt the main reasons they fell into commercial sex work was because of lack of educational and employment opportunities, as well as a feeling of wanting to help contribute to the family/caregiver income. Sex work victims in the other locations interviewed had similar results for the aforementioned push factors into commercial sex work: 76% in Savusavu, 75% in Nadi, and 60% in Levuka. However, the highest percentage of prostitution victims to record the above as a major push factor into prostitution came from Lautoka at 83%.

Although factors like poverty of opportunity and lack of access to education and employment are the main reasons that many people believe causes social ills like prostitution, the research team came across victims who confirmed other causes for their involvement in prostitution. In Suva, Nadi and Lautoka, 15% to 18% of victims interviewed stated that their families came from the middle to upper middle class bracket of society and therefore did not engage in prostitution out of an economic need. Rather that it was the lack of parental supervision/care which left them vulnerable to factors like peer pressure which eventually led them to “fall into” prostitution.

When the research team conducted interviews with prostitution victims in Savusavu and Levuka, they discovered other causes for prostitution of young girls. Savusavu is known as a retreat for retired foreign men and women. Interviews with prostitution victims in Savusavu showed that 14% of the victims engaged in sex work because they were taking advantage of seemingly affluent foreigners who live in there. An added bonus was that the money these young girls received through such work was more than what they would earn if they were employed as waitresses or hotel workers.

The research team was told of Estates that act as massage parlors but provide sexual services to their customers and employ under aged girls, some of whom are still in school. Attempts to visit these identified Estates proved unsuccessful as the locals confirmed the rigid security measures around

these properties and their activities. Also the locals did not want to be responsible for ruining a family's potential source of income.

Though prostitution is illegal in Fiji, its prosecution is difficult as evidence is hard to gather, and legislation tends to target the seller, rather than the buyer. However, perpetrators who have sex with girls who are 16 years old or less are charged with defilement under 'crimes against public morality'. In 2001, there were 56 such offences, 2002 had 84 offences, and 2003 had 106 offences.²² There are no statistics for the crime of prostitution per se, although the Police Departments Sexual Victims Unit in Suva did provide the Research Team with statistics for 2001-2003, based on the more prosecutable offence of 'Loitering with the intent to prostitute'. According to these statistics, there were 36 offenders in Fiji, in the entire period of 2001-2003. The majority were in the 16-25 year age group (29 offenders), the remainder being 25 years or older.

- Pornography

There is limited information and awareness about child pornography in Fiji. It was not until 1997, when an Australian working in the country was arrested and charged with child pornography that the issue came to light.²³ In that instance the man had over 2000 images of child pornography on three computers, and had made arrangements for the sale of those images. Furthermore, police found four young girls aged between 4 and 14 living with the perpetrator, who had featured in his pornographic collection. At the time, Fiji did not have any laws governing child pornography, and because of this, the pornographic images could not be introduced as evidence of child abuse. Instead the perpetrator was charged with rape and indecent assault. Initially 37 children came forward with allegations against the perpetrator. However, most children withdrew their allegations (all but two) and/or turned hostile towards the prosecution.²⁴ The DPP's Office has however been successful in its prosecution, and the perpetrator is currently serving a prison sentence of ten years.²⁵

Other reports of child pornography include an account concerning some visiting yachtsmen in Savusavu who would lure children (4-7 year olds) from nearby villages with sweets and lollies, to join them on a picnic and in turn photograph them as they played in the nude.²⁶ The focus group discussion was unable to reveal further details regarding the latter other than that the exploiters were not prosecuted. Several Savusavu residents reported knowledge of locally produced pornographic video. However, the research team was unable to acquire evidence of this due to time and resource constraints.

Fiji laws deem the act of pornography as well as the possession of pornographic material to be illegal.

- Child Sex Tourism

²² Fiji Police Crime Statistics, 2003

²³ Director of Public Prosecutions. 2005. Personal Communication.

²⁴ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, pp. 201-202.

²⁵ Naguilevu, J. 2004. Director of Public Prosecutions. Director of Public Prosecutions Office, Suva. Personal communication.

²⁶ Focus Group Discussions. 2004. Savusavu.

Previous research and awareness of child sex tourism is limited. Anecdotal evidence from the communities surveyed highlighted incidences of some foreign visitors seeking out sexual favors from children. In addition, statements made to the UN Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos, by the Fiji Visitors Bureau indicates some awareness of the problem of child sex tourism in Fiji.

Tourists engaging in CST are reported to often travel to developing countries looking for anonymity and the availability of children in prostitution. The crime is typically fueled by weak law enforcement, corruption ease of travel and poverty.²⁷

In Fiji, there appears to be a high correlation between child commercial sex work and tourists in areas where there are a lot of hotels or events going on. A Nadi Magistrate reported observations of an increase in risky sexual behaviour amongst child sex work victims when the number of tourist arrivals increase due to holiday season etc. The incumbent also stated that the number of CSEC cases among young boys in Nadi has increased in the last three years and that when it comes to sentencing these boys, there are no options for rehabilitation or counseling. The Magistrate believes that the lack of treatment options leads to recidivism.

A disturbing incident of possible abuse was witnessed by the research team. A foreign visitor was seen taking three young girls (two were wearing their school uniforms) in a dinghy to a yacht. Fifteen minutes later, the dinghy returned without one girl. The research team did not report this to the Police for the reason that there was no further evidence of the exact nature of the type of activity going on.

Box 3

“The yachtsman who we saw taking the young girl out to his yacht earlier on in the day, that evening appeared at the bar where we were conducting our observation with another young girl who looked to be about 15 years old. She was very intoxicated and joined a group of young women (age range between late teens and early twenties) already at the bar with two other foreigners. We noticed that one of the young women was not consuming alcohol. Our local partner informed us that the woman worked at a local resort and arranged local ‘escorts’ for the tourists at the resort.”

Member of the Research Team.

There seems to be some confusion in the Fiji Visitor’s Bureau over the occurrence of child sex tourism in Fiji. In 1999 the Director of the Bureau indicated to the UN Special Rapporteur on the sale of children, child prostitution, and child pornography, Ms. Ofelia Calcetas-Santos, that the issue was not treated with sufficient gravity in Fiji. The Director of the Bureau also expressed a wish to learn how his organisation could contribute to stopping child sex tourism.²⁸ This implied that child sex tourism was taking place. In 2004, however, the FVB Director of Marketing indirectly implied

²⁷ The Facts About Child Sex Tourism, 2005. U.S. Department of State, Bureau of Public Affairs.

²⁸ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 208.

that the tourism body would not allow child sex tourism to occur in Fiji, and this would be ensured by their strategy of promoting cultural and traditional activities.²⁹ This statement shows a lack of acknowledgement and understanding of the issue and also implied that child sex tourism does not occur in Fiji.

The Ministry of Tourism, at the same consultation with the Special Rapporteur in 1999, indicated that it is aware of the issue of child sex tourism because the issue is discussed at all major tourism conferences. It also acknowledged the occurrence of child sex tourism in Fiji, but stated that it did not believe the problem was grave enough to warrant the Ministry's active involvement in preventative measures.³⁰

The Fiji Women's Crisis Centre has raised concerns that the on-going crackdown on child trafficking and prostitution in Asia will cause child sex tourists to move to the Pacific. A situation made possible by loopholes in laws and limited public awareness.³¹

- Adoption:

Informal adoptions are still practiced in Fiji, especially within extended families.

Children adopted in the traditional manner however, are not as well protected as those who are adopted formally.³² In some families, the children become an abject of unfair treatment like being "...singled out and subjected to discrimination and ridicule..."³³ The existence of a culture of informal adoption provides an opportunity that could be exploited in some cases, for more sinister adoptions or trafficking of children for purposes of sexual slavery. In 1999, the New South Wales police visited Fiji to investigate 15 cases of children 'adopted,' taken to Australia, and used as sex slaves. Some of these cases dated back to the 1970s, and all involved men abusing the Fijian boys they had 'adopted'. The ages of the children or the nationality/ethnicity of the men are not known to the research team. Generally, these types of informal adoptions have occurred as a result of parents acting in good faith, believing that their children would have better education opportunities.³⁴ The Research Team contacted the Australian, and New Zealand, High Commissions for up-dates on cases of sex slave 'adoptions'. At the time of compilation of this report, both high commissions were yet to confirm the above. It was learnt though that a new policy has however been initiated at the Australian High Commission (AHC) on the travel of children. It is now a requirement to have written parental consent for the travel of Fiji children and proof of parental identity before applications for visas are considered. Whilst the research team commends this initiative with some measure of control, reports indicate that children continue to be moved across borders for sinister adoptions.

²⁹ Fiji Sun, 18 September 2004.

³⁰ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 207.

³¹ FWCC. 1998. Preventing the commercial sexual exploitation of Pacific children, p. 1.

³² Fiji Islands Periodic Report on the Convention of the Rights of the Child (1995-2000), p.25

³³ Report to AusAID on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.

³⁴ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 198.

Like other forms of CSEC there is not much awareness and discussion on sinister adoptions. The research team was told of a case where parents ‘gave’ their three daughters to an expatriate male in exchange for money and goods such as a digital camera and clothes. The expatriate was charged and sentenced to jail. In the process of appealing his sentence, he successfully fled the country. Two of the girls have returned to their community, while one is now involved in prostitution in Suva.³⁵ This case highlights the vulnerability of children who are victims of sinister adoptions.

Formal adoptions are open to abuse. The protective legal measures, registration process of newborn babies, as well as the adoptions screening process by the Social Welfare Department require further strengthening. For example, some adoptions are granted upon a single visit by a social worker; and the identity of mothers’ is not properly verified at hospitals thus the child may be registered with the potential adoptive parent’s name.³⁶ Where adoptions are to parents outside of Fiji, the majority of children go to either Australia or New Zealand. There are also adoptions to the United States and Canada. The relevant departments in these countries run background checks on potential parents. However, there is no follow-up on the child’s welfare once the adoption takes place.³⁷ A new breed of adopter is emerging where older foreign men marry local women and adopt their children. There is no information on whether sinister motives are behind these adoptions. However, this is one area that exposes the adopted child to a high level of vulnerability.

Box 4

“A single mother of four living in a squatter settlement in Suva sought the assistance from SCF for her children’s education. After a while she requested that her children be removed from the program because she had married an Australian man who was going to adopt her children. The woman moved her family to Nadi to live with her new husband. One year later the woman returned to our office and told the SCF staff an alarming story. Her new husband had moved the family to Australia and upon their arrival they were held captive in his house. She told me about the sexual exploitation of her oldest daughter (she was 14 years old at the time) who was allegedly drugged and gang raped by her step fathers’ friends. This incident was filmed in the presence of her other children. The woman was too scared to go to the Police and lived in fear whilst in Australia. She and her children eventually fled Australia with the help of a neighbor. The oldest daughter is now involved in prostitution in Nadi. While there was no further evidence of her account of exploitation we saw the scars of what looked like needle marks and cigarette burns on the woman and all four of her children.”

Staff Member, Save the Children Fiji.

The above account is just one of the many cases of ‘sinister adoption’ that has come to the attention of Save the Children Fiji. However, when situations like the one above occur, it takes on another dimension and becomes a case whereby a woman and her children are victims of trafficking.

- Early Marriage

³⁵ Mahaffey Girls Home, Suva. 2004. Personal communication.

³⁶ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 198.

³⁷ Mr. Irshad Ali, Save the Children Fiji. 2004. Personal communication.

The culture of early and arranged marriages, particularly in the Indo-Fijian community, sets the platform for potential CSEC situations. The two main reasons for early marriages occurring are: the belief that the girl child is an economic burden, and the opportunity for a better life especially, if the groom is a foreigner.

Currently, the Marriages Act allows for girls aged between 16-21 years to get married with parental consent. The same act has provisions for boys aged between 18-21 years to get married with parental consent. There has been strong lobbying from concerned NGO's for the age of early marriage for girls with parental consent to be increased from 16 years to 18 years as failure to do so may increase the vulnerability of young girls to exploitative situations such as sexual abuse and CSEC. Despite such lobbying, the Marriages Act with reference to early marriages remains unchanged.

There are daily examples of this phenomenon in that the newspapers carry personal advertisements from mainly males based outside of Fiji, seeking young, mainly Indo-Fijian females for the purpose of marriage. Several reports from Indo-Fijian communities indicate abuse of girls married to foreign residents, particularly by Indo-Fijian males residing in other countries. Young girls married to these men are either engaged as family domestic workers or abused by their husbands and families. Many separations have occurred whereby girls have returned to Fiji. Upon arrival they are often shunned by their families due to the stigma of separation.

Observations also revealed that girls married at an early age tend to fall victim to sexual exploitation at later stages in life, particularly when they are abandoned by their husbands. Due to lack of employable skills, education, support services and coping mechanisms, these girls engage in prostitution as a means for survival.

3.1.2 Risk factors for CSEC:

- Poverty of opportunity, education and economics

In Fiji children that live in situations where they are faced with a lack of access to education are particularly vulnerable to becoming involved in prostitution as a means of survival. The Research Team has found that those children who had dropped out of school, and/ or were living on the streets, and those who have disabilities, become sex workers to support their families or themselves. Children who live in "...poor households are often characterized by low achievers whose environment is not conducive to the proper development of personal skills."³⁸ Thus, a way out of their economic situation is to live on the streets where an alarming number are becoming involved in CSEC.³⁹

- Disabled Children

³⁸ Vakaoti, P. 1998. Socially disaffiliated and marginalized youths in urban Fiji: a study of underprivileged youths at Chevalier Hostel. Unpublished MA thesis in Sociology, University of the South Pacific, Suva, Fiji.

³⁹ Mrs. Natini, 2004. Fiji National Council of Women, Suva. Personal communication.

Anecdotal evidence also suggests that some disabled children enter prostitution because their families often find it costly to support them; it is an opportunity for work, and a source of 'pride' that they are able to provide for themselves.⁴⁰

- Children From Violent Homes

Another group at risk of involvement in prostitution are children from violent home environments, in particular, victims of sexual/physical/ emotional abuse. Their entry into prostitution was a result of either being 'kicked out' of the family home, or their leaving as a means to stopping the abuse. Sex work provided them an opportunity for survival.

Box 5

“The young sex workers that we have started counseling over two years ago have told us that they experienced some form of abuse in their homes at the hands of a male relative.”

Member of Women’s Group, Lautoka.

The incidence of domestic violence is alarmingly high for a nation with a population the size of Fiji’s. For the period 1984-2004 the Fiji Women’s Crisis Centre attended to 5818 cases of domestic violence, and 343 cases of child abuse.⁴¹

- Unsupervised Children

A further risk group is children who suffer parental neglect. The Research Team observed in Suva the frequenting of nightclubs and bars by under-aged youth. They also observed the drunken behaviour of these youth; and were told stories by the bouncers and the bartenders, of young girls entering clubs with older patrons with the understanding that they would have sex in exchange for drinks. Bartenders have indicated that there are many young people who have a lot of money although they do not work. Even though Fiji’s laws dictate that a person must be 18 years old to enter nightclubs, owners generally do not follow this requirement. This then provides opportunity to predators. Another alarming trend to come to light is the use of schoolgirls in organized prostitution such as the case with the local brothel shared earlier on in the report.

- Growing numbers of visitors to Fiji

The continuously growing tourism industry is a significant achievement for Fiji’s economy however it has been discovered that the more tourists that come into the country, the higher the chances are for exploitation of children in this sector. Children themselves take advantage of the industry as a way of attaining money and goods for themselves.⁴²

⁴⁰ Apolonia. 2004. Vocational Training Centre for the Disabled, Suva. Personal communication.

⁴¹ Fiji Women’s Crisis Centre Newsletter, Volume 8, Issue 3, September 2004, p.3.

⁴² Focus Group Discussion. Lautoka and Nadi communities.

In light of this, it is crucial that the service providers linked to the tourism industry undergo training on the issues and occurrence of CSEC in order to identify risk factors, behaviour and developing policies for the protection of children. Developing a reporting and monitoring system is also necessary. This will empower service providers to report suspicious activities involving children and therefore effect a positive change to this disturbing trend.

- **Billeted Children**

Education services are not readily accessible available in the outer, more isolated islands. Most schools on these outer islands only offer classes up to Form Two and as an alternative, parents of young school age children send their children to urban centers in order that they may continue their secondary education. Whilst away from home, these young children stay with relatives namely uncles and aunts who for the most part, have children of their own and are struggling to make ends meet. This coupled with the fact that these children are sometimes left to their own devices, increases their vulnerability to fall into activities like CSEC.

Box 6

“There are young school girls that work a certain stretch of road in the Nabua and Vatuwaqa areas. After talking to these girls, we have discovered that they have been sent to Suva from the outer islands, like the Lau group, for educational purposes. Unfortunately the assistance in either cash or kind that is sent to their relatives to look after them, does not reach them. They resort to selling themselves for \$5 to \$20, in order to buy their stuff for school because their parents would want them to do well at school. It’s heartbreaking to see the same young girls the next day trudging along the road to school with their backpacks.”

Fijian female, Police Officer, Nabua Police Station.

Schools in the outer islands very rarely offer children the opportunity to go beyond the fourth form. For those children that wish to continue their education beyond this level, the move to urban or peri-urban areas to do so is the only choice they have. A majority of these children are billeted with relatives already residing in these urban areas. In 1996 SCF staff in carrying out its Child Sponsorship Program had twenty three Fijian students from the outer islands referred to them for educational assistance. These children, whose ages range between 14 and 16 years, were all living with extended family members whilst attending school in the Central and Western divisions. The process of following up the students’ progress revealed that nineteen of the twenty three children had dropped out of school after a period of five months. The primary reason given for this by the children was the lack of support from their extended families. Further, a total of five of the nineteen (all females) revealed that they had been sexually abused by a male relative whilst living away from home. SCF staff then referred these five girls on to the appropriate agencies for further counseling and assistance. However, they are aware that one of the girls is now involved in prostitution in Suva and another in Nadi.⁴³

- **Early Marriage:**

⁴³ M. Irshad Ali, CEO, Save the Children Fiji. Personal Communication.

This affects young girls more so than boys. Parental neglect, poverty and the level of care by the extended family are contributing factors to early marriage. Young girls seeking a better life may wish to marry early or may be forced into a marriage for the benefit of the family. There are also those girls who marry early as a means to gaining attention as opposed to the neglect of her parents. Lastly, as indicated in the section on adoption, girls may seek early marriage to escape ill treatment by extended family members.

3.1.3 Perpetrators of CSEC

The Research Team found that the category of alleged perpetrators can be expanded to include ‘facilitators’. That is, those who act as middlemen for the perpetrators (not all being men).

The alleged ‘situational’ exploiters of CSEC, the most alleged common perpetrator of CSEC are reported to be men, both local and expatriate. Young girls can be observed on fishing vessels at Suva’s main wharf, some of them in their school uniforms. Often time tourists also seek out young sex workers, some even enquiring with the Aids Task Force as to where the ‘action’ is.⁴⁴

Local men are also alleged to be common perpetrators of commercial sex with young girls. However, it generally depends on how much money they have available.

Box 7

“A few known landowners from the West get paid a lot of lease money by tenants like hotels and resorts. When these particular landowners get paid their lease money, many times they take the money and stay in motels for weeks at a time and pay young teenage girls for sexual acts while they are there.”

Female sex worker, Fijian, Western Division.

The facilitators of prostitution include family members and family friends as a way of earning an income; in some instances it is a means to extra income. There are also pimps in the more organized prostitution. Taxi drivers and nightclub bouncers are key facilitators in that they find girls for perpetrators. The drivers also provide transport to sex workers. A common observation in Suva is of taxi drivers picking up girls from their specific ‘spots’, transporting them to the perpetrator, and then dropping them off at their spot to wait for the next client.

3.2.1 Types of CSA

Types of CSA in Fiji include: rape, incest, molestation, domestic sexual and physical abuse, sodomy, pedophilia, and witnessing third party involvement. Like CSEC, incidences of CSA are reported to occur both in urban and rural centers. Despite the increasing visibility of CSA in Fiji as evidenced by media reports, there is still a lack of research into the issue, although both the Fiji Women’s Crisis

⁴⁴ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 200.

Centre and the Police collate statistical information. This information, however, is confined to actual reporting of the crimes either as clients of the Centre or to the Police. “There is a culture of silence surrounding the issue of child abuse. There is reluctance to report incidents either because of a fear of the legal process or the fear of being stigmatized for the sexual abuse.”⁴⁵ Furthermore, there is no legal requirement to report cases of CSA.⁴⁶

Both young people and adults have indicated their knowing of children or someone close being sexually abused. In the study’s focus groups a greater percent of Suva students (22%) and school leavers (29%) knew of children who had been sexually abused. The Lautoka group had 17% and 14% respectively, while the Nadi group had 11% and 14% respectively. In an earlier study in Western Fiji, 20% of 268 student respondents in 1998 indicated such knowledge; in 2001 it was 16% of 628 student respondents.⁴⁷ It is common for victims of CSEC and CSA to indicate that they ‘know of’ a victim of such abuse, although they are actually referring to themselves.

It is important to note that available statistics from the Police Department are not gender specific, they generally refer to the child; and there is a general assumption that a greater number of girls are victims of CSA.

- Rape

From 1999 – 2003⁴⁸ there have been 92 reported child rape cases in Fiji. The majority of these cases involved Fijian children between 14-16 years old, except in 2003 where Fijian children below 13 years accounted for 14 of the 16 rape cases. 2002 had the highest report of child rape with 37 in total. Of these reports 16 were below 13 years and 21 between 14-16 years. 31 cases out the 37 were Fijian children while the other six children belonged to other ethnic groups like Indo-Fijians and Part Europeans.

The attempted rape figures mirror that of the child rape cases in terms of ethnicity and age group, the exception being in 2003 where 8 of the 9 cases were of children below the age of 13 years.

- Incest

There have been far less cases of incest reported to the police than that of rape in the years 1999-2003. In those years, a total of 42 cases were reported, with 2003 having no recorded cases. Again, like rape, Fijian children between the ages of 14-16 years have reported the most cases, except in 2002 where 9 of the 15 cases were of children below 13 years.⁴⁹

⁴⁵ FWCC. 1998. Preventing the commercial sexual exploitation of Pacific children, p. 1.

⁴⁶ Government of Fiji. 1996. A situation analysis of children and women in Fiji (1996), p.55

⁴⁷ Family Support and Education Group. A social perspective of students in western Fiji (1998, 2001), p. 25

⁴⁸ Fiji Police Crime Statistics, 2003

⁴⁹ Fiji Police Crime Statistics, 2003

It has been found⁵⁰ that incest of young girls is by fathers, uncles, and grandfathers. In some instances 13 and 14 year old girls have become pregnant as a result of incest. In 1999, a grandfather was charged and found guilty of abusing several granddaughters over a number of years. He was however set free because of his age. His granddaughters, now over the age of 18, are reported to be now working as sex workers.⁵¹

- Domestic sexual and physical abuse

The Fiji Women's Crisis Centre reports that from 1993 – May 2001 there were a total of 201 child sexual and physical abuse cases reported to the center. Of these 131 were sexual abuse, 70 physical abuse, and 26 both sexual and physical abuse cases.⁵² There are no indications however of the specific type of physical abuse in these cases.

In the context of local culture, children in Fiji are generally meant to be seen and not heard. The adult (either a parent or member of an extended family) controls all aspects pertaining to the child's life. Although Fiji ratified the Convention on the Rights of the Child in 1993, a majority of its citizens remain uneducated and therefore unaware of child rights. Instead many children continue to live in situations of abuse, exploitation, deprivation and increased vulnerability. Examples⁵³ of abuse such as physical abuse include punishment for bad behavior by being beaten around the head, pinching and twisting of ears, scalding, and cigarette burns. There have also been examples of abuse by mothers out of frustration with their own situations, and neglect as seen through malnutrition. However, whether beatings by a parent is regarded as abuse in the community is questionable as cultural parental practice dictates physical punishment as a legitimate means of punishing bad behavior.

It is not only the immediate family that abuse children. Teachers have abused children in their care, in some instances leading to hospitalization of the child; and abuse by extended family members has occurred when children are billeted to stay with them. Of particular risk are girls with disabilities.

Box 8

"A father raped his 15-year-old daughter who was confined to a wheel chair. The father had dug a hole from the outside of their house to her bedroom on the pretext of providing her with a toilet facility. At night he would crawl through the hole into her bedroom and abuse her. She reported the abuse to her mother but was not believed. Later she reported it to the police, who initiated investigations. The girl was placed in the care of the Social Welfare Department, and the case was taken to court. However the mother withdrew her statement even though there was enough evidence to convict the father. The family also turned on the victim, blaming her for

⁵⁰ Report to AusAID on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.

⁵¹ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 199.

⁵² Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva, p.52.

⁵³ Report to AusAID on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.

the abuse. The girl lost her case. She continues to reside in a care facility.”

Staff Member, Vocational Centre for Disabled Persons.

- Child Pornography

Child pornography was given little attention by the Fiji public until the 1997 case of the Australian expatriate found with pornographic images of children. It has also been reported that subsidies for education and health is provided in exchange for sex, with some families knowingly accepting these subsidies.⁵⁴ The example of the three girls from the Nadi who were ‘given’ to an expatriate male by their parents in exchange for cash, clothing, a digital camera etc, confirms this. The research team learnt of local pornographic videos being made and made available to the public through the ‘back room’ of certain video stores. Some of these videos involve under aged girls of both Indo-Fijian and Indigenous Fijian ethnicity. It is unclear at this stage though as to who the perpetrators/producers of these illegal videos are.

- Molestation, Sodomy, and Witnessing third party involvement

Police statistics do not specifically indicate the above forms of CSA. They do however record the following sexual offences against children: defilement (which constitutes sexual intercourse and/or any conduct that is sexual in nature) of girl under 13 years, defilement of girl between 13-16 years, unnatural offences, indecent exposure, and indecent assault (rape, attempted rape and incest are not included here, as they have been discussed earlier). Between 1999-2003 there were a total of 508 reported cases. Of these 171 were for defilement of girl between 13-16 years, 140 for indecent assault, 74 for defilement of girl below 13 years, 65 for unnatural offences (according to the law, ‘unnatural offences’ includes same sex sexual relations) and 58 for indecent exposure. The age group most abused under unnatural offences was those children below 13 years; under indecent exposure it was the 14-16 year olds; and under indecent assault it was again the 14-16 year olds but the difference in numbers with those below 13 years was far smaller than the other offences. In all offences the majority of those abused were Fijian except in 2001 where more Indian children reported indecent exposure (8 of the 15 cases). In 2002, there were no reports of unnatural offence and indecent exposure against Indian children.⁵⁵

In terms of witnessing third party involvement, there have been reported instances where children are sometimes forced to witness their father rape their mother as a form of intimidation, and also to humiliate their mother.⁵⁶

3.2.2 Risk factors for CSA

There are general trends across the forms of CSA discussed in this report. Thus instead of referring to the risks of each type, the general patterns will be discussed.

⁵⁴ Report to AusAID on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.

⁵⁵ Fiji Police Crime Statistics, 2003

⁵⁶ Report to AusAID on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.

Any child regardless of ethnicity, location, class or social status is at risk of CSA. The lack of education and seems to be a common characteristic as indicated in focus groups discussions, reports to NGOs, and in the media. Displaced families that have lost their source of income (land) are under increasing economic pressure. However, there is no statistical data on the economic status of CSA victims and perpetrators. An assumption can be made, though, that the more economically well off families are not reporting CSA, possibly to avoid losing standing/ status in the community – the validity of this statement has not been tested.

Another general trend to emerge from focus group discussions with children in a care facility for boys is that the residents who were placed in the home by the courts as a form of protection from abuse experienced in their homes are victims of both sexual and physical abuse whilst at the care facility. This is a result of the population being mixed with that of young juveniles who are also sent to the home by the courts, for the purpose of rehabilitation. Because this care facility is under-resourced in terms of manpower and facilities,⁵⁷ there is no solution to separate the residents according to the reason they are there.

Box 9

“You have got to help us...I was placed here at the home for protection because I was caught living on the streets. But now boys like me are mixed with the bad boys and now we can’t even bath or sleep properly because we are scared of getting stabbed, assaulted or something like that. Please help us, you have to talk to the Minister.”

Indo-Fijian Boy, 12 years old.

A further trend is the high incidence of CSA among street children. As noted earlier in the report there is a connection between children living on the streets, the lack of opportunity/access to education and employment, and abuse.

Parental neglect of child rearing responsibilities is a further pattern across CSA; the most obvious being that either a parent or a relative known to the victim is the perpetrator. Of the 35 cases of child sexual abuse reported to the Police Sexual Offences Unit in 2000, 33 were committed by a trusted family member. Fiji Women’s Rights Movement statistics show that in 92.7% of child abuse cases of a sexual nature, the perpetrator was known to the child.⁵⁸

Box 10

“Whilst discussing with sex workers the issue of abuse in the home as a push factor into prostitution we learnt of a Fijian girl who had been sexually abused by her uncle. Her uncle and aunt were acting as her caregiver while her parents were living in the village. There were other female family members living in the house at the time. When it was discovered that this girl had been sexually abused by her uncle, the other female members also admitted that they had been sexually abused by their uncle as well. Upon questioning the uncle, he said that he sexually abused the girls because he was fed up of looking after his

⁵⁷ Focus Group Discussion. November 2004.

⁵⁸ *Fiji Times*, 2 February 2001, p. 7

relatives children. He had abused his nieces in the hopes that it will deter his relatives from sending their children to live with him and his family.'

Member of the research team.

A violent and dysfunctional home environment is also evident in all CSA types discussed in the report except for pedophilia. For children with disabilities rape and incest are particular forms of CSA committed against them, generally perpetuated by male members of the family. Lastly, but not least, the violence of the streets makes street children more vulnerable to rape.

Case Study

A pregnant fifteen year old Indo Fijian girl who was suffering from downs syndrome and severe dyslexia, was brought into the SCF office by her brother seeking financial assistance. Both of her parents had passed away. She had dropped out of school at Class Four after her teachers noticed her slow progress in class but could not identify the cause. Her brother, a heavy grog drinker, had befriended their neighbor, an Indo Fijian male who was in his late twenties at the time. This neighbor was a frequent visitor to the girls house for grog drinking sessions with the girls' brother. He later began to visit the girl when she was alone at home. A sexual relationship developed between the two and resulted in the girl being impregnated. SCF found out that the girl went on to suffer a miscarriage but damage for her had already been done in the form of the stigma she suffered at the hands of her family for falling pregnant to the next door neighbour out of wedlock. As a result, she took to the streets and earned her living as a prostitute. However she has since been successfully integrated back into her family by a Womens' Group who found her on the streets and conducted extensive rehabilitation work with her.

3.2.3 Perpetrators of CSA:

The patterns that emerge are that perpetrators are those individuals given some responsibility for caring for the child, and/ or are known to the child. For example, parents, extended family members, siblings, teachers, neighbors, and care givers (baby/ child sitters). This raises questions on awareness whereby children are taught about 'stranger danger' rather than the danger of family and 'friends'. Another pattern is that the perpetrators are generally male, although there are cases of women physically abusing their children sexually.

3.3 Linkages between CSEC and CSA:

From the research the following linkages can be made between CSEC and CSA:

- Children who have been victims of CSA are placed at a greater risk become involved in CSEC, especially prostitution, as a means of survival. When interviewed, 50% of the prostitution victims indicated that they had suffered sexual abuse at the hands of a family member as a child,
- Males, and family members are the main perpetrators and/ or facilitators of CSEC and CSA, and
- CSEC and CSA occur in both rural and urban areas – there is no indication of prevalence in one area over the other.

The underlying factors contributing to both CSEC and CSA are also linked. These however will be discussed in greater detail in chapter 4.

SECTION 4: CAUSES AND RISK FACTORS OF CSEC AND CSA

4.1 Underlying factors contributing to CSEC and CSA

As indicated by the discussion of risks to children, the underlying factors contributing to CSEC and CSA are: lack of opportunities for education, lack of job opportunities, support systems for particularly vulnerable children, and violence and neglect within the home.

- Poverty of opportunity, education, and economics

The 1997 Fiji Poverty Report declared that 25% of the population lived in poverty, and that between 1977-1991 there was a national increase of 16% with an increase of 150% in urban areas!⁵⁹ “After the 2000 coup, conservative estimates state that 30% of [Fiji’s population] are in poverty with another 30% vulnerable to poverty.”⁶⁰ The increasing poverty has adverse effects on children, not only in terms of basic needs but also in terms of CSEC and CSA. A representative of the Ministry of Social Welfare has stated that poverty is a gateway in which CSEC and CSA occurs.⁶¹ This is supported by a 2001 study that found “...that the rise in the number of cases of child abuse was an effect of poverty...”⁶²

People most at risk of poverty in Fiji are those with limited education, both adults and children.⁶³ These groups of people get caught in a cycle of poverty, some children dropping out of school because of financial pressures. They then work to support their families either in menial jobs or in CSEC.⁶⁴ Some children move to the streets. They are pushed away from their homes because their basic needs are not met.⁶⁵ While the government has a Family Assistance Scheme it does not meet the needs of the majority of people. It caters only for the worst cases of destitution, and even then it

⁵⁹ Khan, C and Barr, K. 2003. Christianity, poverty and wealth at the start of the 21st century: Fiji country case study. Ecumenical Centre for Research, Education and Advocacy, Suva, Fiji, pp.17-18.

⁶⁰ Ibid. p.20

⁶¹ Mrs. Delana. 2004. Department of Social Welfare, Personal communication.

⁶² Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva, p.24.

⁶³ JICA. 2000. Profile of poverty in Fiji, p. 26

⁶⁴ Government of Fiji. 1996. A situation analysis of children and women in Fiji (1996), p.53

⁶⁵ Khan, C and Barr, K. 2003. Christianity, poverty and wealth at the start of the 21st century: Fiji country case study. Ecumenical Centre for Research, Education and Advocacy, Suva, Fiji, p. 20

is inadequate.⁶⁶ Furthermore, it is based on families, thus street children are left out; their survival then becomes dependent on what ever skills they may possess including being involved in CSEC should the need arise.

Closely related to poverty is the lack of job opportunities in Fiji. In 1996 it was stated that the biggest challenge for Fiji over the next decade would be the creation of employment. The most at risk will be those without access to land or educational qualifications.⁶⁷ However, even those in school see unemployment as a problem, irrespective of ethnicity.⁶⁸ Government efforts at creating employment have concentrated on largely urban-based industry such as garment factories. These however pay low wages and involve monotonous work that can be unappealing to young people while on the other hand, CSEC may involve higher incomes.

- Violence and Neglect within the Home

With the high incidence of poverty in Fiji, parents are finding it increasingly difficult to balance their concern for their children with economic survival. Furthermore the fear, anger, frustration and sense of powerlessness experienced by all people have translated into increased domestic violence and child abuse.⁶⁹

There is also a lack of awareness among parents of what constitutes neglect, even though children are aware of it.⁷⁰ This may be due to cultural perceptions of parenting whereby physical abuse is used as an acceptable form of discipline.⁷¹ This perception legitimizes the use of corporal punishment by parents for whatever indiscipline committed by the child. There is also the element of lack of care and guidance as stated to the Research Team in focus group discussions.

A more disturbing element of the weakening of the family unit is the increased number of reported cases where the perpetrators of CSA are parents or other family members. These cases are normally reported by the child after having confided in a close family member. This trend is also seen in the facilitation of CSEC. This trend may be due to increasing awareness on the issue, access to reporting mechanisms, etc., and does not necessarily imply an increase in CSA or CSEC.

- Demand

This is one of the largest contributors to the existence of CSEC. Without the demand for child sex workers and perpetrators willing to pay for it, children would not be in the industry. Demand is what fuels the entire industry, whether it is individual, organized (brothels), or forced sexual slavery. Due to lack of proper data currently in the country, it is difficult to estimate how high the demand is for CSEC of both female and male children. However, based on the number of child sex work victims

⁶⁶ Ibid

⁶⁷ Government of Fiji. 1996. A situation analysis of children and women in Fiji (1996), pp. 20-21

⁶⁸ Family Support and Education Group. A social perspective of students in western Fiji (1998, 2001), p. 43

⁶⁹ Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva, p. 9.

⁷⁰ IDSS (International Development Support Services). 2003. The Pacific Children's Program - Community responses to child protection in Fiji: Baseline survey in child protection issues (December – February 2003), p. 7

⁷¹ Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva, p. 25.

discovered in this analysis, it is safe to assume that the demand is substantially high and on the rise. As mentioned earlier, as the number of tourists coming into Fiji grows, so does the potential demand for CSEC. Currently, the people who are fueling the demand most frequently are men, whether it is expatriates, tourists, or locals. Until programs are developed to help alleviate the demand, i.e. sensitization of men, rehabilitation of convicted male exploiters, and awareness raising to target male tourists, it will keep thriving and increasing.

4.2 Factors contributing to individual risk

Information from children (13-17 year olds) and adults in communities, and children in institutions provided the following factors as contributing to the risk of CSEC and CSA to individuals. These responses are supported by two earlier studies by SCF⁷² and Family Support and Education System.⁷³ It is also supported by the Fiji government's Periodic Report on the Convention on the Rights of the Child (1995-2000).⁷⁴

In the communities both children and adults regarded the lack of education and employment opportunity, and family problems as the main risk to individuals. What constituted a 'family problem' was not elaborated on although some did indicate that it involved violence in the home.

Other factors for children were parental neglect, particularly where adults forced children to fend for themselves as they attended to other responsibilities, for example, church and village activities⁷⁵, and children wanting money for themselves to be able to buy the latest brand in clothing, shoes, and other accessories. For those children from weaker economic backgrounds whose parents are not able to afford these items, they become more vulnerable and therefore pose a higher risk of resorting to CSEC.

The Research team pointed out that 13-17 year old children in school prioritized the factors differently from school leavers. They listed the factors as: poverty, family problems, parental neglect, and children wanting money for themselves. Whereas the school leavers listed the factors as: family problems, parental neglect, poverty, and children wanting money for themselves.

Children in two of the care institutions visited by the research team, said that CSEC and CSA was not a problem for them whilst at the respective homes. One other institution however was not only a care and protection facility but also a correctional facility. Children under care and protection felt threatened by those brought in for correctional purposes because they were sometimes subjected to further abuse.

SECTION FIVE: RESPONSES TO CSEC AND CSA

5.1 Acknowledgement of the problem

There seems to be a general awareness and concern from NGOs and state actors such as the Police and the Ministry of Social Welfare on CSEC and CSA. A draft National Plan of Action (NPA) is

⁷² Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva

⁷³ Family Support and Education Group. A social perspective of students in western Fiji (1998, 2001)

⁷⁴ Fiji Islands Periodic Report on the Convention of the Rights of the Child (1995-2000)

⁷⁵ Focus Group Discussions with Children between 13 and 18 years of age.

being developed to address the issues. Awareness of this Plan of Action is limited. However, the Department of Social Welfare has indicated that plans are in the pipeline to set up a CSEC database system as one response to the issue.⁷⁶

The Fiji government signed the Stockholm Agenda for Action against CSEC in 1996, and 2003 hosted a regional conference on Combating CSEC and CSA with participants from the Asia-Pacific region. It has not, however, signed the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

The Research Team has found that traditional leaders generally acknowledge CSEC and CSA. The Team has in fact been invited to re-visit the communities to conduct awareness training on the issues.

The government has also recognized the importance of tourism to Fiji, and is actively promoting it. However, the promotions tend to be the traditional ‘sun, surf, and sand’ approach. Thus child sex tourism may be viewed as tarnishing that image, and possibly explains the Ministry of Tourism’s reluctance to be involved in actively tackling the problem.⁷⁷

5.2 National and Local Initiatives to address CSEC and CSA:

There are a number of initiatives that have occurred/ are underway/ soon to be underway, to combat CSEC and CSA. In terms of the government, it is currently undergoing reviews to various legislations regarding child protection. These include:

- The amendment to the Juveniles Act, 1997 making it illegal to make and trade in child pornography. The punishment for a guilty offender is 14 years imprisonment, a minimum fine of \$25,000.00, and the confiscation of all equipment used in the offence.
- The passing of the Family Law Act 2003. The Act was established to make provisions for divorce and the implications that this may have on children. Under Division 8, Subdivision C, Allegations of Child Abuse are addressed and the rights of the child’s wishes are taken into account.⁷⁸
- An increase in penalties of offences against children, in the Penal Code Amendment Act No. 4 of 2003. These amendments have raised the powers of the local Magistrates when it comes to sentencing perpetrators of child related offences. Examples of the increased penalties of offences against children under the Penal Code Amendment Act No. 4 of 2003 are as follows:
 - Section 155 states that for the offence of Defilement of Girls under 13 the previous maximum sentence of 5 years imprisonment has been increased to 12 years imprisonment
 - Section 156 states that for the offence of Defilement of Girls between ages 13-16, the previous maximum sentence of 5 years imprisonment has been increased to 10 years imprisonment

⁷⁶ Mrs. Ana Delana. 2004. Department of Social Welfare. Personal communication.

⁷⁷ Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999, p. 207.

⁷⁸ Family Law Act 2003, Parliament of the Fiji Islands, 6 November, 2003

- Section 159 states that for the offence of a Householder permitting the Defilement of Girls under 13, the previous maximum sentence of 5 years imprisonment has been increased to 12 years imprisonment
 - Section 160 states that for the offence of a Householder permitting the Defilement of a Girl under 16 years of age, the previous maximum sentence of 2 years imprisonment has been increased to 10 years imprisonment
 - The review of laws relating to children, and those relating to sexual offences, by the Fiji Law Reform Commission. Currently, these laws remain under review with wide ongoing consultation being conducted with respective stakeholders.
 - A review of the Adoption of Infants Act in relation to adoption procedures.⁷⁹
- Note:* The review report is in draft form therefore changes are possible.

The Fiji Law Reform has stated to the Research Team that the review of laws regarding sexual offences will take place upon receipt of government approval and funding.

Another initiative to combat CSEC and CSA is the Memorandum of Understanding (MOU) on reporting potential cases of abuse that exists between the Fiji Police, Department of Social Welfare, Ministry of Education and Ministry of Health. This MOU, however, does not bind any of the parties

There is also the Coordinating Committee on Children (CCC) set up in 1993 to look into ways the provisions of the Convention on the Rights of the Child could be incorporated into the laws and practices of Fiji. It consists of 4 sub-committees – legal, education, health, and family welfare.⁸⁰ However, the CCC is yet to comply with the reporting obligations to the United Nations Convention On the Rights of the Child Committee of Geneva on the progress of its implementation in Fiji.

The Police set up a Sexual Offences Unit in 1995 to provide specialist services to victims of sexual assault. The officers have undergone various forms of child specific training including with the Fiji Women’s Crisis Centre. Also the Juvenile Unit was re-established in 2003 with assistance from UNICEF Pacific. The primary functions of this unit is to handle cases involving children that come into contact with the law in a manner that is in the best interests of the child.

In terms of NGOs, the Fiji National Council of Women provide ‘Guidance and counseling training on child protection’ to various communities around Fiji. These training workshops commenced in 2003 and covers wide range of issues including the CRC and its legal implications and the different types of abuses faced by children. Although these workshops have proven successful, the indulgence into CSA and CSEC as situations of abuse and exploitation of children, is minimal.

Homes of Hope, which has far impacted on the lives of many women and children in Fiji by providing safe spaces as a resort to their situation of abuse, comes under the umbrella of a US-based organization called ‘Shared Hope’ whose mission is to stop the trafficking and sexual exploitation of women and children all over the world. Homes of Hope has indicated a strong interest in the area of CSEC due, in part, to the belief that CSEC is moving into the Pacific region as a result of tougher

⁷⁹ Draft report on the progress of making our laws compliant with the Conventions on the Rights of the Child.

⁸⁰ Government of Fiji. 1996. A situation analysis of children and women in Fiji (1996), p. 69.

laws in Asia (as also mentioned by the Fiji Women's Crisis Centre).⁸¹ Whilst this could be true in terms of child sex tourism, it does not address the situation of CSEC where a local is the perpetrator.

5.3 International Assistance

International agencies like AusAid and NZAID continue to provide financial assistance towards program initiatives, and to NGOs that address issues of CSA and CSEC. One such project is the Pacific Children's Program (PCP). This program was initially funded by AUSAID but now comes under the umbrella of UNICEF – Pacific. The PCP has been very effective in implementation training and awareness sessions at the grass root level of society on issues such as child rights, child protection, and micro finance projects. The PCP has also carried out research into issues surrounding children and their protection as well as the gaps that exist in services for children. The PCP is recognized as a valuable stakeholder and contributor in the area of child rights, both locally and in the region.

The local UNICEF – Pacific office works with other UN agencies, NGOs, government and the private sector to advocate for the protection of children's rights. UNICEF-Pacific also seeks opportunities to build the capacities of local based NGO's and government departments to further enhance the work and the raising of level of awareness on issues pertaining to the welfare of our nations children. Currently, UNICEF-Pacific is in the process of commencing its Child Protection Unit by consulting with other stakeholders and partners involved in the arena of child rights work e.g. Save the Children Fiji and Pacific Children's Program.

UNESCAP in its recognition of the fight against CSEC and CSA commissioned Save the Children Fiji to do a Situational Analysis on CSEC and CSA in Fiji. This is part of the East Asia and Pacific Regional Commitment and Action Plan against the Commercial Sexual Exploitation of Children.

SECTION SIX: RECOMMENDATIONS FOR ACTION

6.1 Recommendations

The following recommendations are based on the emerging trends of CSEC and CSA identified by children and adults in the community:

- Lobby the state to combat poverty: the state recognizes that the main causes of family conflict and stress are financial hardship and poor living conditions.⁸² In order to help eradicate the educational barriers that often times children from financially disadvantaged families face, the government can develop educational scholarships for these children to complete secondary school and continue onto university. Therefore, it is important that not only NGOs, but also all spheres of the community remind and encourage the state to actively pursue policies that help alleviate poverty.
- Generate community awareness to address the issue of CSEC and CSA by training health workers, teachers, and community leaders. Raising children's knowledge of how to protect

⁸¹ Homes of Hope. 2004. Personal communication.

⁸² Fiji Islands Periodic Report on the Convention of the Rights of the Child (1995-2000), p.47

themselves against CSA and who to tell if they are being abused is very important. This can be done by conducting age-appropriate programs (puppet shows, large-print books), addressing what sexual abuse is and how to advocate on their own behalf. Research has proven that child abuse prevention programs help to keep children safer from abuse. Children who have worked through sound child abuse prevention programs gain the skills needed to stop abuse and are more likely to tell someone if abuse is taking place or when abuse begins. Research also indicates that the earlier a child receives abuse prevention education, the greater the likelihood that the abuse can be stopped or, even better, not allowed to start. Equally important is educating parents and teachers on what exactly CSA is, how to recognize the signs (change in behavior, acting out, drop in grades), and the proper protocol to report CSA. Because there is a cultural stigma attached to reporting and addressing CSA, trainers will have to beware of sensitivity issues when conducting programs.

- Collaborate with the Family Court staff (counselors and officers) to conduct trainings of teachers, health workers, and community leaders in order to bring legal issues surrounding CSA and CSEC into light and to help combat stigma.
- Empower parents in the community with parenting skills. This is particularly important in terms of CSA, as this study and a previous one⁸³ have found that parents generally do not understand the various forms of neglect. Various awareness programs in communities and churches to raise people's knowledge of what neglect is would help combat this issue. Due to the nature of the village culture, in that there is collective child-raising, teaching all community members on how to recognize the signs of parental neglect would be effective. In order to implement the programs, thorough training of trainers would be necessary; trainers could include health workers, community leaders, and teachers.
- Empower children in the community by raising their awareness of their rights, especially their right to protection. A 1997 study⁸⁴ found that many young people lacked information and knowledge of their basic rights. This can be done in a number of ways: conducting forums with the support of NGOs and government, sending out literature on what the exact rights include, and possibly most effective, developing programs to be implemented in schools with the support of the Ministry of Education.
- Empower parents by raising their awareness of children's rights as parents have great influence on their children's lives. Again, a thorough training of teachers and other community leaders on this issue would be helpful to implement awareness programs all over the country. A forum of child protection officers discussing specific child rights with parents and other community members would be very effective as an awareness tool.
- Lobby Parliament for new laws regarding the sexual defilement of boys: currently, the only law against CSA and CSEC involving boys as victims falls under the "Unnatural Offences" laws, and not child sexual defilement. Thus, the punishment for sexually abusing or exploiting male children is a different charge than it is when it involves a female child. It

⁸³ IDSS (International Development Support Services). 2003. The Pacific Children's Program - Community responses to child protection in Fiji: Baseline survey in child protection issues (December – February 2003)

⁸⁴ Family Support and Education Group. A social perspective of students in western Fiji (1998, 2001)

would also be important to lobby law reform bodies for changes to laws regarding early marriages for children with parental consent from 16 years for females to 18 years of age. This will close a gap allowing for the potential trafficking and sexual exploitation of girls through traditionally sanctioned practices such as early marriages.

- Amend current laws being used to prosecute perpetrators who abuse female children: currently, the 2003 amendments for defilement of a female child have different punishments for different ages. For example, if a perpetrator defiles a girl under the age of 13 years, they can be prosecuted to be in prison for a maximum of 12 years; however, if the girl falls in the range of 13-16 years old, the perpetrator can only be held in a maximum sentence of 10 years. Therefore, our recommendation is that all laws protecting children from CSA and CSEC be consistent regardless of age or gender.
- Develop community-based programs that will strengthen the family unit, and encourage the flow of communication between family members, such as parenting classes, group counseling, and after-school programs for children.
- Develop services that target the demand side of CSEC: sensitization for men, rehabilitation of convicted male exploiters, and awareness raising which targets male tourists.
- Monitoring of early marriages and informal adoptions by law enforcement and NGOs.
- Encourage the adoption of a child protection policy by all agencies and institutions whose mandate is children. Once adopted, appropriate training will need to be conducted for the employees of these institutions. Before hiring any new staff, employers will have to perform thorough criminal background checks on each applicant, especially in workplaces that deal directly with children.
- Establish linkages between NGOs and relevant government departments to share information and to work on a standard data collection system. This would help track the exact number of CSA and CSEC cases reported each year and give research on the profiles of these cases more validity. This is a view supported by FWCC in their 1998 report⁸⁵.
- Develop stronger support systems for victims of sexual abuse, such as counseling for the victims as well as their families, halfway houses for those in immediate danger, and advocacy centers. The advocacy centers would need collaboration between the Police Department, State Prosecutors, medical officers, the Department for Social Welfare, and qualified social workers to provide one safe place where a child could go to disclose their abuse one time to all the appropriate modalities. The idea would be to eliminate re-telling their story five different times, as this is traumatic to the victim and can cause weakness in the case against the perpetrator. An advocacy center could also help formulate a national reporting system for CSEC and CSA.

⁸⁵ FWCC. 1998. Preventing the commercial sexual exploitation of Pacific children.

- Implement a National Plan of Action to combat CSEC. Currently, there is not one in Fiji, but once it is drawn up, all ministries and NGOs need to take part in enforcing their responsibilities.
- Conduct more thorough research to further address the issue. An in-depth research project to develop stronger relationships with victims of CSEC and CSA will help uncover many of the hidden issues and eventually help combat them. .

6.2 Data gaps and data needs:

Fiji currently has no central data collection system. Various organizations and institutions do keep statistical records however these records are relevant to their requirements. For example, the Fiji Women's Crisis Centre keeps record of the number of clients that receive their services, and the types of services that they receive. The Fiji Police, on the other hand, keeps record of the reported offences; not all of which are clear, for example, 'Unnatural Offences'. The Research Team experienced the lack of clarity in this information when seeking statistics on prostitution, in particular child prostitution. A further problem is that neither the Centre nor the Police have gender-specific information.

Fiji needs to have a national reporting system on CSEC and CSA. Government agencies, NGOs and care facilities will need to make a coordinated effort to gather relevant and accurate information.

There is also a need to up-skill or train current and new people who work with children, especially those involved in CSEC and CSA, for example, counselors, and child rights and protection officers involved in handling cases involving child trauma including those in the Sexual Offences Unit.

BIBLIOGRAPHY:

1. Adinkrah, M. 1995. Crime, deviance and delinquency in Fiji. FCOSS in association with ACPF, Department of Sociology, USP, and the Fiji Prison Services, Suva.
2. Apolonia. 2004. Vocational Training Centre for the Disabled, Suva. Personal communication.
3. Carling, M. 2001. Study of the impacts of the political crisis on children and families in Fiji. Save the Children Fiji, Suva.
4. Discussions held at Homes of Hope, 2004.
5. Draft report on the progress of making our laws compliant with the Conventions on the Rights of the Child

6. Family Support and Education Group. A social perspective of students in western Fiji (1998, 2001).
7. Fiji Islands Periodic Report on the Convention of the Rights of the Child (1995-2000).
8. Fiji Police Crime Statistics, 2003
9. Fiji Women's Crisis Centre. 1998. Preventing the commercial sexual exploitation of Pacific children.
10. Fiji Women's Crisis Centre Newsletter, Volume 8, Issue 3, September 2004.
11. Focus group discussions in Suva, Nadi, and Lautoka, 2004.
12. Focus group discussion with children in the community in Savusavu, July 2004.
13. Government of Fiji. 1996. A situation analysis of children and women in Fiji (1996).
14. Hughes, M and Kroehler, C. 2005. Sociology: the core (7th edition). McGraw-Hill, New York.
15. International Development Support Services. 2003. The Pacific Children's Program - Community responses to child protection in Fiji: Baseline survey in child protection issues (December – February 2003).
16. Japan International Cooperation Agency. 2000. Profile of poverty in Fiji.
17. Khan, C and Barr, K. 2003. Christianity, poverty and wealth at the start of the 21st century: Fiji country case study. Ecumenical Centre for Research, Education and Advocacy, Suva, Fiji.
18. Mahaffey Girls Home, Suva. 2004. Personal communication.
19. Mills, G. 1998. The marginal child: a study of socially disaffected child in the South Pacific. In Vakaoti, P. 1998. Socially disaffiliated and marginalized youths in urban Fiji: a study of underprivileged youths at Chevalier Hostel. Unpublished MA thesis in Sociology, University of the South Pacific, Suva, Fiji
20. Ministry of Information, Communications and Media Relations. Fiji Today 2004/2005
21. Mokwena, S. 2001. *Deepening democracy: meeting the challenge of youth citizenship*. In Foster, J and Naidoo, K. (editors). 2001. Young people at the center: participation and social change. Commonwealth Secretariat, London.
22. Mrs. Delana. 2004. Department of Social Welfare, Personal communication.
23. Mrs. Natini. 2004. Fiji National Council of Women. Personal communication.

24. Naguilevu, J. 2004. Director of Public Prosecutions. Director of Public Prosecutions Office, Suva. Personal communication.
25. Report on the mission of the Special Rapporteur to the Republic of Fiji on the issue of commercial sexual exploitation of children, 11-16 October 1999.
26. Report to Ausaid on child abuse in the Pacific: Feasibility study and protocol identification mission, July 1999.
27. Vakaoti, P. 1998. Socially disaffiliated and marginalized youths in urban Fiji: a study of underprivileged youths at Chevalier Hostel. Unpublished MA thesis in Sociology, University of the South Pacific, Suva, Fiji.
28. Questions and Answers about Commercial Sexual Exploitation of Children; An Information Booklet by ECPAT International. ECPAT International, 328 Phya Thai Road, Bangkok, Thailand.

SECTION 7: ANNEXES

7.1 Key Informants:

Government Departments

- Department of Social Welfare (Suva/Savusavu)
- Director of Public Prosecutions Office
- Fiji Law Reform Commission

- Fiji Police Force:
 - Sexual Offences Unit (Nabua)
 - Lautoka Police Station
 - Nadi Police Station
 - Savusavu Police Station
- Ministry of Finance
- Ministry of Education
- Ministry of Health
- Ministry of Tourism
- Ministry of Labour, Industrial Relations and Productivity
- Ministry of Youth, Employment Opportunities and Sport
- Ministry of Local Government, Housing, Squatter Settlement and Environment
- National Planning Office

Non-Government Organizations

- Fiji Women's Rights Movement
- Fiji Women's Crisis Centre
- Family Support & Education Group
- Homes of Hope
- National Council for Women
- Women's Action for Change
- Women's Heart in Action
- Women's Aglow (Suva)

International Agency

- UNICEF Pacific

Institutions Visited

- Chevalier Hostel
- Devo Boy's Home
- Mahaffy Girls Home
- Wesley Love Kitchen
- Veilomani Boy's Home

7.2 Child Abuse Statistics

| CHILD SEXUAL ABUSE AGE DISTRIBUTION 1999 - 2003 | | | | | | | | | | |
|---|--------------|-----------|----------------|-------------|----------------|-------------------|-------------------|-----------|------------------|---------------------|
| YEAR | AGE | Rape | Attempted Rape | DOGU 13 Yrs | DOGB 13-16 Yrs | Unnatural Offence | Indecent Exposure | Incest | Indecent Assault | Total |
| 1999 | Below 13 | 4 | 5 | 13 | | 6 | 3 | | 13 | 44 |
| | 14-16 Yrs | 9 | 11 | | 59 | 6 | 2 | 9 | 17 | 113 |
| | Total | 13 | 16 | 13 | 59 | 12 | 5 | 9 | 30 | 157 |
| 2000 | Below 13 | 4 | 6 | 14 | | 9 | 4 | 1 | 11 | 49 |
| | 14-16 Yrs | 12 | 10 | | 52 | 6 | 7 | 4 | 15 | 106 |
| | Total | 16 | 16 | 14 | 52 | 15 | 11 | 5 | 26 | 155 |
| 2001 | Below 13 | 2 | 5 | 10 | | 10 | 6 | 4 | 18 | 55 |
| | 14-16 Yrs | 8 | 11 | | 39 | 7 | 9 | 9 | 20 | 103 |
| | Total | 10 | 16 | 10 | 39 | 17 | 15 | 13 | 38 | 158 |
| 2002 | Below 13 | 16 | | 21 | | 10 | 2 | 9 | 47 | 105 |
| | 14-16 Yrs | 21 | 2 | | 58 | 4 | 4 | 6 | 32 | 127 |
| | Total | 37 | 2 | 21 | 58 | 14 | 6 | 15 | 79 | 232 |
| 2003 | Below 13 | 15 | 8 | 8 | 7 | 7 | 18 | 0 | 33 | 96 |
| | 14-16 Yrs | 1 | 1 | 8 | 6 | 0 | 3 | 0 | 6 | 25 |
| | Total | 16 | 9 | 16 | 13 | 7 | 21 | 0 | 39 | 121 |
| CHILD SEXUAL ABUSE RACIAL DISTRIBUTION 1999 -2003 | | | | | | | | | | |
| YEAR | RACE | Rape | Attempted Rape | DOGU 13 Yrs | DOGB 13-16 Yrs | Unnatural Offence | Indecent Exposure | Incest | Indecent Assault | Total |
| 1999 | Fijian | 6 | 9 | 8 | 32 | 7 | 2 | 9 | 17 | 90 |
| | Indian | 4 | 5 | 4 | 21 | 4 | 1 | | 9 | 48 |
| | Others | 3 | 2 | 1 | 6 | 1 | 2 | | 4 | 19 |
| | Total | 13 | 16 | 13 | 59 | 12 | 5 | 9 | 30 | 157 |
| 2000 | Fijian | 6 | 7 | 5 | 24 | 7 | 5 | 2 | 12 | 68 |
| | Indian | 5 | 5 | 5 | 21 | 6 | 3 | 1 | 9 | 55 |
| | Others | 5 | 4 | 4 | 7 | 2 | 3 | 2 | 5 | 32 |
| | Total | 16 | 16 | 14 | 52 | 15 | 11 | 5 | 26 | 155 |
| 2001 | Fijian | 6 | 10 | 6 | 21 | 10 | 6 | 10 | 17 | 86 |
| | Indian | 4 | 6 | 4 | 15 | 7 | 8 | 3 | 13 | 60 |
| | Others | | | | 3 | | 1 | | 8 | 12 |
| | Total | 10 | 16 | 10 | 39 | 17 | 15 | 13 | 38 | 158 |
| 2002 | Fijian | 31 | 1 | 15 | 37 | 14 | 6 | 15 | 57 | 176 |
| | Indian | 6 | | 6 | 20 | | | | 18 | 50 |
| | Others | | 1 | | 1 | | | | 4 | 6 |
| | Total | 37 | 2 | 21 | 58 | 14 | 6 | 15 | 79 | 232 |
| 2003 | Fijian | 14 | 7 | 10 | 9 | 7 | 17 | 0 | 30 | 94 |
| | Indian | 1 | 0 | 1 | 4 | 0 | 3 | 0 | 4 | 13 |
| | Others | 1 | 2 | 5 | 0 | 0 | 1 | 0 | 5 | 14 |
| | Total | 16 | 9 | 16 | 13 | 7 | 21 | 0 | 39 | 121 |
| | | | | | | | | | | Source: Fiji Police |

7.3 Situational Analysis on Commercial Sexual Exploitation of Children and Child Sexual Abuse in Fiji

Questions for NGO's, Institutions, and Regional Organizations

1. What are the key concerns you/your organization has on the following issues? (*Prostitution of children/youth/pornography/trafficking/child sex tourism*)
2. What kind of work does your organizations does your organizations carry out in relation to the issue of CSEC/CSA?
3. What is the level of collaboration that your organization has with other agencies regarding CSEC/CSA?
4. What are the challenges faced by your organization when trying to address CSEC/CSA?
5. What are the kinds of things that will either assist or improve your organizations work against CSEC/CSA?
6. What are your ideas and recommendations on how the issues of CSEC/CSA should/could be addressed-by your organization-by other organizations?

7.4. Situational Analysis of Commercial Sexual Exploitation of Children and Child Sexual Abuse in Fiji

Questions for young people aged less than 18 engaged in sex work

1. At what age did you first engage in sex work?
2. Why did you get involved in sex work? (*Confirm whether the decision was forced or by choice.*)
3. Did you already know other people who were selling sex? If yes, who were they to you?
4. What are your observations regarding the activities, prevalence etc of young sex workers?