



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

List of issues prior to submission of the initial report of Fiji*

Section I

A. General information

1. Please provide updated information on the domestic legal framework relating to the implementation of the Convention, including:

(a) Existing laws relevant to the protection of the rights of migrant workers and members of their families, including but not limited to the Employment Relations Act (2007), the Immigration Act (2003), the Migrant Workers' Protection Decree (2010), and any more recent legislative developments;

(b) Measures taken to harmonize national legislation with the provisions of the Convention, including the status of any planned or draft amendments to existing labour, immigration or anti-trafficking laws;

(c) The scope and content of bilateral and multilateral agreements concluded by the State Party with countries of origin, transit and destination, particularly Australia and New Zealand under the Pacific Australia Labour Mobility (PALM) and Recognized Seasonal Employer (RSE) schemes, with a focus on protections afforded to migrant workers, including in areas such as wage protection, family reunification, social security portability, detention, and repatriation.

2. Please provide information on the national policies, strategies and action plans adopted to promote and protect the rights of migrant workers and their families – such as the National Employment Policy and the Labour Mobility Plan – including their scope, their implementation status, available human, financial and technical resources, and the monitoring and evaluation mechanisms in place.

3. Please provide information on the institutional coordination framework for migration governance, including the respective mandates, staffing, resource allocations and inter-agency coordination mechanisms of the Ministry of Employment, Productivity and Industrial Relations, the Ministry of Immigration, the Fiji Anti-Trafficking Taskforce, and other relevant entities to ensure effective implementation of the Convention.

4. Please provide statistical data, disaggregated by sex, age, migration status and nationality, covering the past five years, on:

(a) Labour migration flows to and from Fiji, including data on Fijians participating in temporary labour mobility schemes abroad and foreign migrant workers in Fiji;

* Adopted by the Committee at its fortieth session (7–17 April 2025).



(b) The number of unaccompanied migrant children and children left behind by migrant parents;

(c) Migrant workers in an irregular situation, especially in underregulated sectors such as agriculture, construction, domestic work and the blue economy;

(d) Steps taken to develop or strengthen a centralized migration database and to improve disaggregated data collection, including whether this information is made publicly available.

5. Please provide information on the mandate, activities and independence of the Human Rights and Anti-Discrimination Commission, particularly with regard to the promotion and protection of the rights of all migrant workers and members of their families. In particular, please indicate:

(a) Whether the Commission operates in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and whether it has an explicit mandate to monitor and address the human rights of migrant workers and their families under the Convention;

(b) The types of services that it offers to migrant workers, such as complaint mechanisms, legal support, and monitoring of detention centres, and any specific actions taken in response to reported violations;

(c) The human, technical and financial resources allocated to the Commission to carry out its functions effectively;

(d) Measures taken to raise awareness among migrant workers, civil society and the general public about the Commission's role and accessibility, including in languages understood by migrant communities.

6. Please provide information on the steps taken to promote and disseminate the Convention and raise awareness of its provisions among key stakeholders – such as the general public, migrant workers and their families, employers, service providers, law enforcement, immigration and border officials, consular personnel, the judiciary, the media and civil society – and indicate whether and how the media contributes to the promotion of migrant workers' rights.

7. Please provide information on training programmes conducted for government officials – including labour inspectors, immigration officers, police officers, and judicial and consular staff – on the human rights of migrant workers and their families, particularly with regard to gender sensitivity, children's rights, prevention of trafficking, and fair recruitment; and describe the cooperation between the State Party and civil society organizations, workers' associations and trade unions in the design, implementation and monitoring of migration-related policies, including their involvement in preparing the State Party's reply to the present list of issues prior to reporting.

8. Please provide information on the existence, regulation and oversight of private recruitment and employment agencies operating in or from Fiji. In particular, please describe:

(a) Licensing and monitoring procedures for such agencies, including inspections and complaints mechanisms;

(b) Measures to prevent abusive recruitment practices, including the confiscation of identity documents, fee-charging, or contract substitution;

(c) Joint liability mechanisms between recruitment agencies and employers abroad, including on matters related to wages, insurance, injury, and death compensation, and repatriation;

(d) The number and nature of complaints filed against recruitment agencies and any penalties or sanctions imposed;

(e) Steps taken to strengthen national legislation and enforcement mechanisms to prevent the exploitation of migrant workers by unscrupulous recruiters and employers, including through bilateral cooperation with receiving countries.

9. Please provide information on the progress made towards:
- (a) Making the declarations provided for in articles 76 and 77 of the Convention;
 - (b) Ratifying the following International Labour Organization (ILO) instruments that are relevant to the protection of the rights of migrant workers and members of their families:
 - (i) The Migration for Employment Convention (Revised), 1949 (No. 97);
 - (ii) The Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143);
 - (iii) The Occupational Safety and Health Convention, 1981 (No. 155);
 - (iv) The Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);
 - (v) The Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29);
 - (vi) The Labour Inspection Convention, 1947 (No. 81);
 - (vii) The Employment Policy Convention, 1964 (No. 122);
 - (viii) The Labour Inspection (Agriculture) Convention, 1969 (No. 129);
 - (ix) The Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144);
 - (x) The Domestic Workers Convention, 2011 (No. 189).

B. Information requested, by article of the Convention

1. General principles

10. Please indicate whether the provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families have been directly applied by public officials or invoked before the courts in Fiji. Please also provide information on:

- (a) The judicial and/or administrative mechanisms competent to examine and decide on complaints by migrant workers and members of their families, including those in an irregular situation and in particular migrant domestic workers. Please clarify the roles of the Ministry of Employment, Productivity and Industrial Relations, the Labour Inspectorate, the Employment Relations Tribunal and the Human Rights and Anti-Discrimination Commission in this regard;
- (b) The number and types of complaints concerning violations of migrant workers' rights examined by these mechanisms in the past five years, and their outcomes, disaggregated by sex, nationality, type of violation, and migration status;
- (c) Whether legal assistance and interpretation services were provided to migrant workers and members of their families during legal proceedings;
- (d) Any redress, including compensation, provided to victims of such violations, and the enforcement of such decisions;
- (e) Measures taken by the State Party to inform migrant workers and members of their families, including those in an irregular situation, of the legal remedies available to them for the protection of their rights, including through awareness-raising campaigns and community-based outreach in relevant languages.

11. Please provide information, with supporting data and specific examples, on how the coronavirus disease (COVID-19) pandemic has affected the development, adjustment and implementation of national pandemic prevention and management plans to protect the rights of migrant workers and members of their families, in a manner that:

- (a) Ensures access to healthcare, including COVID-19 testing, treatment and vaccination, without discrimination based on nationality or migration status;
- (b) Includes public health measures in workplaces employing migrant workers, such as agriculture, fisheries, domestic work, construction and tourism, to mitigate the spread of COVID-19;
- (c) Provides for the prevention and management of COVID-19 outbreaks in immigration detention facilities, shelters or other places of accommodation, and ensures access to medical care for infected individuals;
- (d) Ensures that the families of migrant workers who died from COVID-19 were informed, and that their remains were repatriated with dignity;
- (e) Protects the economic, social and labour rights of migrant workers, including through income support, job security and access to social services, while mitigating the broader adverse effects of the pandemic on migrant workers and their families;
- (f) Protects the rights of migrant workers and members of their families in other respects and mitigates the adverse effects of the pandemic, taking into account the joint guidance note issued by the Committee and the Special Rapporteur on the human rights of migrants on the impacts of the COVID-19 pandemic on the human rights of migrants.

2. Part II of the Convention

Article 7

12. Please describe the measures taken to ensure that all migrant workers and members of their families in Fiji or subject to its jurisdiction, regardless of their migration status, enjoy the rights provided for in the Convention without discrimination of any kind. In particular, please provide information on the following:

- (a) Progress made towards the adoption of a comprehensive anti-discrimination legislative framework, including measures to ensure that all migrant workers and members of their families can effectively exercise the rights under articles 1 (1) and 7 of the Convention, without distinction of any kind. Please clarify whether such legislation addresses all prohibited grounds of discrimination, including sex, language, national, ethnic or social origin, nationality, age, economic position, disability, property, marital status, birth or other status;
- (b) Measures taken to ensure that non-discrimination, labour rights protection and gender equality are integrated into all aspects of the Fijian migration governance framework, including in the implementation of employment, immigration, and trafficking-related laws and policies. Please describe the mechanisms in place to assess individual cases of migrant workers in transit or at risk and to determine their protection needs in a non-discriminatory manner, in line with international human rights, humanitarian and refugee law;
- (c) How recent developments in labour legislation, including any amendments to the Employment Relations Act or related regulations, have strengthened the protection of migrant workers' rights through the effective application of the principles of non-discrimination and equal treatment for all workers, regardless of their migration status. Please specify whether such reforms extend protections to migrant women workers and those in informal or low-paid sectors such as domestic work, agriculture and hospitality.

13. Please inform the Committee of any cases identified in the State Party of racism, xenophobia, discrimination, ill-treatment or violence, including gender-based violence, to which migrant workers and members of their families have been subjected in Fiji or in countries of employment of Fijian migrant workers, particularly in the context of labour mobility schemes. This should include:

- (a) The normative, institutional and procedural measures adopted by the State Party to prevent and combat all forms of such abuse;

- (b) Mechanisms available to victims for accessing justice, protection, legal aid and redress, including shelters, complaint mechanisms, hotlines or interpretation services;
- (c) Qualitative and quantitative data, if available, disaggregated by type of violation, sex, nationality and sector of employment;
- (d) Measures taken to prevent and combat such acts, including awareness-raising campaigns, legal sanctions, and capacity-building for law enforcement and border authorities;
- (e) Protection and redress mechanisms available to victims, including access to justice, legal aid and psychosocial support;
- (f) Steps taken to ensure accountability for perpetrators and effective remedies for victims.

3. Part III of the Convention

Articles 8 to 15

14. Please provide information on any cases identified in Fiji of exploitation of migrant workers and members of their families, whether in regular or irregular situations, particularly in sectors such as agriculture, fisheries, construction, domestic work, hospitality, tourism and the blue economy. In particular, please:

- (a) Describe reported instances of labour exploitation, domestic servitude, forced labour and sexual exploitation, including in contexts linked to sex tourism or informal employment;
- (b) Provide details on steps taken by the State to prevent and combat these forms of exploitation, including labour inspections, access to complaint mechanisms, and coordination with civil society or international partners;
- (c) Clarify whether any of these cases involved recruitment-related abuses, including the withholding of identity documents, wage withholding, or threats of deportation;
- (d) Provide information on measures taken to align national legislation with the ILO Forced Labour Convention, 1930 (No. 29) and Abolition of Forced Labour Convention, 1957 (No. 105), to which Fiji is a party, and to implement that legislation.

15. Please provide information on measures taken to ensure that migrant children in Fiji, particularly unaccompanied or separated children, children in an irregular migration situation, or those in transit, are protected from all forms of exploitation. In particular, please indicate:

- (a) Whether child protection policies and social services are extended to migrant children regardless of their legal status;
- (b) The mechanisms in place to identify, refer and assist migrant children in vulnerable situations, including those engaged in street work or domestic labour;
- (c) The steps taken to combat the worst forms of child labour, including through the effective implementation of the Employment Relations Act, compliance with the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), and the strengthening of the labour inspection and child protection systems.

16. Please provide detailed information on the measures taken to investigate and address complaints of harassment, corruption and abuse of authority by law enforcement officials, including instances of:

- (a) Extortion, arbitrary arrest or detention, denial of due process, or abuse involving migrant workers and members of their families;
- (b) The availability and accessibility of complaint mechanisms, including whether migrants can report abuse anonymously and without fear of retaliation;

(c) Data covering the past three years on the number of complaints received, investigations conducted, officials prosecuted and convictions secured, including the nature of the charges and the sentences imposed;

(d) Training provided to police, immigration officers and border personnel on migrants' rights and the prevention of abuse of authority.

Articles 16 to 22

17. Please clarify whether immigration-related offences are criminalized in Fiji. Describe the due process safeguards in place for migrant workers and members of their families during immigration-related procedures such as investigations, arrests, detention and expulsion. In particular, please provide information on:

(a) Access to legal representation and interpretation services during such procedures;

(b) Whether migrants in detention are promptly informed of their rights in a language they understand;

(c) Measures taken to ensure that the obligation under article 16 (7) of the Convention – regarding contact with the consular or diplomatic authorities of the State of origin – is fully respected in law and in practice;

(d) Specific due process safeguards in place for unaccompanied or separated migrant children, including the appointment of a guardian, the right to be heard, and access to child-friendly procedures.

18. Please provide information on border governance measures in Fiji, particularly procedures applicable to migrant workers and asylum-seekers at international borders, including how reception facilities operate and screen or refer vulnerable migrants, how international protection claims are processed with safeguards to uphold non-refoulement and the prohibition of arbitrary or collective expulsion, and whether standard operating procedures include individual assessments of protection needs at the border.

19. Please indicate the measures that Fiji has taken to uphold the right to liberty of migrant workers and their families in the context of administrative procedures related to entry, residence and expulsion. In particular, please:

(a) Report on the availability of alternatives to immigration detention, especially for children, families, and other vulnerable groups;

(b) Provide information on the number of persons currently held in immigration-related detention, including women and children, the length of the detention, and the grounds for such detention.

20. Describe efforts to improve detention conditions, and clarify whether:

(a) Migrants detained for immigration reasons are held separately from convicted persons or persons in pretrial detention;

(b) Children are not detained for immigration reasons, or if detained, are housed separately from unrelated adults;

(c) Female detainees are supervised by female personnel;

(d) Family-friendly facilities are available for families with children, where appropriate;

(e) Victims of trafficking are properly identified, referred for assistance, and protected, including as witnesses in legal proceedings.

21. Please provide information on the due process safeguards available to migrant workers and their families, particularly those in an irregular situation, during immigration-related proceedings, including expulsion procedures, indicating whether legal assistance and interpretation are accessible, whether expulsion decisions are issued by a competent authority in accordance with legal procedures, whether such decisions are subject to review with suspensive effect, and how migrants are informed in a language that

they understand; additionally, please provide up-to-date, disaggregated data on expulsions or pending expulsion procedures involving migrants in an irregular situation and their families, and clarify whether collective expulsion is explicitly prohibited under Fijian law and whether individuals have the right to challenge expulsion orders with suspensive remedies.

22. Please provide information on the measures that Fiji has adopted to guarantee the right to family life, particularly the right of migrant children not to be separated from their parents in cases where expulsion orders are issued. Please clarify:

(a) Whether authorities undertake a best interests of the child assessment before issuing removal or deportation orders involving families;

(b) How Fiji ensures that the unity of the family is protected and that family separation is used only as a measure of last resort, in full compliance with the Convention and international human rights standards.

Article 23

23. Please provide detailed information on the policies, practices and mandates of Fijian embassies, consulates and labour attachés, including those in Australia and New Zealand, with respect to assisting and protecting Fijian migrant workers abroad, particularly those in irregular situations or facing abuse, arrest, detention or expulsion. In particular, please outline:

(a) Mechanisms for responding to complaints or emergency situations;

(b) Access to legal, medical or psychosocial assistance for Fijian nationals abroad;

(c) Cooperation frameworks with host country authorities and diaspora organizations.

24. Please indicate whether migrant workers and their families residing in Fiji, including those in irregular situations, have effective access to the consular and diplomatic services of their countries of origin, particularly in cases of arrest, detention or expulsion. Additionally, please clarify:

(a) The steps taken by the Government of Fiji to inform detained migrants of their right to contact their consulate or embassy;

(b) Any memoranda of understanding or bilateral agreements in place to strengthen consular cooperation and assistance.

Articles 25 to 30

25. Please indicate the legal and labour protections and enforcement mechanisms in place to ensure that migrant workers in Fiji, including women and those employed in the agriculture, fisheries, construction, domestic work, tourism and transport sectors, are treated no less favourably than nationals with respect to remuneration, working hours, rest periods, workplace safety, termination of contract and dispute resolution. Please also describe:

(a) Measures taken to monitor and investigate complaints;

(b) Labour inspection protocols, particularly in high-risk sectors;

(c) Efforts to promote the rights of Fijian migrant workers employed abroad under seasonal labour schemes.

26. Please indicate whether the country's labour laws and regulations on conditions of work and employment benefits apply equally to migrant workers, including those in irregular situations. In particular, please provide information on:

(a) Whether the principle of equal remuneration for work of equal value is upheld for migrant workers;

(b) Measures taken to prevent discrimination in the workplace;

(c) Protections against unfair dismissal, access to unemployment benefits, and eligibility to participate in public employment schemes;

(d) Whether migrant workers are permitted to seek alternative employment in the event of job loss or early termination of contract.

27. Please provide information on measures taken by Fiji to ensure that migrant workers and their family members, regardless of their migration status, have access to healthcare services, including emergency and maternal health services.

28. Please clarify the policies and legal provisions guaranteeing access to education for all children of migrant workers, and obstacles they may face – particularly in cases of irregular status, financial hardship, or fear of immigration enforcement – along with measures taken to ensure firewalls between schools and immigration authorities, to promote enrolment and retention, and to ensure birth registration and prevention of statelessness for children of migrant workers born in Fiji or abroad.

Articles 31 to 33

29. Please provide information on the measures taken by the State Party to ensure that migrant workers and members of their families are able to transfer their earnings and savings, without restriction, upon termination of their stay in Fiji. Please also describe:

(a) Whether the legal framework ensures the right to transfer personal effects and belongings;

(b) Any bilateral or regional agreements in place to facilitate or reduce the cost of remittance transfers, especially for workers participating in the Pacific Australia Labour Mobility (PALM) or Recognized Seasonal Employer (RSE) schemes;

(c) The role of financial institutions and mobile banking services in supporting safe and low-cost transfers;

(d) Any data available on remittance flows, including associated costs and accessibility.

30. Please describe the measures taken by the State Party to ensure that migrant workers preparing to enter or arriving in Fiji have access to accurate and accessible information on:

(a) Immigration procedures and visa requirements;

(b) Labour and employment rights, including minimum wage, conditions of work, and complaint mechanisms;

(c) Health and safety regulations, housing standards, and social protection entitlements;

(d) Rights and obligations of employers and workers under relevant domestic legislation, including the Employment Relations Act, of 2007, and the Immigration Act, of 2003;

(e) The availability of this information in languages commonly spoken by migrant workers and disseminated through consular services, pre-departure briefings, or upon arrival at ports of entry.

31. Please provide information on any training, awareness-raising, or information programmes conducted by the State Party on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, targeting migrant workers and their families (including those in irregular situations), employers and private recruitment agencies, trade unions, labour inspectors and law enforcement officials, as well as local government actors and service providers.

4. Part IV of the Convention

Article 37

32. Please provide information on pre-departure programmes offered by the State Party to nationals considering labour migration abroad, including under the PALM and RSE schemes, detailing their content on migrant workers' rights and obligations in destination countries, the institutions responsible for their delivery, and any related policies, coordination frameworks or legislation ensuring transparency, oversight and accountability in the pre-departure process.

Article 40

33. Please provide information on the legal and institutional measures taken by the State Party to guarantee to migrant workers and members of their families the right to form associations and trade unions and to participate in their leadership, in line with article 40 of the Convention and with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

Article 41

34. Please describe the legal and administrative framework facilitating the exercise of voting rights and participation in public affairs by Fijian migrant workers and their families abroad, including access to voter registration, voting mechanisms, public awareness efforts, and any legal or practical implications of dual nationality on these rights.

Article 42

35. Please provide information on measures taken by the State Party to ensure that procedures or representative bodies are in place to reflect the needs and interests of Fijian migrant workers and their families, both in Fiji and in countries of employment.

Article 43

36. Please describe any legislative or policy measures to ensure that migrant workers have equal access to vocational training, housing, and participation in cultural life on the same basis as nationals. Please indicate whether these measures apply to migrant workers in all sectors and with all employment statuses.

Article 44

37. Please provide information on the measures taken by the State Party to uphold the unity of the families of migrant workers and to facilitate family reunification. This includes spouses, partners whose relationship produces legal effects similar to marriage, and dependent unmarried children.

Article 45

38. Please describe the measures taken by the State Party to ensure that family members of migrant workers, particularly children, have access to education and vocational training. Please also outline efforts to support their integration into the national education system, including language instruction and cultural preservation programmes.

Articles 46 to 48

39. Please provide information on the legal and policy frameworks regulating the import and export of personal and work-related effects of migrant workers. Additionally, please explain the measures adopted to facilitate the transfer of remittances, including steps to reduce transaction costs, ensure safe channels, and expand access in rural areas.

40. Please provide details of bilateral and multilateral agreements concluded by the State Party in the field of labour migration, particularly those concerning employment rights, social protection, portability of benefits, taxation, and temporary labour schemes. Please indicate how these agreements ensure the protection of migrant workers' rights and

promote safe and regular migration pathways, and are aligned with the State Party's obligations under the Convention.

Article 49

41. Please clarify whether Fijian legislation requires separate residence and work permits, and if so, whether residence permits are automatically granted for at least the duration of the work authorization and maintained upon termination of employment; additionally, please indicate whether migrant workers are permitted to freely change employers and whether legal safeguards exist to prevent loss of residence status while seeking new employment or accessing unemployment-related support.

Articles 51 and 52

42. Please provide information on how the State Party ensures that migrant workers whose contracts have ended – regardless of the reason for termination – are allowed to remain in the country to seek alternative employment, or participate in public work schemes or retraining initiatives. Please indicate whether such measures are reflected in the national migration and labour legislation and how they are applied in practice.

5. Part V of the Convention

Articles 58 to 63

43. Please provide information on the measures taken by the State Party to ensure that temporary and seasonal migrant workers, including those employed through regional labour mobility programmes such as the PALM and RSE schemes, enjoy treatment equal to that of national workers, particularly with respect to remuneration, working hours, occupational safety and health, social security, and other conditions of work.

44. Please also describe the mechanisms in place to systematically monitor employers' compliance with national labour legislation and relevant international labour standards, and indicate whether such monitoring includes unannounced labour inspections. Additionally, please provide information on the enforcement of penalties or corrective measures taken in cases of employer non-compliance or abuse.

6. Part VI of the Convention

Article 64

45. Please provide information on the measures taken by Fiji, including consultations and cooperation with other States, to promote sound, equitable and humane conditions in connection with the international migration of migrant workers and members of their families. This should include bilateral labour mobility schemes such as the PALM and RSE schemes. Please clarify how such measures are mainstreamed into the broader migration policies of Fiji, such as the National Employment Policy and the 2024 memorandum of understanding with the International Organization for Migration, and how they address the social, economic and cultural needs of migrant workers and their families.

46. Please describe the measures taken by the State Party to address irregular migration of its nationals, including through bilateral and multilateral agreements and through policies aimed at strengthening legal labour migration channels. Please explain how these initiatives – such as the National Migration Policy (2020–2030) and the Labour Migration Strategy (2022–2026) – address the root causes of irregular migration and whether these have led to a reduction in irregular migration. Please include details of awareness-raising campaigns targeting Fijian communities on the risks of irregular migration and misleading recruitment practices.

47. Please provide information on the measures taken by the State Party to support children who remain in Fiji while one or both parents migrate for work abroad. Please describe whether national policies exist to ensure adequate care and protection of such children and whether relevant social protection systems, community-based support or monitoring mechanisms are in place.

48. Please provide information on the cooperation efforts between Fiji and transit and destination countries aimed at ensuring the safety and protection of Fijian migrant workers, including children, throughout their migration journey. Please describe specific bilateral arrangements or consular initiatives in place to respond to the needs of vulnerable migrants in these contexts.

49. Please provide information on the measures taken by Fiji to uphold the human rights of foreign migrant children, particularly those who are unaccompanied or in an irregular situation, whether residing in or transiting through Fiji. Please describe the legal safeguards and child protection systems available to ensure their safety, well-being, and access to basic services.

Article 67

50. Please provide information on cooperation programmes in place between Fiji and countries of employment to support the voluntary return of Fijian migrant workers and their families, particularly in cases of irregular status or following rights violations. Please also elaborate on cooperation mechanisms for workers in a regular situation to promote sustainable economic reintegration in Fiji.

51. Please describe the policies and measures in place to support the reintegration of returning migrant workers and their families in Fiji, including access to social services, employment assistance, and recognition of foreign-acquired qualifications and work experience, as well as the legal or administrative mechanisms for skills validation, and provide information on how these programmes are resourced and monitored and contribute to sustainable reintegration.

Article 68

52. Please provide information on the implementation by Fiji of the United Nations Global Plan of Action to Combat Trafficking in Persons. Please elaborate on the development and implementation of the National Human Trafficking Strategy and Action Plan, including efforts to strengthen victim identification and protection, and access to justice. Please also provide information on:

- (a) Prevention and protection programmes for trafficking victims;
- (b) Investigations and prosecutions, including the number of convictions and reparations;
- (c) Availability of shelters and psychological, medical and social support;
- (d) Training provided to law enforcement officers and frontline responders;
- (e) Budget allocations for counter-trafficking;
- (f) Data collection efforts, disaggregated by sex, age, and nationality;
- (g) Whether temporary or permanent residence permits are available for victims of trafficking.

53. Please provide information on the country's legislative and policy framework to address migrant smuggling, including any specific legislation adopted in line with the Protocol against the Smuggling of Migrants by Land, Sea and Air, the human and financial resources allocated for implementation, cooperation with other Pacific countries, and the measures taken to address root causes – particularly those affecting women and children – as well as the legal safeguards, protection services, and access to remedies provided to smuggled migrants, including legal and psychological support.

Article 69

54. Please provide information on any measures taken by the State party to enable migrant workers and members of their families in an irregular situation in Fiji to regularize their status in accordance with article 69 of the Convention. Please also describe actions taken by the State Party, including through bilateral and multilateral cooperation, to

promote the regularization and protection of Fijian nationals abroad, including those in vulnerable or undocumented situations.

Section II

55. The Committee invites the State Party to provide concise and updated information, not exceeding three pages, on measures taken to protect migrant workers and members of their families, including with regard to the following areas:

(a) Bills or laws, and their respective regulations, adopted or amended since the ratification of the Convention, including legislation concerning labour rights, immigration, human trafficking, and the regulation of private recruitment agencies;

(b) Institutions and their mandates, including any recent institutional reforms relevant to the promotion and protection of the rights of migrant workers and their families, such as the roles of the Ministry of Employment, Productivity and Industrial Relations, the Immigration Department, the Fiji Police Force's Human Trafficking Unit, and the Human Rights and Anti-Discrimination Commission;

(c) National policies, strategies, programmes and action plans covering migration governance and labour mobility, including the scope, implementation, financing and monitoring mechanisms of the National Migration Policy (2020–2030), the Labour Migration Strategy and Action Plan (2022–2026) and the National Human Trafficking Strategy and Action Plan;

(d) Recent ratifications of human rights and labour-related instruments, including progress made toward ratification of the ILO Migration for Employment Convention (Revised), 1949 (No. 97), the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the ILO Domestic Workers Convention, 2011 (No. 189), and information on how these instruments are being integrated into national law and policy;

(e) Recent comprehensive studies, assessments or surveys on the situation of migrant workers in Fiji or Fijians working abroad, including any reports commissioned in collaboration with international partners such as the International Organization for Migration, the United Nations Office on Drugs and Crime, and regional mechanisms.

Section III

Data, official estimates, statistics and other information

56. Please provide available statistical data and qualitative information covering the past three years – or since the ratification by Fiji of the Convention in 2019 – disaggregated by sex, age, nationality, disability, migration status, and field of occupation where applicable, on the following:

(a) The volume and nature of migratory movements to, from and through Fiji, including regular and irregular migration, and the number of Fijians working abroad, particularly under the Pacific Australia Labour Mobility (PALM) scheme, the Recognised Seasonal Employer (RSE) scheme, or other bilateral programmes;

(b) The number of migrant workers in detention in Fiji, including the reason for detention (e.g. immigration-related), and the number of Fijian migrant workers detained abroad, specifying the countries concerned and whether such detention was related to immigration;

(c) The number of migrant workers and members of their families who have been expelled or deported from Fiji during the reporting period, including the legal basis and procedural safeguards applied;

(d) The number of unaccompanied or separated migrant children currently residing in Fiji, including any available information on their protection status, access to basic services, and care arrangements;

(e) The total value of remittances received from Fijian nationals working abroad, disaggregated by destination country and the purpose for which remittances are used (e.g. household income, education, investment), if available;

(f) The number of reported cases of trafficking in persons and smuggling of migrants, including the number of investigations launched, prosecutions conducted, convictions secured, and sentences imposed on perpetrators, disaggregated by sex, age, nationality of both the victims and the perpetrators, and the purpose of the trafficking;

(g) Legal aid and assistance services provided to migrant workers and their families residing in Fiji and to Fijian nationals working abroad or in transit through third States, particularly those facing detention, abuse, or irregular status.

57. Please provide any additional information on any important developments and measures taken in the implementation of the Convention that are considered a priority, including whether the State Party envisages making the declaration under article 76 of the Convention recognizing the competence of the Committee to receive and consider State-to-State communications and/or the declaration under article 77 of the Convention recognizing the competence of the Committee to receive and consider individual communications.

58. Please submit an updated core document in line with the harmonized guidelines on reporting.¹ In accordance with paragraph 16 of General Assembly resolution 68/268, the common core document should not exceed 42,400 words.

¹ [HRI/GEN/2/Rev.6](#).