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4. **Background of Save the Children Fiji (SCF)**
 5. Save the Children Fiji (SCF) began its operations in 1972, with a focus on assisting school children with funds for their educational expenses. SCF has worked in two key areas: advancing children's educational development and child rights. Furthermore, SCF has been dedicated to making a meaningful contribution to the educational development of children, community capacity building and peaceful and fundamental transformation of disadvantaged communities. Currently, SCF's five main programmes include Education, Health, Child Protection and Participation and Disaster Risk Reduction.
 6. As per 2014 Strategic Planning Workshop (29 to 30 January), SCF's new vision "will be for a child to attain the right to survival, protection, development and participation". SCF's mission is to "create breakthroughs in the way the world treats children and to achieve immediate and lasting change in their lives".
 7. SCF is the only independent Non-Governmental Organization (NGO) working specifically on Child Rights. It has the opportunity to partner with other key NGOs (Civil Society Organizations), Corporate bodies, Government and works in key projects.¹
 8. SCF sits on the National Coordinating Committee for Children (NCCC). The NCCC was established as a Cabinet sub-committee after Fiji ratified the CRC in 1993 to allow for follow up and implementation of the State's ratification of the CRC. The body consists of various NGOs, Faith Based Organizations (FBOs) and Government. The NCCC is chaired by the Permanent Secretary for the Ministry of Social Welfare, Women and Poverty Alleviation.
 9. Fiji ratified the Convention on the Rights of the Child (CRC) in 1993, as well as the two Optional Protocols, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (signed 16 September 2005); and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (signed 16 September 2005).
 10. This submission is based on SCF's CRSA² (funded by the EU), conducted from August to December 2013. The CRSA provided an update on the situation of children's rights, as outlined in the key studies done between 2006 and 2010.³

¹ *Vuli Taumada Shishak* (VTS), Positive Discipline, Child Nutrition and Education in Emergencies.

² The term Child Rights Situational Analysis (CRSA) is an analysis of the situation of children and their rights, according to the CRSA report written by SCF. The CRSA is based on a child rights based programme cycle and can cover a country, region or sector of work. The CRSA was funded by the EU and conducted in three areas of health, child protection and participation and education for the SCF's 13 communities (Northern, Western and Central divisions). The CRSA commenced in August 2013 and ended in December 2013. The CRSA report is based on the Child Rights based approach, whereby the duty bearers, e.g. the State/Government is responsible for protecting and fulfilling the rights of the rights holders. In turn, the rights holders are on the receiving end of the duty bearers, they're empowered to hold the duty bearers accountable. It is the duty of duty bearers to fulfil the rights of the rights holders, therefore the rights holders claim their rights from duty bearers.

³ The CRSA provided an update on the situation of children's rights, as outlined in the key studies done between 2006 and 2010:

- 2008 – UNICEF Study "Protect Me with Love and Care":
 - This report was a baseline study that looked at creating a future for children free of violence, exploitation and abuse.
- 2009/2010 – ILO "Legislative Compliance Review of Child Labour Laws in Fiji":
 - A review of Fiji's compliance with ILO Convention no. 138 (Minimum Age Convention, 1973) and ILO Convention No. 182 (ILO Worst Forms of Child Labour Convention, 1999).
- 2006 SCF Report – "The Commercial Sexual Exploitation and Sexual Abuse of Children in Fiji: A Situational Analysis" (CSEC/CSA)
 - The report identifies the main forms of CSEC and CSA that exist in Fiji, identifying the main perpetrators of CSEC and CSA. According to the report, CSEC can be prostitution, pornography, child sex tourism, adoption and early marriage. CSA takes the form of rape, incest, molestation, domestic sexual and physical abuse, sodomy, pedophilia and witnessing third party involvement.
- 2006 SCF Study – "A Study on the Physical and Emotional Punishment of Children in Fiji"
 - The report discusses the main reasons for physical and emotional punishment in Fiji, being at home and school. The report aims to educate the public about physical and emotional punishment of children, it also intends to influence National policy.

11. At the time of writing this report, legislative and policy changes pertinent to children's rights are as follows:
- - The 2013 constitution recognizes the CRC principles in Chapter 2, Bill of Rights, recognizes the child's right to a birth certificate, name and nationality. Also recognizes the rights of children with disabilities and the "best interests of the child."
 - While there is legislation banning corporal punishment in schools; the prevalence of corporal punishment at home continues to be a major issues for children
 - Ministry of Education has passed a legislation for free education for Primary and Secondary school.

This submission specifically covers SCF's areas of focus:

- i. Health
- ii. Education
- iii. Child Protection and Participation.

Introduction to Child Rights Situation in Fiji
Child Rights Situation in Fiji and SCF/EU's Child Rights Situational Analysis (CRSA)

12. The CRSA carried out both secondary and primary research in 13 communities in the Northern, Western and Central divisions (two were remote communities). The secondary research consisted of a desk review from report reviews to policy analysis, focusing on Education, health and child protection and participation.
13. In terms of the Primary survey conducted in the thirteen communities, below is a breakdown of statistics:
- i. 7 to 11 year olds – a total of 185 girls and boys participated in all three divisions.
 - ii. 12 to 17 year olds – a total of 142 girls and boys participated in all three divisions.
 - iii. Youth (18 to 30 year olds) – a total of 82 females and males participated in all three divisions.
 - iv. Parents and community leaders – a total of 110 females and males participated in all three divisions.
 - v. Divisional stakeholders – a total of 21 participated in all three divisions.
14. The primary research was qualitative in nature and a three day training workshop for fieldworkers/staff conducted before the actual community consultations. The communities that were the targets of the research included rural, semi-rural, urban and peri-urban communities, that make up SCF's 52 Early Childhood Education (ECE) centres. Questions centred around education, health and child protection. Communities were selected during the training. The selection included: five communities from the Central Division (Wailea, Wainadoi, Kalekana, Lokia and Muanikoso), four communities from the Western division (Vunato, Korobebe, Navilawa and Taipera) and four from Northern Division (Wasavulu, Wailevu, Tabia and Dogotuki).

15. FINDINGS OF THE PRIMARY RESEARCH

Education

- a) Children not attending school or dropping out due to lack of access to finance and transport - a major concern for parents and community leaders, 18 to 30 year olds in 11 of the 13 communities that participated in the primary CRSA survey.
- b) Lack of access to paid employment for parents – e.g. 8 communities in the CRSA study were not in paid employment, therefore they could not send their children to school or visit the Health Centres.
- c) Children not attending ECE classes – most ECE children do not have birth certificates, therefore are not registered. This issue of birth certificate registration was raised in six ECE communities.

16. Health

- a) Children are not provided with healthy meals, leading to nutritional deficiency. Three communities stated that also the lack of family planning, which meant larger families, lead to the lack of unhealthy meals.
- b) Healthy food being sold for income generation – parents selling cash crops to fundraise for traditional events such as 'soli' requirements by the Church. For example, 121 children between 12

and 17 years old in 9 out of 13 communities, 18-30 year olds and parents from 11 out of 13 communities raised this issue of healthy food. 11 out of 13 communities in village and informal communities were not making healthy meals a priority for their children.

- c) This issue of healthy food was raised by 121 children in the 12 to 17 age group, in 9 out of 13 communities and by 18 to 30 year olds and parents from 11 out of the 13 communities.
- d) Having lack of access to health centres is caused by lack of access to transportation (for some children). Also lack of awareness amongst importance of health care for children, leads to parents not taking action earlier.
- e) Vulnerability of children with disabilities – all thirteen communities stated this concern.

17. Child Protection and Child Participation

- a) Corporal punishments still exists in some schools and homes. The CRSA study found that corporal punishment exists in all of the 13 communities.
- b) Neglect (parental and caretakers) of children. This issue was raised by 152 children in the 12 to 17 year old age group and by 18-30 year old age group in 12 out of 13 communities. The parents of these children may remarry or move to other communities for employment. The issue of neglect is more common in informal communities.
- c) Substance abuse (yaqona, alcohol and drugs) exists in all 13 communities, with high rates of domestic violence. These two factors lead to corporal punishment on their children. Reasons for high rates of corporal punishment is a combination of religious and cultural factors. Parents also expect their children to do house work and look after younger siblings.
- d) “Not feeling safe at school” - raised by the 7 to 11 year olds, 117 out of 185 children noted this concern via a dot jotting exercise.
- e) Vulnerability of children with disabilities – all thirteen communities stated this concern (youth, parents and divisional level stakeholders) stated that this group are vulnerable at schools, with little access to schools and services. Children with disabilities are discriminated against by other children. Girls with disabilities are also discriminated against.

18. Recommendations from the CRSA study

- a) A need for implementation and enforcement of initiatives.
- b) Monitoring and evaluation of initiatives.
- c) Impact assessment of initiatives.
- d) A need for the establishment of a task force to address the challenges faced in Child Rights situation. The task force should have highly committed people and experts in Child Rights.
- e) The 13 communities stated that more collaboration is needed between all the agencies working in Child Rights – Ministry of Health, Social Welfare, NGOs.
- f) At present, there is no task force/organization monitoring the parenting of children.
- g) All the Ministries must work together to implement the CRC (a cross Ministry Approach), e.g. the CRSA report stated that the implementation of CRC must be holistically based, as per UN requirements.
- h) Capacity building for institutions, other than the traditional ways of conferences, workshops and training programmes for staff. Other CP programmes include internships, mentoring, peer group support, needs assessment (National) of counselling services and other informal professionals, that currently exist.
- i) Identifying what organization in Fiji is taking the lead on the CRC implementation and reporting processes, e.g. what is the NCCC currently doing in CRC reporting?⁴

19. Recommendations to the State: Child Rights Situation in Fiji

- a) SCF strongly urges the State to strengthen its reporting mechanisms on the CRC, especially via the NCCC and establish a budget and nominate an appropriate organization/body to monitor and implement the CRC on a national level.
- b) SCF acknowledges the current work of the State to address Child rights issues. However, according to the State’s last CRC report (2011), Fiji does not have a Plan of Action for Children.
- c) SCF strongly urges the State to allocate a budget for the implementation of the CRC and to appoint a body/organization to be responsible for co-ordinating and monitoring the CRC.
- d) SCF believes in the work of Kids Link Fiji (KLF), one of its former projects. KLF is an under 18 year old age group, conducting research and promotion of the CRC. SCF urges the State to put children at the centre of education on the CRC.

⁴According to the Chairperson of the NCCC, Mr Govind Sami, the Ministry of Social Welfare, Women and Poverty Alleviation is the secretariat for the NCCC and expressed will to work with other organizations, to implement the CRC (Source: <http://www.fiji.gov.fj/Media-Center/Press-Releases/STATEMENT-FROM-THE-CHAIRPERSON-FOR-NATIONAL-COORDINATION-COMMITTEE-ON.aspx>)

- e) SCF strongly urges the State to address the issue of corporal punishment in all Decrees, collaborate with NGOs and other stakeholders in the use of Positive Discipline. SCF urges the State to monitor, implement and enforce the ban on corporal punishment. For example, according to the State CRC report (2013), the Crimes Decree (2009) did not address this issue.
- f) SCF strongly urges the State, especially the Human Trafficking Working Group under the Fiji Police Force, to take the issue of trafficking in persons and specifically children seriously. SCF notes that under the Crimes Decree (2009), trafficking of persons and children is a crime (sections 111 to 121). Fiji is ranked in Tier 2 watch list, by the United States of America's for trafficking in persons.⁵ According to the State CRC Report (2013), statistics on the numbers of illicit transfer of children is lacking and SCF strongly urges the State and Human Trafficking Working Group (Fiji Police Force) to collaborate with other stakeholders, currently researching and working in this area.
- g) SCF commends the State for the Ministry of Social Welfare, taking the lead in awareness raising of Child Abuse through the Annual "Blue Ribbon Campaign".
- h) SCF commends the State for "The School Canteen Project," an initiative of the Ministry of Health's National Food and Nutrition Committee (NFNC), which is working with schools to provide nutritious food and snacks to school children.
- i) SCF acknowledges the work of the State in addressing the issue of substance abuse, through the Ministry of Education's community health programmes. SCF welcomes the State's collaboration to work with SCF's 52 communities, some of which are facing substance abuse and nutritional deficiency issues (as outlined by the CRSA study in this submission).
- j) SCF notes the lack of disaggregation of statistics for children with disabilities and strongly urges the State, especially the Bureau of Statistics to collaborate with NGOs such as the Fiji National Council for Disabled Persons, to ensure the statistics for persons with disabilities are disaggregated and collected, in a timely and efficient manner. These statistics must be made available to the public via updated statistical databases, online.
- k) SCF strongly urges the State to fulfil its international obligations in providing all Children in Fiji, with early childhood education (ECE). For example, the State CRC report (2013) addressed the low number of ECE facilities in rural communities. SCF can collaborate with the Ministry of Education to address this gap.
- l) SCF acknowledges the State's "National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking in Fiji" (2011). However, SCF feels that the State can further collaborate with NGOs, such as the Fiji Women's Crisis Centre, ILO and other stakeholders to combat this sensitive issue and further conduct research, into the number of persons and especially children, who are trafficked each year.⁶
- m) SCF acknowledges the State's Child Protection Policy. For example, UNICEF Pacific and the Ministry of Social Welfare adopted a Child Protection Multi-Year Work Plan (2011 – 2012), funded by AusAID. SCF strongly urges all government departments and stakeholders, e.g. the Fiji Police Force to implement and monitor the Plan.
- n) SCF strongly urges the members of the NCCC to participate and attend meetings and contribute to policy dialogue.
- o) SCF strongly urges the State to improve access to information and adopt a cross ministerial approach, in all areas of Child Rights.
- p) SCF strongly urges the State to ensure that Public transportation, essentially bus companies adopt a child protection policy.
- q) SCF strongly urges the State to adopt Positive methods of discipline and further research to be conducted by the Ministry of Education/State/CSOs, to investigate the implementation and effectiveness of the corporal punishment ban in Fiji.⁷
- r) SCF would like to partner with the State and other organizations such as the National Council for Disabled People and Ministry of Social Welfare to implement and monitor the existing policy for People Living with Disabilities, especially children.

⁵Source: <http://www.refworld.org/docid/51c2f3bf4d.html>

⁶Trafficking and smuggling of persons and children, is an offence under sections 6 to 8 of the Crimes Decree (2009).

⁷The CRC State report (United Nations 2013) states that corporal punishment is illegal.

Save the Children have recently published a handbook on positive discipline for parents and educators. Positive discipline is defined to be "...non-violent and respectful of the child as a learner. It is an *approach to teaching* that helps children succeed, gives them information, and supports their growth" (Durrant, J. 2013: *Positive Discipline in Everyday Parenting*: p.2).

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