



Australian Government
Department of Foreign Affairs and Trade



DFAT COUNTRY INFORMATION REPORT FIJI

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ACRONYMS

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CCU	Coronary Care Unit
CWM	Colonial War Memorial Hospital
ENID	Essential National Industries Decree
FAP	Family Assistance Program
FCS	Fiji Corrections Service
FDFM	Fiji Democracy and Freedom Movement
FHRADC	Fiji Human Rights and Anti-Discrimination Commission
FNPF	Fiji National Provident Fund
FPF	Fiji Police Force
FTUC	Fiji Trades Union Congress
FWCC	Fiji Women’s Crisis Centre
ICU	Intensive Care Unit
ILO	International Labour Organization
LGBTI	Lesbian, Gay, Transgender, Bisexual, Transgender and Intersex
MIDA	Media Industry Development Authority
NFP	National Federation Party
NICU	Neonatal Intensive Care Unit
PICU	Paediatric Intensive Care Unit
PISAI	Pacific Indigenous Samaritan Association
POAD	Public Order Amendment Decree
RFMF	Republic of Fiji Military Forces
SDL	Soqosoqo Duavata ni Lewenivanua
SODELPA	Social Democratic Labour Party
TLTB	iTaukei Land Trust Board

1. PURPOSE AND SCOPE

1.1 This Country Information Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgment and assessment at time of writing and is distinct from Australian government policy with respect to Fiji.

1.2 The report provides a general, rather than an exhaustive, country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the Migration Act 1958 states that:

Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report is based on DFAT's on-the-ground knowledge and discussions with a range of sources in Fiji. It takes into account relevant and credible open source reports, including those produced by various United Nations departments, US State Department, UK Border Agency, the European Commission, the World Bank and the International Organization for Migration. DFAT consulted recognised human rights organisations such as Amnesty International, Human Rights Watch, and international non-governmental organisations such as Transparency International and the International Committee for the Red Cross, as well as Fijian non-governmental organisations and reputable news organisations. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT report released on Fiji published on 14 April 2015.

2. BACKGROUND INFORMATION

RECENT HISTORY

2.1 Fiji became a Crown Colony of Great Britain in 1874, at which point the majority of the population was of Melanesian or Polynesian descent. Between 1879 and 1916, British authorities brought indentured Indian labourers to Fiji, primarily to work on sugar plantations. Though indentured labour had ended by 1920, many labourers of Indian origin remained in Fiji.

2.2 Consecutive British Governors established a series of consultative fora, which provided advice to the Governor on executive and legislative issues. These included the Great Council of Chiefs in 1876 and a Legislative Council in 1904. Europeans, indigenous Fijians and Indians were represented on the Legislative Council at various points, although suffrage was not universal until 1963. Different ethnic groups were listed on separate voter rolls until the 2014 election.

2.3 Fiji was granted responsible government in 1967 and independence from Great Britain in 1970. Competition between indigenous Fijians and Indo-Fijians has been a major factor in Fiji's politics since then. From independence until 1987, Fiji was governed by the predominantly indigenous Fijian 'Alliance Party'.

2.4 In April 1987 a coalition with strong Indo-Fijian representation, led by the Fiji Labour Party, won general elections. In May 1987, Colonel Sitiveni Rabuka, a senior Fijian army officer and now Leader of the opposition Social Democratic Labour Party (SODELPA), seized power in a coup. Rabuka initially installed an interim government, but staged a second coup in October 1987. In 1990 a new constitution was passed, which enshrined political dominance for indigenous Fijians. Rabuka was elected Prime Minister in 1992.

2.5 In 1997, another new constitution was promulgated. Mahendra Chaudhry (the Indo-Fijian leader of a multi-racial coalition) was elected Prime Minister in 1999.

2.6 In May 2000, a group of indigenous Fijians, led by former businessman George Speight, stormed the Parliament. They took Chaudhry and dozens of others hostage. During negotiations for their release, Commodore Josaia Voreqe ('Frank') Bainimarama, then Commander of the Republic of Fiji Military Forces (RFMF), assumed control of government. Bainimarama declared Martial Law and later appointed Laisenia Qarase (an indigenous Fijian) as interim Prime Minister in July 2000. Qarase became Prime Minister following elections in August 2001. He was re-elected in the 2006 general election.

2.7 Following a political dispute between Bainimarama and Qarase, Bainimarama took power in a coup in December 2006 and established an interim government, dominated by the military. In April 2009, the Court of Appeal declared the 2006 coup and the subsequent interim government illegal. In response, the interim government declared all judicial appointments vacant and abrogated the 1997 Constitution.

2.8 The interim government initiated the process of drafting a new constitution in July 2009, with the commencement of a Constitutional Commission headed up by internationally renowned constitutional expert, Professor Yash Ghai, commencing work on a draft in July 2012. The interim Bainimarama government, disagreeing with the 'Ghai Draft', drafted its own constitution, which was passed in September

2013. The interim government's stated intent included establishing a non-discriminatory constitution and a political system to give equal representation to all Fijian citizens.

2.9 The *Public Emergency Regulations*, which restricted freedom of association in Fiji following the abrogation of the constitution in April 2006, were repealed on 7 January 2012, and replaced by the *Public Order Amendment Decree* (POAD). POAD borrowed much of the restrictive language of the Public Emergency Regulations. Whilst the removal of the Public Emergency Regulations had international support, the imposition of the POAD was seen as a change in name only. On 8 February 2017, parliament passed the *Public Order (Amendment) Act 2017*, which now covers terrorism offences and transportation of nuclear material, and removes the requirement for a permit when organising or convening a meeting or procession in a public place. Permits continue to be required for activities held in a park or on a road (e.g. marches).

2.10 In 2014, Bainimarama resigned as Commander of the RFMF. In September 2014, his new political party, Fiji First, won a substantial majority in Parliament. Bainimarama is now Fiji's Prime Minister.

2.11 On 20-21 February 2016, Tropical Cyclone Winston, the worst storm ever recorded in the southern hemisphere, hit Fiji. The storm killed 44 people, and affected more than 60 per cent of the population (approximately 540,000 people). Long-term recovery is still underway, with some people still displaced and living in temporary shelters.

DEMOGRAPHY

2.12 Fiji's population is estimated at 900,000. Population growth is low at 0.7 per cent. High birth rates are offset by high levels of emigration, especially of skilled and wealthy Fijians, particularly Indo-Fijians.

2.13 On Viti Levu, one of two main islands, the population is concentrated around the capital Suva (approximately 177,000 residents) and around the main airport in Nadi. On Vanua Levu, the second main island, the population is concentrated around the towns of Labasa and Savusavu. Fiji has relatively low levels of urbanisation, with approximately half the population continuing to live in rural areas.

2.14 At the most recent census, in 2007, approximately 57 per cent of the population was indigenous Fijian. Approximately 37.5 per cent of the population was of Indian descent. The balance comprised Rotumans (a distinct ethnic group from the Fijian protectorate of Rotuma), Chinese, Europeans and other Pacific Islanders.

2.15 Indo-Fijians formed a larger share of the population than indigenous Fijians between at least 1946 and 1986, according to census results. Since 1986, the Indo-Fijian population has declined in relative terms, due to lower birth rates and emigration.

2.16 Fiji's indigenous population is predominantly Christian: Methodist (35 per cent), Catholic (9 per cent), and Anglican (0.8 per cent), with a growing evangelist movement (Seventh Day Adventists – four per cent, and the New Methodist Church – one-two per cent). The Indo-Fijian population is largely Hindu (28 per cent), with smaller Muslim (seven per cent) and Sikh (under one per cent) populations. There is some ethnic crossover amongst religions – there are 8,000 Indo-Fijian Methodists for example – but, in general, the indigenous and Indo-Fijian populations are religiously separate.

2.17 Fiji's ethnic and religious groups live alongside each other and in all parts of Fiji. However, a higher proportion of Indo-Fijians live in urban and coastal areas, particularly along the northwest coasts of Viti Levu and Vanua Levu where the sugar cane industry is located. A higher proportion of indigenous Fijians live in inland and rural areas. Suva is ethnically and religiously mixed.

ECONOMIC OVERVIEW

2.18 The fundamentals of Fiji's economy are broadly sound. GDP is estimated to have grown by 4.2 per cent in 2015 and 2 per cent in 2016, with the slowing largely due to the effects of Tropical Cyclone Winston (February 2016). The cyclone caused an estimated AUD1.2 billion worth of damage, equal to almost 20 per cent of GDP. Economic growth is forecast at 3.8 per cent in 2017 and around 3 per cent in 2018 and 2019. Growth continues to be driven by the services sector (tourism and retail), construction and manufacturing, and is supported by low interest rates and continued low fuel prices.

2.19 GDP per capita in 2016 was an estimated AUD6.5 billion and the World Bank classifies Fiji as an upper middle income country. Poverty remains prevalent: an estimated 28 per cent of the population lived below the national poverty line in 2015. Corruption is perceived to be widespread, but not endemic in Fiji: in 2010, 12 per cent of surveyed Fijians reported paying a bribe. Fiji, as a very small economy, has not been included in Transparency International's recent Corruption Perceptions indices.

2.20 The Fiji government's 2017-18 budget forecasts public expenditure will be FJD4.4 billion (AUD2.8 billion), an increase of 42 per cent from 2016-17, with revenue at FJD3.9 billion. This will deliver a budget deficit equivalent in size to 4.5 per cent of GDP. The sectors recording the largest growth in budget allocations are sugar (152 per cent), education (123 per cent), and women, children and poverty alleviation (117 per cent). The sectors recording low or negative (<5 per cent) budget increases are defence, policing, foreign affairs, and the office of the president.

2.21 To support growth, the Fiji government continues to invest in infrastructure and implement structural reforms, including state-owned enterprise reform and streamlining business and investment regulations. Deepening external trade remains a stated government priority.

2.22 Water, gold, garments, sugar and fish continue to be Fiji's strongest merchandise exports. Agriculture is a source of (mostly informal sector) income for the bulk of the population and continues to make a moderate but far below potential contribution to growth.

2.23 Fiji ranked 88 out of 189 countries in the World Bank's Ease of Doing Business Index in 2016. Fiji trails the region in ease of starting a business. It takes 58 days in Fiji to start a business compared to nine days in Solomon Islands and an average of 26 days in the broader Asia-Pacific. Economic activity is concentrated in the capital, Suva, and around the main tourism centre of Nadi.

Health

2.24 Fiji's life expectancy at birth is comparatively high at just over 70 years, reflecting higher than regional average health outcomes. The government provides generous public health services, including free primary and secondary health care. However, x-ray and other support services are not generally subsidised.

2.25 There are five main hospitals in Fiji, four of them State-funded institutions, while the fourth, Suva Private, is a commercial facility. Two of the hospitals are in Suva (Colonial War Memorial Hospital and Suva Private), one in Lautoka, with two smaller hospitals in Nadi and Sigatoka. The level of services offered varies greatly between hospitals, and in general there are very few options for serious emergency care. A summary of the services offered is as follows.

- Colonial War Memorial Hospital (CWM), Suva, is the major public hospital and a teaching hospital. As of 2016, it employed 163 doctors and had 473 beds, but the facilities are very old. Most specialities are represented, but in many fields there is only one specialist. It has an intensive care unit (ICU), coronary care unit (CCU), neonatal intensive care unit (NICU), paediatric intensive care unit (PICU) and a burns unit. Dialysis is available at the adjacent Kidney

Foundation, but is restricted to reversible causes of disease. The hospital has an MRI scanner (the only one in Fiji) and a CT scanner, but does not have an operational computerised patient record system. The single cardiac catheter lab hosts visiting specialists from Australia and elsewhere, who perform monthly lists and assist in training the only local interventional cardiologist.

- Suva Private Hospital, now sixteen years old, is the only significant private hospital in Fiji. It has 40 beds and runs at about 50-60 per cent occupancy. Visiting specialists, including a paediatrician, cardiologist, general physicians, general surgeons, orthopaedic surgeon, two obstetricians and gynaecologists, and a visiting psychiatrist, regularly attend. Digital x-ray and quality ultrasound are available. Ophthalmologists are shared with the Pacific Eye Hospital. Some services are shared with CWM, such as MRI and cardiac catheter services.
- Lautoka Hospital is the main public hospital in the west of Viti Levu, to which serious cases are referred to by the other hospitals in the tourist precincts. It has four main sections including medicine, surgery, obstetrics and gynaecology, and paediatrics. The hospital has a basic NICU but limited adult ICU with only two ventilators available, and a small CCU. In 2016, the availability of only one anaesthetist at the hospital limited the number of operations.
- Nadi Hospital is a smaller hospital known as a feeder hospital to Lautoka. Only 11 doctors are based here, all of whom are general practitioners (GP), with no specialists in emergency medicine or anaesthetics. There is a small CCU, but no ICU nor ventilators. The operating theatre is normally locked unless a surgical flying-squad is ever required from Lautoka.
- Sigatoka Hospital is a smaller local hospital in the tourist precinct staffed by seven GPs. It can provide basic level emergency service, transfers all serious cases as there is no specialist or surgical team presence. It does, however, have a new antenatal and labour ward, which provides good services for local women and babies.

2.26 Fiji has an estimated 2.1 hospital beds per 1,000 population and spent approximately three per cent of its GDP on health in 2014. These figures are comparable to regional averages. Due to the complexity of inter-island transportation, access to health care services in rural areas can be a challenge. Some contacts reported more difficulty for lesbian, gay, transgender, bisexual, transgender and intersex (LGBTI) people in accessing health services. There were also anecdotal reports of Indo-Fijians waiting longer periods of time at public hospitals when indigenous nurses were present; however DFAT was unable to independently verify these reports.

Education

2.27 Enrolment rates in primary education are near 100 per cent. Enrolment in secondary education was approximately 80 per cent in 2016. In practice, however, many children are officially enrolled but do not attend school. Some parents prioritise community events or cultural attendance, e.g. two-week funeral, above school attendance. Sources informed DFAT that it is quite common for children to miss 30-40 days per term. For children who are out of school, there is no follow-up and no repercussions. Similarly, there is a high dropout rate at high school, especially in year nine for iTaukei boys (indigenous Fijians, see [Indigenous Fijians \(iTaukei\)](#)) and Indo-Fijian girls. The high drop-out rate for iTaukei boys relates to their status in the community and influence of their fathers; the drop-out rate for Indo-Fijian girls relates to transport costs and parental resistance to girls' education.

2.28 Fiji has public and private schools at primary and tertiary levels. The overwhelming majority (over 90 per cent) of Fiji's schools are run by religious or community organisations, with government subsidies. These

schools are required to provide access to all students regardless of religion or ethnicity; are required to teach in English (but both Hindi and Fijian are taught in schools); and are required to adhere to government-approved curricula. DFAT is not aware of any allegations of discrimination in provision of education.

2.29 The government currently provides primary and secondary education free of charge, with plans to extend free education to pre-primary levels. The government has also implemented a free textbook scheme and bus fare subsidies. There remains a high disparity in access to education and standard of delivery between urban and rural areas.

Employment and welfare

2.30 Fiji's labour force participation rate in 2016 was approximately 59 per cent. There remained a significant gender disparity in labour force participation: approximately 42 per cent of women and 76 per cent of men participated in the labour force. The official unemployment rate was approximately 6.2 per cent in 2015; however, youth unemployment (18-25 years) is much higher at 18.2 per cent.

2.31 The government raised the national minimum wage in 2017 from FJD2.32 (AUD1.49) per hour to FJD2.68 (AUD1.72) per hour. The *Employment Relations (National Minimum Wage) Regulations* stipulate that all employers must display a written national minimum wage notice in their workplace to inform employees of their rights. There is no up-to-date official poverty-level income figure, but the US State Department Fiji human rights report for 2016 reports that the minimum wage does not typically provide a decent standard of living for a worker and family.

2.32 The pension system in Fiji consists primarily of the Fiji National Provident Fund (FNPF), which covers only workers in the formal sector. In addition, specific categories of civil servants and military personnel receive a state pension. Elderly people outside the formal sector (or with very small savings accumulated through FNPF) face challenges with income security. According to credible sources, the FNPF pension and the Family Assistance Program (FAP) cover only approximately 30 per cent of the populations aged over sixty. As a result, community support and remittances play a significant role in supporting elderly family members.

POLITICAL SYSTEM

2.33 Fiji's 2013 Constitution provides for a Westminster system of government. Legislative authority is vested in a unicameral parliament of 50 members. The parliament is elected on the basis of proportional representation, through a multi-member open list system. Elections must be held every four years.

2.34 The Prime Minister is elected by parliament and serves as the head of government. There is no limit on the number of terms he or she can serve. The Prime Minister chairs the Cabinet, which consists of Ministers appointed by him or her. The members of Cabinet are accountable to the parliament.

2.35 A President is appointed by the Prime Minister. The President is the head of state. The President can serve up to two terms of three years each. The Constitution grants executive power to the President, but also constrains him or her to act only on the advice of the government.

2.36 Governance and political power has been relatively centralised throughout Fiji's modern history and the 2013 Constitution continues this practice by not formally devolving power to local governments. In practice, government expenditure remains relatively centralised.

2.37 However, regional governance systems that pre-date the 2013 Constitution remain in place. Fiji is divided for administrative purposes into four divisions (Northern, Central, Eastern and Western) and one dependency (Rotuma). Divisions have a minimal role in the provision of local government services.

2.38 The divisions are further divided into a total of fourteen provinces. Provincial councils represent the 'vanua' or traditional Fijian chiefly system and are responsible largely for indigenous Fijian affairs. The Ministry of iTaukei Affairs constitutes and manages them. Tribal chiefs are commonly appointed as council presidents, though commoners have also been appointed in recent years. Each province is further subdivided into districts and villages (koro). Again, these systems largely represent the interests of indigenous Fijians (see [Land Rights](#) and [Indigenous Fijians](#) for further information). Some services are provided to Indo-Fijians in rural areas through faith-based organisations.

HUMAN RIGHTS FRAMEWORK

2.39 Fiji's 2013 Constitution contains a comprehensive Bill of Rights. Among others, the Constitution specifically protects the rights to life, liberty, equality and freedom from discrimination, as well as the freedom of movement, assembly, expression and religious belief. Alleged breaches of the Bill of Rights are justiciable in the High Court. The Constitution sets out the mandate and functions of a Human Rights and Anti-Discrimination Commission (FHRADC).

2.40 The Bill of Rights is weakened by numerous caveats. Most significantly, any right can be restricted by law and during a state of emergency. A general 'claw-back clause' provides that any right can be limited where that limitation is 'necessary' and 'prescribed by law'. Key rights including of association, expression and assembly can also be restricted on grounds relating to public safety, national security and the orderly conduct of elections (see [Political Opinion](#)).

National Human Rights Institution

2.41 The Constitution establishes the FHRADC as the successor to the Fiji Human Rights Commission, but, like its predecessor, the law prohibits the FHRADC from investigating cases filed by individuals and organizations relating to the 2006 coup and the 2009 abrogation of the previous constitution. On 16 March 2016, after a lapse of seven years, the FHRADC announced the appointment of Ashwin Raj as the commission's new director. Raj also maintains his position as chair of Fiji's Media Industry Development Authority (MIDA).

2.42 The FHRADC receives reports of human rights violations lodged by citizens and has the power to investigate. In July 2016, the FHRADC reportedly assisted with the case of young male who alleged police, while detaining him for interviewing as a crime suspect, beat him. The US State Department reported that the FHRADC had received 703 complaints of human rights violations since 2013.

SECURITY SITUATION

2.43 Fiji is generally stable and secure. The 2006 coup did not affect the country's overall crime rate. Elections in 2014 were calm and free of violence. Security services, including police and military, are well resourced and maintain effective control of the country (see [State Protection](#)).

2.44 Crime rates are moderate. Rates of petty theft, robbery and murder are higher than in Australia, but consistent with regional averages. Increasing crime rates in recent years are most likely a result of youth unemployment and internal relocation to the cities. For example, police statistics indicated that the number

of recorded crimes against public morality (rape, attempted rape, and indecent assault) increased from 966 in 2008 to 2,980 in 2012. Part of this increase may also reflect higher rates of reporting. This trend affects Suva in particular. In January 2017, the government released the Fiji Police Force 2016 crime analysis report. Commissioner of Police, Sitiveni Qiliho, stated there was a reduction of four per cent in the overall crime rate after an 18 per cent increase for the 2014-2015 period. The recorded rates for violence against women however were criticised by the Fiji Women's Crisis Centre, which argued that the report does not reflect the reality on the ground for female victims of domestic and sexual violence (see [Women](#)).

Land Rights

2.45 Land tenure remains a sensitive issue. Indigenous Fijians communally hold approximately 87 percent of all land, the government holds four per cent, and the remainder is freehold land, held by private individuals or companies. The iTaukei Land Trust Board (TLTB) holds all indigenous land in a statutory trust in accordance with the provisions of the iTaukei Land Act, and administers the land on behalf of the landowners.

2.46 There are different categories of land ownership, commonly referred to as traditional groupings. The groupings include:

- Vanua: an independent Kingdom of its own comprising one or several yavusa.
- Yavusa: a collection of closely related families joined together or living closely together.
- Mataqali: those Agricultural family groups that lived in close proximity and were related to each other by ties of marriage.
- Tokatoka: a division of the Mataqali into two or more tokatokas or family divisions.

2.47 The *iTaukei Land Trust (Leases and Licenses) Regulations* stipulate that any monies received by the board by the way of rents and premiums in respect of the iTaukei land shall be distributed by the board to all living members of the proprietary unit in equal proportion. The TLTB's website lists specific information on land ownership structures and schedule of fees: for ownership structures see: <http://www.tltb.com.fj/itaukei-landowners/> and for fees schedule see: <http://www.tltb.com.fj/school-of-fees/>.

2.48 Nearly all Indo-Fijian farmers must lease land from ethnic Fijian landowners. Many Indo-Fijians believe that limits on their ability to own land and their consequent dependency on leased land from indigenous Fijians constitutes de facto discrimination. Many indigenous Fijian landowners believe that the rental formulae prescribed in the national land tenure legislation discriminate against them as the resource owners. This situation contributes to communal tensions; however, DFAT is not aware of any resulting violence during 2016 and 2017.

2.49 All indigenous Fijians are automatically registered by law upon birth into an official Fijian register of native landowners known as the Vola ni Kawa Bula (native land register). The register also verifies access for those listed to indigenous communally owned lands and justifies titleholders within indigenous communities. Women are often excluded from the decision-making process on disposition of indigenous communal land, even though they have full rights of inheritance and property ownership by law (see [Women](#)).

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 The 2013 Constitution provides for freedom from discrimination on the basis of race / ethnicity. However, land rights of indigenous Fijians and Rotumans are protected under the Constitution. This provision underwrites the system of land ownership which generally discriminates against Indo-Fijians and other non-indigenous Fijians (see [Land rights](#)).

3.2 Since 2009, the government has undertaken a program of reform aimed at reducing the role of ethnicity in Fiji's politics. It has reformed or removed racially-based aspects of the political system, including by abolishing separate ethnic-based voter rolls and the Great Council of Chiefs. The 2014 election outcome suggested that a strong majority of Indo-Fijians and a significant plurality of indigenous Fijians support this agenda. Without discounting the importance of race in communal and political relations, Fiji is an increasingly multi-racial and racially integrated country.

3.3 Land rights provisions remain important to understanding ethnic relations in Fiji. The reforms undertaken by the government between 2010 and 2013 to Fiji's land ownership systems are consistent with its attempts to de-racialise and democratise Fijian politics. However, there remains a fundamental division between Indo-Fijians and indigenous Fijians based on the limitations around land ownership (see [Land rights](#)).

3.4 In addition to Indo-Fijians and indigenous Fijians, Fiji's population also includes smaller communities of Rotumans, Chinese, Europeans, other Pacific Islanders and many of mixed race. These minority groups do not generally face official or societal discrimination, though the protections which apply to indigenous Fijians do not always provide protection to these minority groups. These groups have not formed significant cohorts of asylum seekers to Australia and are not covered further in this report.

Indo-Fijians

3.5 The majority of Indo-Fijians (approximately 250,000 in total) are descendants of north Indians. The majority of this group are Hindu, but it also includes Muslims and Sikhs. Their primary social representative groups have been religious, including the Shree Sanatan Dharm Pratinidhi Sabha and the Fiji Muslim League (see [Religion](#)).

3.6 South Indians are a smaller group. Again, the majority is Hindu but also includes small numbers of Muslims and Christians. TISI Sangam (which claims approximately 30,000 members) and Andhra Sangam (which has approximately 2,000 to 5,000 members, localised around Ba and the West of Viti Levu) generally represent Tamil-speaking South Indians.

3.7 Distinctions between ethnic subgroups have blurred over time, including through inter-marriage and the diminution of caste distinctions (given the mixing of social groups, the caste system was enforced less rigorously in Fiji than in India). The blurring of social groups is evidenced by the emergence of a Fijian dialect of Hindi.

3.8 Instances of official discrimination against Indo-Fijians are limited. In the September 2014 election, the Bainimarama government drew strong support from the Indo-Fijian population (up to 80 per cent of the Indo-Fijian vote). DFAT assesses that the strength of Indo-Fijian support for the government is in large part because of its non-discriminatory policies in contrast to the strong nationalist stance of the major opposition party, SODELPA.

3.9 In general, Indo-Fijians and indigenous Fijians co-exist amicably. While the two groups have distinct cultural traditions, over 100 years of co-existence in Fiji has led to a substantial degree of cultural overlap between the two groups and a level of social symbiosis exists. For example, it is common for Indo-Fijians to drink kava (yaqona in Fijian; a plant of Pacific origin with sedative effect and a central role in traditional Fijian ceremonies), and for Fijians to eat curries and to celebrate Diwali. Many Indo-Fijians identify primarily as Fijian and secondarily, or not at all, as Indian. However, there are some Indians who strongly maintain Indian pride and refer to themselves as 'Indians'. Many Indo-Fijians, particularly in rural areas, speak or understand Fijian.

3.10 Overall, DFAT assesses that Indo-Fijians face a low level of official and societal discrimination based on their race/nationality.

Indigenous Fijians (iTaukei)

3.11 Indigenous Fijians descend from Melanesian groups arriving in western Fiji, and from Tongan, Samoan and other Polynesian groups arriving in eastern Fiji over the last several thousand years. Fijian culture is thus diverse and varied across the country. Prior to European contact, Fijian culture was fluid, but was generally hierarchical and patrilineal, and structured into a number of families, tribes, clans, and confederations.

3.12 Indigenous Fijians constitute nearly 60 per cent of Fiji's population. Despite constituting a majority, some Fijians continue to feel a sense of economic marginalisation. It is difficult to generalise their socio-economic situation, but on average indigenous Fijians are less engaged in the cash economy, have lower educational outcomes, and have larger households. Indigenous Fijians are engaged in all aspects of the economy, but predominate in non-sugar agriculture, primary industries, fishing and fish processing, and in government. They are under-represented in business, professional services and the transport sector.

3.13 In part to protect the Fijian culture and way of life, early British governors established a 'native administration', which entrenched the tribal / hierarchical relationships prevalent in parts of Fiji at the end of the 19th century. Though modified and renamed, much of this administrative system continues to exist today. It consists of an iTaukei Affairs Board (the 'guardian' of the Fijian administrative system and other aspects of Fijian custom); an iTaukei Lands Commission (which registers the names of each member of a mataqali, or tribe); the iTaukei Land Trust Board (which manages native land leases); provincial (yasana) councils; and district (tikina) councils. Other elements of the 'native administration', such as the Great Council of Chiefs (Bose Levu Vakaturaga) which was once able to appoint Senators, have been disbanded by the interim government in the name of removing indigenous privilege as part of its attempts to de-racialise Fijian politics.

3.14 The continued existence of the indigenous Fijian administration (provincial councils and the iTaukei affairs ministry) is a minor form of positive discrimination towards indigenous Fijians. The overwhelming majority of government services are centrally delivered and provided on a non-discriminatory basis. Other services, including rural development, are provided through the indigenous Fijian administration and could be considered to unfairly advantage these groups on the basis of their ethnicity.

3.15 In remote rural and outlying island areas, indigenous Fijians are generally an overwhelming majority of the population and are unlikely to be the victims of societal discrimination. In many cases, there is strong societal cohesion and a strong degree of cooperation between indigenous landowners and Indo-Fijian tenants (see [Land Rights](#)).

3.16 Overall DFAT assesses there is no official discrimination against indigenous Fijians. DFAT also assesses that there is a low level of societal discrimination against indigenous Fijians.

RELIGION

3.17 The 2013 Constitution establishes Fiji as a secular state and guarantees freedom of religion. The Constitution provides specifically for protection from religious discrimination. Freedom of religious belief is widely respected in practice in Fiji. Fiji's government states its commitment to addressing discrimination and promoting a vision of equal rights and equal treatment for all Fijians regardless of race, including freedom of religion and belief. Designated public holidays include Christian, Hindu and Muslim holy days. In October 2015, retired Major General Jioji Konrote, a Seventh-day Adventist, was elected as the country's first non-Methodist President.

3.18 The idea of defining Fiji as a Christian state (even if only symbolically) retains some currency – this has been promoted by some groups who wish to restore indigenous prerogatives such as a more prominent role for Fiji's chiefs. The current government abolished those prerogatives as inconsistent with democracy and equal treatment of all Fijians. The government rejected proposals for a recognition of Fiji as a Christian country during the 2013 consultations in the lead-up to the drafting of Fiji's new constitution. Several (small) groups were charged with sedition after they sought to proclaim the existence of regional 'independent Christian states' to challenge government policy on indigenous issues.

Methodists

3.19 The Methodist church in Fiji claims 200,000 members. Historically, it has been Fiji's most politically influential religious organisation. Members are overwhelmingly indigenous Fijian, though the Church also has approximately 8,000 Indo-Fijian members. Separate services are held in Fijian, Hindi and English according to the needs of particular congregations.

3.20 Historically, there have been close links between Fiji's nationalist-leaning institutions, including the Methodist church, the military, the vanua (Fiji's traditional chiefly power structure) and the former political party Soqosoqo Duavata ni Lewenivanua, or SDL (which has been succeeded by the Social Democratic Labour Party, SODELPA).

3.21 Under the current government's reforms directed at the de-racialisation of the political system, the Methodist church has been pressured to distance itself from politics. The apparent goal of this pressure has been to ensure that the Methodist church does not act as a base for nationalist political sentiment. In parallel, internal reforms within the Methodist church have encouraged separation between the Church's religious and political activities. For example, members of the Church must now step down before running for political office.

3.22 However, in April 2016 the Methodist church issued a submission to Parliament on proposed village by-laws. The submission went beyond the village by-laws to general criticism of the protection of indigenous rights in Fiji. Prime Minister Bainimarama issued a statement in Parliament on 24 April 2016 calling the Methodist Church the 'mouthpiece' of opposition party SODELPA. The RFMF also issued a statement on 26

April saying the submission could provoke ‘the re-emergence of deep rooted racial issues that encouraged and caused past periods of ethnic tension and instability within the country’.

3.23 At times in recent years the interim government has restricted the Church’s public meetings. The Church was required to apply for permits to hold public meetings, under the provisions of the Public Order (Amendment) Decree 2011, and permits were frequently withheld or issued with strict conditions. Generally, restrictions on the Methodist church began in 2009 and were gradually loosened thereafter. As of 2017, there are no remaining restrictions on the Church’s ability to hold public meetings.

3.24 Overall, DFAT assesses that there is now little to no official or societal discrimination against members of the Methodist church based on their religion.

Hindus

3.25 Based on 2007 census figures, approximately 28 per cent of Fiji’s population, or 250,000 people, are Hindu. This constitutes approximately 75 per cent of Fiji’s 340,000 Indo-Fijians.

3.26 Religiously, the majority of Fijian Hindus can be broadly categorised as Sanatani, or people who acknowledge the religious significance of the Vedic scriptures but also accept non-Vedic traditions, including the caste system, idol-worship and the introduction of non-Vedic deities. The Shree Sanatan Dharam Pratinidhi Sabha, a religious, educational and cultural organisation, represents the majority of the over 200,000 Sanatani in Fiji.

3.27 A minority of Fijian Hindus are Arya Samaj, or people who regard the Vedas as revealed scripture and seek to strip away non-Vedic traditions. There are approximately 50,000 Indo-Fijian Arya Samaj, mostly represented by Arya Pratinidhi Sabha (a religious, educational and cultural organisation).

3.28 The government and authorities respect and protect Hindus’ freedoms of religion, belief and worship. There are Hindu temples across the country. Hindu religious and representative organisations operate freely.

3.29 At times of political instability, there have been instances of inter-communal tensions between indigenous Fijians and Indo-Fijians. Mostly nationalist (indigenous Fijian) supporters, rather than religious motivation drove riots during the 2000 coup. Cases of vandalism occurred at Hindu temples and prayer halls between 2000 and 2010. There have been no reports of Hindu temples or prayer halls being vandalised during the past three years.

3.30 Overall, DFAT assesses that Hindus face a low level of official and societal discrimination based on their religion.

Muslims

3.31 An estimated 16 per cent of the Indo-Fijian community is Muslim, widely distributed across the country but concentrated in north-west of both main islands (Viti Levu and Vanua Levu).

3.32 Most Fijian Muslims are Sunni. Most Sunnis follow the Hanafi school, though some, primarily those descended from Indians from the Kerala region, follow the Sha’afi school. The Fiji Muslim League is a significant representative of Hanafi Sunnis.

3.33 There is a small Ahmadiyya minority (approximately 3.5 per cent of Fiji’s Muslim community). The Maunatul Islam Association of Fiji purports to represent this group.

3.34 In addition to the general constitutional and legal protections outlined above at [Religion](#), the government and authorities respect and protect Muslims' freedoms of religion, belief and worship. There are mosques in Suva and Nadi and elsewhere. Muslim religious and representative organisations operate freely.

3.35 Muslims are generally well-integrated into Fijian society. Distinctive Islamic dress can be observed on the streets of Suva and Nadi. There is some anti-Muslim sentiment, in particular in relation to the hostage-taking of Fijian peacekeepers by Syrian rebels in 2014. For example, during the September 2014 elections, former Prime Minister Sitiveni Rabuka stated that Fiji's Muslim community may 'face a backlash' over the hostage taking. Rabuka later said that his comments had been misunderstood and he was not attempting to incite ethnic tensions.

3.36 Claims of nepotism and favouritism stemming from appointments and awarded contracts made by the Attorney-General, Aiyaz Sayed-Khaiyum, to Muslim individuals and businesses also add to animosity against the Muslim community. On 6 July 2016, allegations of nepotism were made against the Attorney General by the opposition member, Ratu Isoa Tikoca, stating that animosity was growing amongst Fijians over the concentration of power amid the Muslim elite. The Attorney General refuted the accusations and Tikoca was subsequently suspended from parliament for the remainder of his two-year term.

3.37 Overall, DFAT assesses that Muslims in Fiji face a low level of official and societal discrimination based on their religion.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.38 Fiji's Constitution guarantees freedom of speech, expression and publication, assembly and association. However, each of these rights is subject to broad caveats and can be limited by laws relating to national security, public safety, public order, public morality, public health and the orderly conduct of elections.

3.39 The *Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Decree 2013* and *Electoral Decree 2014* provide the legislative framework for the registration and conduct of political parties. Some of the administrative processes for establishing a political party are restrictive: for example, there are harsh penalties for non-compliance, parties must gather 5,000 signatures to register and candidates can be barred from elections for any election-related offences.

3.40 A range of decrees in place prior to the 2013 Constitution limits these rights in practice. In particular, *The Public Order (Amendment) Decree 2012* permits the Commissioner of Police to prohibit or subject to such conditions as he/she sees fit any procession, meeting or assembly on the grounds of public safety or public order. Under this decree, from June 2012 until late 2014, NGOs, political parties and others were required to seek permits to hold public meetings. At times these permits were withheld (further detail is provided below at relevant sub-sections). The implementation of this policy gradually became less strict, and by late 2014 political groups did not generally need to seek permission to hold public meetings. The new *Public Order Amendment Act 2017* removes the requirement for a permit for a meeting in a public place; a permit is still required for a meeting organised or convened in a public park or on a public road.

3.41 Credible sources reported an increase in self-censorship by members of civil society on political issues. Broad powers and harsh penalties under relevant decrees, and a relatively recent history of prosecutions mean that public figures continue to tread carefully in their expression of public opinion. In general, DFAT assesses that high-profile public figures, including the leaders of organisations, who may be seen to challenge the government's authority or undermine its legitimacy, are at risk of negative attention, such as arrest or detention.

Opposition parties

3.42 A range of opposition political parties contested the 2014 elections. Most representatives of opposition political parties have told DFAT that police and military routinely monitored and followed them during the campaign. Some reported continuing monitoring in 2017, intensifying in the lead up to the 2018 election. Monitoring was in some cases relatively open and cordial (for example, a polite telephone call enquiring after the subject's movements and plans), sometimes annoying (for example, a vehicle parked outside the home), and sometimes intimidating (for example, overt police presence at a political gathering).

3.43 Credible contacts allege that the government brought charges against opposition political party leaders, including former Prime Ministers Qarase and Chaudhry, in order to disqualify both from running in the 2014 election: according to the Constitution, individuals convicted of a crime with a maximum sentence exceeding 12 months are ineligible to run as candidates. Charges against Chaudhry relate to bringing foreign currency into the country without informing the reserve bank. Those against Qarase relate to abuse of office while he was Chairman of Fijian Holdings from 1992 to 1995. Credible legal professionals in Fiji assessed that the grounds for bringing these cases to court were weak and pointed out that more serious allegations against other people had not been prosecuted.

3.44 Since Fiji's 2014 election, three Opposition MPs have been disqualified from Parliament for periods of at least two years:

- on 29 September 2016, SODELPA MP Ratu Isoa Tikoca was suspended until the 2018 election for making statements that 'intentionally targeted Fijians who are Muslims or adherents to Islam';
- in June 2016, National Federation Party (NFP) MP Tupuo Draunidalo was suspended until the 2018 election for insulting the Education Minister; and
- in May 2015, SODELPA MP Ratu Naiqama Lalabaluva was suspended for two years for making offensive comments about the Speaker.

3.45 On 10 September 2016, police detained opposition NFP Leader, Dr Biman Prasad; opposition SODELPA Leader, Sitiveni Rabuka; Fiji Islands Council of Trade Unions Leader, Attar Singh; former SODELPA politician and academic, Dr Tupeni Baba; Director of the NGO Pacific Dialogue, Jone Dakuvula; and Fiji Labor Party Leader, Mahendra Chaudhry. They were arrested 'on suspicion of having breached the Public Order Act 1969 (as amended)' for attending a public meeting that police had not permitted. Credible sources informed DFAT that all detained were taken to a police station in Suva, charged and subsequently released. Authorities dropped the charges on 17 October 2016, citing insufficient evidence and noting the arrests 'appeared selective'.

3.46 Overall, DFAT assesses that senior members of opposition political parties (those running for office) in Fiji are at a moderate risk of being monitored and intimidated by security services. They are at a low risk of being arbitrarily detained or otherwise harassed. The leaders of opposition political parties are at a moderate risk of being harassed and monitored, especially in the lead-up to elections.

Trade unionists

3.47 In 2015, Fiji avoided the establishment of a Commission of Inquiry by the International Labour Organization (ILO) Governing Board into a complaint made in 2013 about alleged Fiji's non-observance of the Freedom of Association and Protection of the Right to Organise Convention. In March 2016, the ILO Governing Board closed the complaint following an agreement reached between the Fiji government, unions and employers, as well as legislative changes passed by the Fiji Parliament.

3.48 One of the legislative changes was the entry into force, on 15 February 2016, of the *Employment Relations (Amendment) Act* of 2016. The law expands reforms introduced by the Employment Relations Act of 2015 following the joint report issued by the Fiji Commerce and Employers Federation, the government, and the Fiji Trades Union Congress (FTUC) on 29 January 2016. The new law provides all workers the right to form and join independent unions, bargain collectively, and strike. The 2016 act also reinstated any employment dispute terminated under the Essential National Industries Decree (ENID, repealed in 2015). According to the US State Department's 2016 report on human rights practices for Fiji, 186 individual worker disputes terminated under the ENID had been referred to Arbitration Court as at 17 October 2016.

3.49 The two trade union umbrella bodies, the FTUC and the Fiji Islands Council of Trade Unions, were able to hold meetings during the year and operate without government interference. There was one arrest of a trade union leader in 2016: Attar Singh was arrested on 10 September 2016 with several opposition party leaders for allegedly meeting without a permit. The ODPP subsequently dropped the charges citing insufficient evidence and 'selective arrests' (see [Opposition parties](#)).

3.50 DFAT assesses that trade union members and leaders are at a low risk of harassment or detention and a low risk of arbitrary detention and assault.

Fiji Democracy and Freedom Movement (FDFM) or Pacific Indigenous Samaritan Association (PISAI)

3.51 The Fiji Democracy and Freedom Movement (FDFM) and the Pacific Indigenous Samaritan Association (PISAI) do not have a reported presence in Fiji and are both based in Australia. Fijian applicants for protection visas have raised association with these organisations as the basis for refugee status. However, DFAT is not aware of any interest in Fiji regarding persons associated with either organisation, with the exception of Mereoni 'Oni' Kirwin, who is reportedly banned from entering Fiji, due to her attempts to form a so-called Christian State in Ra and Nadroga (under the banner of PISAI and FDFM) and supporting some persons now in custody.

3.52 In August 2015, several media outlets reported around 40 indigenous 'rebels' had been arrested for conducting 'military-style training' in Ra province in the north of Fiji's main island, Viti Levu. Police officers were deployed to the province in search of alleged firearms used, but none were reportedly found. On 16 August 2015, 16 people were reportedly arrested in Nadroga-Navosa province for causing communal antagonism and sedition for signing the 'Provincial Institutions of Self Government' of the Nadroga Navosa Christian State. During the week of 10-15 August, a further 37 individuals associated with the Ra Sovereign Christian State were arrested. The pro-government Fiji Sun was particularly vocal when reporting on the issue, often conflating the incidents and alleging links to the main opposition political party, SODELPA. Credible sources agree that the government sensationalised the situation for political gain.

3.53 Provincial councils in Ra, Ba and Nadroga-Navosa provinces and chiefs have distanced themselves from the groups involved and pledged their allegiance to the Bainimarama government. The SODELPA opposition party officially denied any links to the groups involved.

3.54 At the time of writing, 16 individuals from Ra province remain on bail on sedition charges for allegedly attempting to form a separate Christian state in their province. They appeared in Lautoka High Court on 16 March 2017, pleaded not guilty to the charges and bail was extended. The trial began on 14 August.

3.55 A separate sedition trial involving 14 remaining individuals from Nadroga province, charged with two counts of sedition for their alleged involvement in attempting to establish a separate Christian state, will also

take place at Lautoka High Court. The group appeared in court on 29 March 2017 and pleaded not guilty to the charges. The trial will reportedly proceed on 20 October 2017.

3.56 Overall, DFAT assesses that individuals associated with the FDFM or PISAI are at a low risk of harassment and arrest or detention by the government solely for being a member or supporter. Individuals or groups who organise and take actions to create Christian separatist states within Fiji are at a moderate to high risk of harassment and arrest by authorities.

GROUPS OF INTEREST

Human Rights Organisations

3.57 The *Charitable Trusts Act* (Cap 67) regulates non-government organisations (NGOs) in Fiji, as amended by the *Charitable Trusts (Amendment) Decree* 2011 and the *Charitable Trusts (Amendment) Decree* 2013. The latter amendments broaden the ability of the Minister to revoke the appointments of the board of trustees or other officials of an NGO. In practice, a small number of NGOs were de-registered under the Charitable Trusts Act, in 2001, and under the subsequent decrees. However, these provisions have not been used in recent years.

3.58 Overall, most NGOs and human rights activists in Fiji have freedom of operation and are able to hold public meetings; publish reports and documents; implement programs and meet with government and non-government figures. Nonetheless, the environment for civil society is subject to certain legal and non-legal constraints, as set out below.

3.59 NGOs are subject to certain provisions of the *Electoral Decree* (2011), including section 115, which prohibits civil society organisations from participating in campaign activities related to an election, defined broadly to include debates, forums, discussion panels or publishing any material. Breaches can carry a fine of AUD31,374 and / or a 10 year prison term. Police used section 115 during the 2014 election to shut down a forum held by a civil society organisation regarding the elections.

3.60 The Constitution establishes the Fiji Human Rights and Antidiscrimination Commission (FHRADC) as the successor to the Fiji Human Rights Commission, but, like its predecessor, the law prohibits the FHRADC from investigating cases filed by individuals and organizations relating to the 2006 coup and the 2009 abrogation of the previous constitution. After a seven-year vacancy, FHRADC announced the appointment of Ashwin Raj as the commission's new director.

3.61 Overall, DFAT assesses those members of NGOs and human rights activists in Fiji who are outspoken in their opposition to the government, or who engage in public protests critical of the government, are at a moderate risk of monitoring and harassment by the military and of harassment through the court system.

Media

3.62 Fiji has a range of non-government television and radio stations and newspapers. The 2013 Constitution protects freedom of speech, expression, publication, including specific protection for freedom of the press. However, the law can limited these protections on grounds of national security, public safety, public order, and a broad range of other reasons. Permissible grounds for limiting these freedoms include 'maintaining the authority and independence of the courts' and 'making provisions for the enforcement of media standards'.

3.63 Relevant legislation includes the *Media Industry Development Decree 2010*, *Newspaper Registration Act*, *Television Decree 1992*, and *Television (Amendment) Decree 2012*. The Media Industry Development Decree established the Media Industry Development Authority (MIDA), which maintains responsibility for censoring material considered threatening to public interest or order. The MIDA has wide powers of investigation, including powers to search and seize. A Media Tribunal can hear complaints referred by the MIDA. The Tribunal has authority to impose punitive measures, including fines and jail terms. The *State Proceedings (Amendment) Decree 2012* grants immunity to public officials for any statements made to the media.

3.64 In recent years, journalists and media companies have been subject to varying forms of pressure, particularly in response to criticisms of the government, the Prime Minister, or the independence of the judiciary. Several foreign journalists, including Michael Field (Fairfax) in 2007, Barbara Dreaver (TVNZ) in 2008 and Sean Dorney (ABC) in 2009, were deported and banned from entering Fiji. In October 2016, the government reportedly lifted the bans against Field, Dreaver and Dorney two days before Prime Minister Bainimarama arrived in New Zealand for a state visit. Fiji's Ministry of Information released a statement stating any journalist, after accreditation by the Department of Information, is now free to visit the country and report without restriction.

3.65 Following elections in 2014, credible sources reported limits to the media's freedom to report on issues critical of the government. For example, one newspaper carried sustained coverage of allegations of widespread abuse of public funds under the interim government from 2007 to 2013. Though such reports are implicitly critical of the government, journalists remain careful not to make direct accusations. Sources agreed a high degree of self-censorship occurs. The government's 'red lines' are unclear with any subject potentially deemed too sensitive depending on the political climate.

3.66 In the 2017, Reporters Without Borders' World Press Freedom Index, Fiji improved its ranking on the degree of freedom available to journalists to 67 out of 180 countries, up from 80 in 2016. Despite this, Fiji still ranks lowest in the region, behind Papua New Guinea (51), Tonga (49) and Samoa (21). At the same time, some genuine improvements on the very restrictive environment that existed prior to the 2014 election have occurred. While the Media Industry Development Decree still hangs over the media, MIDA has been less active since mid-2014. Its Chairman, Ashwin Raj, now divides his time with his new role as Director of the FHRADC.

3.67 On 17 August 2016, the Fiji Times General Manager (Hank Arts, a New Zealand national), Editor (Fred Wesley), Editor of the paper's iTaukei supplement, Nai Lalakai (Anare Ravula) and the author of a letter published in the paper (Josaia Waqabaca) were charged with 'inciting communal antagonism' under s62(2)(a)(i) of the Crimes Decree. This section prohibits any communication that promotes 'feelings of enmity or ill-will between different communities, religious groups or classes of the community.' The charge relates to the publication of a letter that included a statement, in Fijian, that was derogatory of Muslims. The prosecution is widely interpreted as a government effort to intimidate the Fiji Times, arguably the most independent and widely read publication in Fiji. The charges of 'inciting communal antagonism' subsequently changed to sedition. Amnesty International called on the government to drop the 'politically-motivated sedition charges' in a statement on 27 March 2017. On 27 July 2017 at the most recent court appearance, Justice Thushara Rajasinghe found that specific seditious intent was an essential element of the offence of sedition as defined by the Crimes Act, and required the prosecution to prove the seditious intent existed. This is an important procedural victory for senior management of The Fiji Times, as they were unaware of the offending letter's content. The substantive trial is now due to commence in September 2017.

3.68 Social media is becoming a significant forum for political discussion in Fiji, with approximately 440,000 Facebook users and an active Twitter and blogger community. In a speech at the University of the South Pacific's 2016 open day, Prime Minister Bainimarama warned students about the 'misuse of social

media by some people to cause division and upset'. He said 'freedom of expression is a vital component of any democracy.... but it is not an absolute right. With freedom comes responsibility – a responsibility to keep our society cohesive and protect the rights of every citizen'. Ashwin Raj, Director of the Fiji Human Rights Commission and Chairman of MIDA, called in April 2017 for the government to consider laws to regulate hate speech on social media.

Women

3.69 The 2013 Constitution and legislation protect women's rights to equality and freedom. For example, the *Employment Relations Promulgation 2007* prohibits discrimination on the basis of sex, pregnancy, and family responsibilities. There is little official discrimination against women in law and official policy.

3.70 The *Family Law Act 2003* and a range of recently enacted decrees including the *Domestic Violence Decree 2009*, *Criminal Procedure Decree 2009*, *Crimes Decree 2009*, and *Family Law (Amendment) Decree 2012* provide legislative protection against violence. These decrees have improved the legislative framework for preventing and responding to violence against women, including by expanding authority for police to undertake investigations; providing for Domestic Violence Restraining Orders; expanding the definition of rape (including spousal rape); and increasing penalties for trafficking in women or children.

3.71 In practice, however, Fiji continues to have very high levels of physical and sexual violence against women, even when compared to high regional averages. The Fiji Police Force has ostensibly had a 'no-drop' policy for domestic violence cases since 1995, meaning that cases cannot be dropped by police or withdrawn by the victim and must be investigated. Nonetheless, few cases reach the courts, and those that do are frequently dismissed or light sentences handed down. Due to societal norms, only around a quarter of victims seek official protection. Several shelters are available in Fiji, as well as counselling services. Several women's rights NGOs are active in policy formation and service provision, particularly in the area of violence against women.

3.72 In September 2016, the Ministry of Women and the Fiji Women's Crisis Centre (FWCC) launched a national 24-hour toll-free hotline. The FWCC has operated a hotline previously; however, victims were required to pay for the calls. During the toll-free line's first week of operation, over 100 calls were received from women. The FWCC has emphasised that a host of support services will need to be mobilised and prepared for referrals.

3.73 In practice, police protection is reportedly inadequate to protect women at risk of violence. Families sometimes turn to traditional and religious reconciliation practices in both indigenous and Indo-Fijian communities to mitigate sentences in domestic violence cases. Women who are victims of domestic or sexual violence rarely report the incident due to distrust in authorities' ability to support them, and for fear of shaming their families or village. Lesbians face additional challenges (see [Sexual Orientation and Gender Identity](#)).

3.74 Overall, DFAT assesses women are at a low risk of official discrimination and a moderate risk of societal discrimination. DFAT assesses that women are at a high risk of domestic violence, at the hands of a spouse or intimate partner, with the situation being worse in rural areas and even worse in the outer islands. Credible sources reported that women often feel pressured to accept village compensation and remain in the abusive relationship.

Sexual Orientation and Gender Identity

3.75 Fiji's 2013 Constitution bans discrimination on the basis of sexual orientation and gender identity or expression. The interim government repealed a law criminalising homosexuality in 2010. Same-sex marriage is not legal. In January 2016, Prime Minister Bainimarama was quoted by Fiji's media as saying 'go and have it [same sex marriage] done in Iceland and stay there and live there. Fiji does not need that rubbish'.

3.76 In practice, transgender individuals are socially accepted, but only in certain contexts (fa'afafine, the Samoan 'third gender', has some parallels in Fijian society but is not as widespread). Drag shows are common and broadly accepted in Suva and Nadi. The 'Hibiscus festival', which includes a beauty pageant of transgender men (called Adi Senikau), is held annually in Suva; it has a major corporate sponsor and attracts large crowds. Transgender men are generally accepted as 'entertainers' but may find it difficult to find mainstream employment.

3.77 Homosexual men and women experience limited acceptance in Fiji. There are a few NGOs operating in Suva, but these are cautious in undertaking public advocacy because of continued conservative values in society. Gay men and lesbians often do not come out to their families and are often not accepted when they do, particularly when co-habiting. They may find more acceptance in Suva, particularly in wealthier areas. Societal belief in the efficacy of 'corrective rape' of lesbians remains prevalent in the indigenous Fijian community. This belief reflects the misunderstanding of lesbianism in Fiji. DFAT is not aware of any such cases in recent years.

3.78 Overall, DFAT assesses that LGBTI Fijians are at a low risk of official discrimination, and a moderate risk of societal discrimination.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extra-Judicial Killings

4.1 DFAT is aware of allegations of extra-judicial killings by security services in Fiji. These include the deaths of military officers who were members of the Counter Revolutionary Warfare Unit following the 2000 coup. There are also past allegations of individuals being taken to the barracks and tortured. In some cases, some allegedly died as a result of their injuries.

Enforced or Involuntary Disappearances

4.2 There were no reports of politically motivated disappearances in 2016 nor 2017.

Deaths in Custody

4.3 There are several confirmed cases and credible allegations of deaths in custody resulting from beatings or assaults.

4.4 In 2014, police allegedly assaulted Vilikesa Soko, a suspect in an armed robbery, between the point of his arrest and arrival at the police station. Soko died afterwards, likely as a result of medical complications brought on by the beating. Another suspect, Eroni Baleinukulala, also allegedly sustained serious injuries during his detention. A full investigation and the suspension of four officers was supported by the then Commissioner of Police. In February 2015, the Director of Public Prosecutions, Christopher Pryde, confirmed that eight police officers and one RFMF officer would be charged with manslaughter in relation to Soko's death, and with assault occasioning actual bodily harm to Senijili Boila. The DPP also charged the men with an alternative count of rape in relation to Vilikesa Soko. The government has publicly supported the decision to investigate the incident.

4.5 On 11 November 2016, nine security force members (eight police officers and a military officer) were convicted for their involvement in the 2014 rape, sexual assault, and death in custody of Vilikesa Soko. On 22 November, the judge sentenced each of them to prison ranging from seven to nine years.

Death Penalty

4.6 Fiji abolished the death penalty for ordinary crimes in 1979. It retained the death penalty for treason and mutiny under the Military Code, but Fiji's last known execution was in 1964. The government committed to removing the death penalty from the Military Code in 2010. The Fiji Parliament passed a bill on 11

February 2015 to amend the *Republic of Fiji's Military Forces Act* (Cap81), removing the death penalty provision.

TORTURE

4.7 The 2013 Constitution provides for a right to freedom from torture of any kind. The *Crimes Decree* 2009 creates a specific crime of torture as one of a number of crimes against humanity, punishable by up to 25 years' imprisonment. On 14 March 2016, Fiji ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). However, the Fiji government had four reservations, including:

- Article 1: Fiji would not recognise the definition of torture as provided for in the Convention and would only use the definition of torture expressed in Fiji's Constitution;
- Article 14: Fiji reserved the right to award compensation to victims of an act of torture only subject to the determination of a Court of Law;
- Articles 20, 21 and 22: Fiji would not recognise the Committee Against Torture as the competent authority to investigate allegations of torture, whether these allegations came from other states or individuals; and
- Article 30: Fiji does not recognise paragraph one of this Article (that States that disagreed about the interpretation could seek arbitration).

4.8 In practice, a range of political activists have claimed to have been tortured by security officials, including police and military personnel, particularly during 2011. Though DFAT is not in a position to verify the veracity of individual claims, it is widely recognised in Fiji that some of these claims are credible: for example, in an interview in June 2014, the head of Fiji's armed forces said he 'would not deny' that beatings and torture had taken place under the military regime.

4.9 Since Fiji's September 2014 election, the first since the 2006 coup, there have been several accusations of torture committed by police officers in 2015 and 2016. Four such cases were detailed in Amnesty International's 2016 report, 'Beating Justice: How Fiji's security forces get away with torture'.

4.10 Overall DFAT assesses that individuals who are critical of the government now face a low risk of torture, however events move fast in Fiji and it is conceivable for events to escalate quickly where torture could occur.

CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Arbitrary Arrest and Detention

4.11 The 2013 Constitution provides for the right to freedom from cruel, inhumane, degrading, or disproportionately severe treatment or punishment. The *Crimes Decree* 2009 establishes a specific crime of 'Crime Against Humanity – other inhumane act', punishable by up to 25 years' imprisonment.

4.12 In practice, there are confirmed cases and credible allegations of violent treatment of prisoners by the police and military in recent years.

4.13 In March 2013 a YouTube video emerged of escaped prisoner Iowane Benedito in handcuffs being beaten and sexually assaulted by police and military personnel and another escaped prisoner having a dog set upon him by police. The video attracted worldwide condemnation. Three police officers and two military officers have been charged with offences relating to Benedito's assault and at the time of writing were awaiting trial. At the time of the assault in 2012, then interim Prime Minister Bainimarama stated he would 'stand by' the security personnel involved. A similar event occurred in 2012, involving the alleged severe beating of five prison escapees.

5. OTHER CONSIDERATIONS

STATE PROTECTION

5.1 Fiji has had a long history of functional democratic rule. However, the last 30 years have been peppered with periods of political instability – including four coups, the imposition of martial law and multiple instances of the Constitution being abrogated.

5.2 The 2006 coup and subsequent interim government weakened the rule of law to some extent. The coup itself and some subsequent decisions, including the 2009 abrogation of the previous constitution, were in contravention of established laws. The dismissal of the judiciary in 2009 further weakened the independence of the judiciary and the rule of law.

5.3 The quality of legislative process has diminished following the 2006 coup. All legislation between 2006 and 2014 passed by decree, with little to no opportunity for public debate or scrutiny. Additionally, under the *Administration of Justice Decree* 2009 and the provisions of the 2013 Constitution, decrees cannot be challenged in the courts. Despite the weaknesses in legislative process, the content of legislation by decree was frequently progressive, providing stronger state protection to minority groups than many had previously enjoyed.

5.4 As of late 2014, following the elections, and as a result of the return to constitutional government, the rule of law in Fiji has generally improved in comparison to the situation prior to the elections. For most ordinary citizens, the police and military are effective and impartial. However, the actual ability of institutional checks and balances on government power (including parliament, the judiciary and the media) to constrain government action is limited. As set out below, the independence of the judiciary has diminished and this may affect state protection in certain circumstances.

Military

5.5 The Republic of Fiji Military Forces (RFMF) is among the largest and most sophisticated militaries in the Pacific. Fiji is a significant contributor of troops to UN peacekeeping missions, including in the Middle East. Its military was estimated to have 3,500 personnel in 2012. This is just over one per cent of the population, which is a comparatively high ratio of military personnel to population. Ethnically, the military is overwhelmingly indigenous Fijian (probably over 90 per cent, although official figures are unavailable). It is widely considered to be a stronghold of indigenous Fijian power. However, there are also some examples of Indo-Fijians in senior positions.

5.6 Following the 2006 coup, the RFMF has played a central role in government. RFMF Commander, Josaia Voreqe Bainimarama, was simultaneously interim Prime Minister between 2006 and 2014. Senior RFMF officers and former officers were appointed to key positions across government. Following elections in late 2014, the RFMF (and its alumni) remains the most influential organisation in Fiji's bureaucracy.

5.7 Credible contacts report that military personnel are also involved in monitoring and occasional harassment of opposition political leaders, NGO activists, and the media. However, this appears to have lessened in 2016 and 2017, compared to the previous reporting period immediately following elections.

Police

5.8 The Fiji Police Force (FPF) has several thousand sworn personnel, giving it a police to population ratio comparable to Australia's. The country's geographic spread is a challenge, with some difficulty in providing advanced police capabilities to remote islands. The ethnic make-up of the FPF roughly reflects Fiji's broader ethnic make-up, with approximately one third of members being of Indo-Fijian descent. However, there are few senior Indo-Fijian officers with much of the senior leadership appointed from the Military. The FPF is generally assessed to be amongst the more capable police forces in the Pacific, but it is less capable than the military.

5.9 There have been confirmed cases and credible allegations of police involvement in beatings and assaults (see [Cruel, Inhuman or Degrading Treatment or Punishment](#), above). A range of credible contacts alleged the Police Intelligence Bureau is routinely involved in monitoring and occasional harassment of opposition activists.

5.10 The FPF is significantly less influential than the RFMF within the Fijian bureaucracy. The interim government's major support networks were drawn from the RFMF between 2006 and 2014. By contrast, the FPF was seen as an alternative source of power and was deliberately disempowered, including by disarming its officers. As a result, police officers do not carry arms, but can request armed back-up the military.

5.11 The FPF has some ability to protect individuals from societal harassment, discrimination, and violence. It is relatively accessible, though one Indo-Fijian community organisation claimed the police were sometimes unresponsive. Credible sources agree domestic violence is an area where police need to improve their responsiveness and action (see [Women](#)).

Judiciary

5.12 Fiji's judiciary was historically strong, well-qualified and independent. In April 2009, a panel of three judges constituted by the Court of Appeal found the 2006 coup to have been illegal. The following day, President Ratu Josefa Iloilo abrogated the 1997 Constitution and dismissed the judiciary, whose independence has subsequently been weakened. The 2013 Constitution prohibits the judiciary from considering cases related to the 2006 coup, acts of the government from December 2006 to April 2009, abrogation of the 1997 Constitution, and all government decrees from December 2006 onward.

5.13 Under the 2013 Constitution, Fiji has a hierarchical system of courts, including a Supreme Court, which can hear constitutional questions, Court of Appeal, High Court and Magistrates courts. A Director of Public Prosecutions is responsible for making decisions on whether to prosecute (on the basis of evidence collected by police) and for conducting prosecutions at all levels. The 2013 Constitution provides for the independence of the judiciary.

5.14 However, the government retains influence over judicial appointments: the Chief Justice and President of Court of Appeal are appointed by the President on advice of the Prime Minister, following consultation with the Attorney-General. Judges of Supreme Court, Justices of Appeal and Judges of the High Court are appointed by the President on recommendation of the Judicial Services Commission, which in turn is appointed by the Prime Minister.

5.15 During the period from 2006 to 2014, and particularly following the sacking of the judiciary in 2009, the government has exercised close control over the appointment of judges. Fiji's opposition and civil society often allege partiality on the part of the judiciary in hearing politically sensitive cases. Fiji's judicial system permits the appointment of international justices. A significant number of Fiji's judges are from Sri Lanka. According to a range of sources, foreign judges are provided better salary packages, but shorter contracts, than local judges and are expected to support government priorities in certain politically sensitive cases.

5.16 In practice, the judiciary appears to display partiality in the exercise of its authority. In low-level civil and criminal cases, the courts generally appear competent and even-handed. It is in politically sensitive cases that partiality may emerge. It is possible that the judiciary could impartially adjudicate cases of soldiers or police accused of human rights abuses, but its independence would depend on the presiding judge in the case and could not be guaranteed.

5.17 Overall, DFAT assesses that Fiji's judicial system is not capable of providing protection to high-profile opponents of the government. For low-profile and non-political matters, the judicial system is generally capable of providing effective state protection.

Detention and Prison

5.18 Credible sources agree that prison conditions did not meet international standards. Overcrowding and deteriorating infrastructure are regular complaints. Prison facilities are not suited to inmates with physical and mental disabilities.

5.19 In December 2016, the Fiji Corrections Service (FCS) terminated a corrections officer who allegedly raped a female inmate at the Labasa corrections facility. Police were reportedly still investigating the case in August 2017. The FHRADC independently investigated the case, but DFAT is not aware of any further outcomes.

5.20 Prisoners may submit complaints to the FHRADC, which reportedly investigated a few such complaints during 2016. In theory, prisoners may also lodge complaints with the FCS; however, DFAT is not aware of any such complaints resulting in action.

INTERNAL RELOCATION

5.21 The 2013 Constitution guarantees the right for Fijian citizens and residents to move freely throughout Fiji and to reside anywhere in Fiji. However, that right can be restricted by law on the basis of national security, public safety, public order, and a range of other grounds.

5.22 There is no general requirement to register one's place of residence with local authorities. Although in the past there have been military checkpoints in place along highways, this system is no longer in use. Individuals can generally relocate without necessarily coming to the attention of authorities.

5.23 In practice, there is widespread and frequent relocation to Suva, Nadi and other urban centres, particularly in search of employment. Family and tribal links can be important to successful relocation. For example, restrictions on the sale of indigenous land can complicate access to land in rural areas (see [Land Rights](#)). In a small, connected society, anonymity can be difficult to guarantee. It is more difficult for women than men to relocate, depending on their education level and number of dependents. Labour mobility for unskilled workers further limits their ability to relocate.

5.24 However, relocation is more practical for certain people and to certain locations. Highly skilled people may be able to find employment in Suva or Nadi, though unemployment remains high in those

locations as well. Less skilled people would find it difficult in practice to move away from family networks. Relocation prospects also depend on the type of discrimination in question: relocation may be possible to avoid low-level official discrimination, but not high-level political discrimination. In the case of women attempting to escape domestic violence, strong familial connections or support from community based organisations are crucial for successful relocation (see [Women](#)).

EXIT AND ENTRY PROCEDURES

5.25 A valid travel document and appropriate entry visa for the intended destination is required for entry and exit to and from Fiji. The Fijian Department of Immigration website maintains up to date information on immigration and citizenship requirements (<http://www.immigration.gov.fj/>). In addition, Airports Fiji Limited maintains an up to date website which includes border control requirements and processes (<http://www.airportsfiji.com/>).

5.26 The Passport Division of the Ministry of Immigration is responsible for the determination and issuance of Fiji passports to Fiji citizens under the Fiji Passport Act 2002. Fiji passports are issued to those who have Fiji citizenship through birth, registration and naturalization.

5.27 Fijian nationals who have lost, or do not have a Fijian passport must apply for a Certificate of Identity (a one-way travel document into Fiji only) at a Fijian embassy or consulate abroad. Fiji embassy and consulate services are available at the following website (<http://fijiconsulategeneral.org.au/passports/>).

5.28 An exception to the Certificate of Identity one way travel requirement was made when Fiji ran out of passports (this was experienced in 2012 and 2014) and Certificates of Identity were used for both outbound and inbound travel.

5.29 To be issued a Certificate of Identity applicants must provide:

- a police event report and a statutory declaration signed and stamped by a Justice of Peace (JP) explaining the event leading to loss/theft/damage; and
- other required documentation including a copy of birth certificate, marriage certificate, and name change certificate

5.30 Upon arrival in Fiji, border officials check the details of the Certificate of Identity, confirm bona fides, register the document number, name and date of birth and advise that the document is not valid for further travel. The document is also seized by immigration officials at the border and the bearer is required to go to an immigration office to apply for a new passport.

5.31 For Fijian citizens returning on their Fijian passport, the border official checks and registers the passport number, name and date of birth of the bearer.

5.32 All inbound and outbound passengers (including Fijians) are checked against the Oracle system, which includes a 'Stop Watch' List (including, for example, entries based on court orders to stop departure, or alerts from Customs if the passenger has outstanding tax debts).

5.33 In addition to the Oracle system, Fiji immigration services and border security have installed an Integrated Border Management System (IBMS). IBMS integrates with digital and biometric passport systems compatible with International Civil Aviation Organisation (ICAO) standards to enhance the level of security at the border. It is also compatible with the Australian Advanced Passenger Information System and Advanced Passenger Processing applications that advance passenger lists to airlines while conducting watch list processing.

DOCUMENTATION

5.34 Fiji citizenship is governed by the *Citizenship of Fiji Decree 2009*. This was promulgated in July 2009 and deemed to have come into force on 10th April 2009. Fiji citizenship can be acquired by birth, registration and naturalization.

5.35 Procedures for issuing identity documents are antiquated. Identity records are kept at the headquarters in Suva but most documents have weak to no security features. Issuance, updating and access to records are susceptible to bribery and corruption. Fiji's passports no longer record an individual's ethnicity (i.e. indigenous Fijian or Indo-Fijian).

Birth and Death Certificates

5.36 The *Births Deaths and Marriages Registration Act* [Cap 49] and the *Marriage Act* [Cap 50] regulate the registration of births, deaths and marriages in Fiji. The Births Deaths and Marriages registrar (BDM) is responsible for all dealings pertaining to the registration of births, deaths and marriages.

5.37 Fijian birth certificates have weak or no security features; the only identifier is an individual certificate number. Local procedures vary. If the birth takes place in a local hospital it is recorded on a 'notification of birth' slip. The parents or guardian are given a copy of the notification of birth when the child is discharged from hospital. There are no timeframe requirements to register the birth and it can be registered verbally.

5.38 Those born in a village go to the nearest medical centre where they are provided with a child medical record (book) which they use for monthly checks and vaccinations. This is used as evidence of birth registration. BDM will also accept baptism certificates as evidence of birth, particularly from outer islands.

5.39 Birth certificates can be amended easily and the father's name is frequently added at a later date. A child of an unmarried parent is normally registered under the care of the mother. If the father accepts paternity, he may apply, with the mother's approval, for the addition of the father's particulars to re-register the child under his name. In this case, a separate statutory declaration must be completed by the father declaring that he is the natural father. He may also add his family name to the child's full name. With respect to legitimisation of birth, the date of parents' marriage as well as the father's particulars will be included in the birth record of the child after the marriage.

5.40 If a child is later adopted, the birth certificate is amended according to the adoption order (court order). The child is then re-registered to have the new parents as the parents listed on the birth certificate. An adopted child will have two birth registration numbers.

5.41 In July 2002, the Registrar General introduced a new system whereby a Personal Identity Number (PIN) was assigned to the child at registration of birth. This unique number is used to identify the person for marriage, divorce and death. The birth registration system is irregular in its application: for example, children are often not registered until school age when a birth certificate is required to enrol the child for school.

Informal adoptions

5.42 Informal adoptions, in which children are supported by family members other than their parents or extended family members or friends, are relatively common in Fiji. Infants from young or unwed mothers may be given up because of social and community issues, and children from large families may be given up because of necessity. There are some indications that this cultural practice is now being exploited: civil society organisations have raised the possibility of trafficking of children for adoption from remote Pacific

Island communities. Concern has also been raised over the vulnerability of children who may not have had their births registered in remote communities (rural and atoll) and their lack of visibility by the authorities.

5.43 DIBP officers have observed that it is relatively easy to obtain a copy of a birth certificate in Fiji. Post offices and Births, Deaths and Marriages offices can issue copies of birth certificates without proof of identity, requiring only a name and date of birth details.

Voter Identity Cards

5.44 Eligible Fijian citizens can register for a Voter Identity Card, by providing one of the following pieces of evidence: birth certificate, passport, Fiji National Provident Fund (FNPF) card, driver's licence, Social Welfare card or work identification card, including a photograph.

Passports

5.45 Section 14 of the *Passports Act* prohibits irregular exit from Fiji (including use of fraudulent or counterfeit documents). Penalties include a fine not exceeding two hundred dollars or imprisonment for a term not exceeding one year or both.

5.46 Fijian passports include an ICAO-compliant Machine Readable Zone (MRZ) at the bottom of the bio-data page. They therefore meet the minimum ICAO requirements. The passports have some basic ultraviolet security features and watermarks. A photograph and signature is affixed to the passport and covered by a laminate. The documents are valid for ten years.

PREVALENCE OF FRAUD

5.47 Counterfeit documents or fraudulently obtained documents are readily and cheaply available. Documents issued from religious practices, such as marriage, have weak, or no security features.

5.48 The previous head of Fiji Immigration, Viliame Naupoto, stated in 2007 that '[a] Fiji passport fetches up to \$20,000' on the black market. Sources indicate it is not difficult to forge Fijian travel documents or obtain them through other irregular means. It is also possible to obtain Fiji passports through fraudulent application processes, for example, using someone else's birth certificate. These documents are vulnerable to fraud and counterfeit, which increases the risk of Fijian passports being fraudulently obtained based on the counterfeit supporting documentation. Government corruption has also played a part in passport fraud.

5.49 There have been a number of passport or immigration scams involving Indian and other foreign nationals in Fiji. Fiji's 'hub' location for onward travel and the ease of obtaining fraudulent Fijian passports make it an attractive transit country for irregular migrants hoping to reach Australia, New Zealand or Canada. For example:

- in October 2014, fake Fijian passports were among those seized in a raid in Lahore in Pakistan;
- in January 2013, eight Fijians were convicted of passport fraud in New Zealand;
- in February 2010, reports on 'the possible use of Fiji' as a 'hub' for people smuggling after a group of Indian nationals who had travelled through Fiji to New Zealand were found to be carrying fake Canadian and British passports;

- two Fiji Times articles from June 2008 reported the story of an Indian national who had attempted to travel to Japan on a fraudulent Fijian passport. The man's lawyer said he had paid \$9000 for the passport; and
- in 2007 a Fijian travel agent was charged with 'one count of conspiracy to make a false declaration in order to obtain a passport and one count of official corruption'. The agent had allegedly attempted to obtain a Fijian passport for a client under a false name and had paid a Fijian immigration official (a passports manager) to 'show favour' to other Indian nationals.